

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

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Item 12 of the agenda

Follow-up to the recommendations and decisions of the Eighth Review Conference and the question of future review of the Convention

Reinforcing the Mechanism of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction

Submitted by China

1. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC) is an important cornerstone of the international security and global biosecurity governance, and constitutes an important component of the international non-proliferation regime. The year of 2022 marks the 50th anniversary of the Convention's opening for signature. Since its entry into force, the Convention has played an important role in prohibiting biological weapons, preventing biological threats and promoting peaceful uses of biotechnology. Under the profound global changes and devastating COVID-19 pandemic unseen in a century, global biosecurity faces new risks and challenges. While traditional biological threats persist, non-traditional ones become more diverse with evolving risks of misuse and abuse of emerging biotechnology.

2. Biosecurity threats respect no borders and all states shall work together to address such threats collectively. Facing new situations and emerging challenges, States Parties should seize the opportunity of the Ninth Review Conference to reaffirm their firm political commitment to upholding and strengthening the Convention, jointly safeguard the effectiveness and authority of the Convention, comprehensively review the implementation of all articles of the Convention taking into consideration of new developments of bio-science and technology, with a view to exploring effective ways to reinforce the mechanism of the Convention in a holistic approach, which will contribute to further promoting universal security and common development of all countries in the biological field.

3. China looks forward to comprehensive, in-depth and constructive dialogues with all States Parties to jointly work for positive outcomes of the Ninth Review Conference in the following areas, *inter alia*:

I. Establishing an effective verification mechanism

4. Establishing a verification mechanism is the most effective means of ensuring compliance and building mutual trust. It is an international consensus to "ensuring compliance through verification", which has been tested by decades of practice under the framework of instruments of international arms control and disarmament. The field of biological security governance should not be an exception. The inter-sessional discussions as well as the disputes among States Parties over compliance and other issues during this round



of the review cycle further highlight the necessity and urgency of establishing a verification mechanism of the Convention. It is the common responsibilities of States Parties to promote the establishment of an effective verification mechanism at an early date to comprehensively reinforce the Convention. It should be a focus of the work of the Ninth Review Conference.

5. China supports conclusion of a non-discriminatory legally binding protocol containing effective verification measures to strengthen the Convention in a balanced and comprehensive manner through resumption of multilateral negotiations. As an intermediate step, China proposes that the Ninth Review Conference authorizes the establishment of an Experts Working Group charged with: a) considering specific measures to achieve the above-mentioned objective, taking into account any possible new scientific and technological developments relevant to the Convention and evolution of biological threats; b) assessing the feasibility of resumption of such negotiations building upon the work carried out by the Ad Hoc Group between 1995 and 2001, and c) submitting and reporting specific findings to the States Parties.

II. Advancing peaceful uses of bio-science and technology and related international cooperation

6. China believes that the Ninth Review Conference should conduct a comprehensive review of how to implement Article X fully, effectively without any discrimination, and promote substantive progress in the following aspects:

A. Peaceful Uses

7. It is important to strike a proper balance between preventing the proliferation of weapons of mass destruction and promoting peaceful uses. While going all out for the goal of non-proliferation, the Convention shall be implemented in a manner designed to avoid hampering the international exchange and cooperation in the field of peaceful bacteriological (biological) activities, including the international exchanges in related materials, technologies and equipment for peaceful purposes. Discriminatory policies and unilateral sanctions that hamper peaceful uses and international cooperation should be eliminated.

B. International Cooperation and Assistance

8. Sharing the dividend of bio-science and technological progress is the legitimate right of all States Parties. Against the backdrop of the Covid-19 pandemic, developed countries bear special responsibility to further promote international cooperation with and assistance to developing countries in the framework of the Convention, bridge gaps in bio-science and technology, boost the sharing of benefits and dividends related to development and jointly build a guardrail for global health security.

9. The national conditions and practical needs of all countries, especially developing countries, should be fully taken into account. More targeted international cooperation and assistance should be carried out to support developing countries in strengthening their capacity building, including bridging gaps in domestic governance, legislation and expertise.

10. China encourages all parties to make full use of existing platforms under the Convention to provide the international community, especially developing countries, with more diversified biosecurity public goods. In this regard, the consensus of the Eighth Review Conference on strengthening the database of assistance and cooperation and improving the operating mechanism should be implemented. Concrete proposals on improving the utilization rate, timeliness and ease of use of the database could be made during the Ninth Review Conference.

C. Compliance Mechanism on Article X Implementation

11. China supports the position and proposition of the NAM and Other States Parties to the BWC in this aspect, and supports the Ninth Review Conference to fully discuss the NAM's request and authorize the establishment of a Cooperation Committee which include an institutional mechanism for compliance with Article X of the Convention, to take practical measures to address the concerns of developing countries, to safeguard the right of States Parties of peaceful uses and to promote international cooperation.

12. For the promotion of inclusive sharing of the dividends of biotechnology and resources, China proposes to establish a Non-proliferation Export Control and International Cooperation Regime under the framework of the Convention. China has submitted a working paper to the Ninth Review Conference in this regard and is willing to continue to carry out constructive dialogues with all parties to further improve this proposal.

13. In 2021, the 76th session of the United Nations General Assembly (UNGA) adopted the Resolution entitled Promoting International Cooperation on Peaceful Uses in the Context of International Security (A/RES/76/234), which was initiated by China and co-sponsored by other 26 UN Member States. The First Committee (Disarmament and International Security) of the 77th session of the UNGA, for the second consecutive year, adopted the resolution of the same title submitted by China and co-sponsored by other 22 UN Member States. China welcomes all parties to actively support and participate in the follow-up process of the UNGA and jointly promote peaceful uses and international cooperation, *inter alia*, in bacteriological (biological) field.

14. China supports the initiative of the President of the Republic of Kazakhstan Kassym-Jomart Tokayev to establish an International Agency for Biological Safety (IABS) and stands ready to discuss the proposal with all parties.

III. Confidence-building measures (CBM)

15. Voluntary transparency measures are of great significance in enhancing mutual trust and addressing compliance concerns. In order to promote the effective implementation of Article V of the Convention, China supports improving relevant measures, including further enhancing participation of States Parties in the CBM, improving the reporting format, including adding a new form of, *inter alia*, military biomedical activities conducted by a reporting State on the territory of other States, and enhancing the completeness and accuracy of the CBM declaration.

16. China welcomes peer review exercises, voluntary visits or other similar activities conducted by some States Parties. These activities should contribute to rather than hinder the eventual conclusion of a legally-binding verification protocol. China supports the improvement of the UN Secretary General's Mechanism for the Alleged Use of Chemical and Biological Weapons (UNSGM), and believes that it is necessary to review the current Guidelines and Procedures of the UNSGM in light of the development and changes of the international situation, and further discuss the UNSGM operating procedures. China will continue to actively participate in activities of exercises for designated laboratories on the UNSGM roster.

IV. Science and Technology Review Mechanism

17. China advocates responsible biological scientific research, and proposes that the Ninth Review Conference endorses the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists. China has submitted a working paper on this proposal.

18. China encourages all parties to strengthen the supervision and self-discipline of biological laboratories, exchange experiences on, *inter alia*, laboratory regulatory rules, technical standards, protection levels, risk assessment, design and construction, personnel training, safety assurance and emergency response, share best practices, and jointly strengthen the capacity of biosafety and biosecurity of laboratories.

19. Article XII establishes the review mechanism of the Convention, aiming to systematically assess the operation of the Convention, taking into account any new scientific and technological developments relevant to the Convention, and to guide and advance the development of biotechnology for human well-being while reducing the risks of misuse and abuse of biotechnology. China supports the establishment of a Scientific Advisory Committee under the framework of the Convention. The relevant mechanism should be led by States Parties, fully reflect geographical balance and representation of developing countries, maintain professionalism and independence, and operate by the principle of consensus.

V. Organization and Outreach

20. Strengthening the mechanism of the Convention requires a strong Implementation Support Unit (ISU). China will, as always, actively support the work of the ISU and is open to any proposals including strengthening appropriately the human resources, finance and other aspects of the ISU.

21. China supports strengthening the cooperation between the Convention and the United Nations (UN), World Health Organization (WHO) and other relevant international organizations, to integrate resources and coordinate actions in line with their respective mandates, so as to better promote global biosecurity governance.

In conclusion, for the purpose of comprehensively and institutionally strengthening the Convention, China proposes that the Ninth Review Conference takes, *inter alia*, the following actions to:

(a) Review the implementation of all articles of the Convention in a comprehensive, balanced and objective manner, take stock of and summarize the progress on issues of substance and process in the inter-sessional period of this review cycle, and make consensus decisions on issues which enjoy broad support.

(b) Reiterate that States Parties should implement the Convention in a comprehensive manner, and commit to achieving the objectives of the preamble and all articles of the Convention.

(c) Reaffirm the necessity and urgency of concluding a non-discriminatory legally binding protocol containing effective verification measures to strengthen the Convention in a balanced and comprehensive manner through resumption of multilateral negotiations. Authorize to establish an Experts Working Group to assess the feasibility of resumption protocol negotiations building upon the work of the Ad Hoc Group between 1995 and 2001, and to make specific recommendations to the States Parties.

(d) Review the submissions of confidence-building declarations, and on this basis, to make decisions on further improving the reporting format, increasing participation and enhancing the completeness and accuracy of the CBM declaration.

(e) Advocate responsible biological research, endorse the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists, and encourage all stakeholders to voluntarily incorporate the contents of the Tianjin Guidelines into their relevant practices, policies, regulations and legislation. Advocate reinforcing the supervision and self-discipline of biological laboratories, to encourage States Parties to exchange best practices, and to authorize further discussions in the follow-up inter-sessional process.

(f) Reiterate the commitment not to impede the economic and technological development of States Parties, or international cooperation in the field of peaceful bacteriological (biological) activities. Review appropriate measures that would strengthen the international cooperation and compliance mechanism of the Convention. Authorize the establishment of an interim Experts Working Group to study issues such as the establishment of a Cooperation Committee which include an institutional mechanism for compliance with Article X, the improvement of the cooperation database, and the addition of an international

cooperation officer to the ISU. And further study the establishment of the Non-proliferation Export Control and International Cooperation Regime under the framework of the Convention, and related issues, such as control list and transfer dispute settlement.

(g) Reaffirm that States Parties should address, through consultation and cooperation, any concerns regarding alleged violations of the obligations of the Convention and resolve any compliance concerns timely and effectively. Call for constructive discussions on the improvement of procedures of Article V and VI, the formulation of guiding principles and specific procedures for applying for assistance under Article VII, as well as on other issues.

(h) Decide to extend the mandate of the ISU. Encourage States Parties to pay their assessed contributions in full and on time, support voluntary contributions and provide financial assistance to developing countries in need of sponsorship.
