

# **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**

1 December 2022

Original: English and Spanish  
English and Spanish only

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Geneva, 28 November to 16 December 2022

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

## **Proposal to establish an ad hoc group for the intersessional period to strengthen the Biological Weapons Convention through a legally binding protocol**

Submitted by Cuba

### **I. Rationale for the proposal**

1. More than 50 years after the adoption of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, there is a clear and urgent need to strengthen it in a comprehensive, balanced and non-discriminatory manner, through a legally binding Protocol that includes verification measures.
2. Cuba proposes that the Ninth Review Conference establish an Ad Hoc Group, open to all States Parties, to consider appropriate measures to strengthen the Convention, including verification measures, with a view to its inclusion in a legally binding Protocol.
3. The measures identified by the Ad Hoc Group would be presented for consideration by the States Parties at the Tenth Review Conference of the Convention.
4. In carrying out its work, the Ad Hoc Group would take into account as references, among other documents and proposals that it considers relevant, the work carried out by the States Parties in the past, aimed at strengthening the Convention through a legally binding Protocol.
5. The Third Review Conference of the Convention (1991) established an Ad Hoc Group of Governmental Experts to identify and examine potential verification measures from a scientific and technical standpoint (commonly known as VEREX Group).
6. VEREX Group fulfilled its mandate and adopted a final report, contained in document BXC/CONF.III/VEREX/8, dated September 24<sup>th</sup>, 1993, identifying 21 potential verification measures for the Biological Weapons Convention.
7. After considering the Final Report of VEREX Group, the 1994 Special Conference of the States Parties decided to establish an Ad Hoc Group to consider appropriate measures to strengthen the Convention, including possible verification measures, with a view to its inclusion in a legally binding instrument.
8. This Group made significant progress as a result of intense consultations and negotiations, which were abruptly and unilaterally interrupted in their final phase by one State Party in July 2001, when the process was already very close to adopting a final agreement, on the basis of the draft Protocol contained in document BWC/AD HOC GROUP/CRP.8, dated May 30<sup>th</sup>, 2001.



9. In Cuba's view, the significant progress made in the past shows that it is possible, if there is real political will by the States Parties, to strengthen the Convention in all its aspects through a legally binding Protocol that includes verification measures.

10. The Biological Weapons Convention cannot continue to be the only disarmament instrument on weapons of mass destruction that does not have a verification system to ensure its full and effective implementation.

## **II. Draft proposal to be included in Part III (Decisions and recommendations) of the Final Document of the Ninth Review Conference**

11. The Conference decides to establish an Ad Hoc Group, open to all States Parties, to consider appropriate measures to strengthen the Convention, including verification measures, with a view to its inclusion in a legally binding Protocol.

12. The recommendations of the Group would be presented for consideration by the States Parties at the Tenth Review Conference of the Convention.

13. The Ad Hoc Group would operate along the following guidelines:

- It will hold annual meetings of 10 days each, during the years 2023 to 2026.
- It will work under the rule of consensus.
- It shall be chaired by a representative of the Group of the Non-Aligned Movement and other States Parties and shall have as vice-chairs a representative of each of the other Regional Groups recognized in the context of the Convention.
- In fulfilling its mandate, the Group shall take due account of new scientific and technological developments relevant to the Convention; the work carried out by the States Parties in the interest of strengthening the Convention, including the Final Report of the VEREX Group (BXC/CONF.III/VEREX/8, dated 24 September 1993) and the draft Protocol contained in document BWC/AD HOC GROUP/CRP.8, dated 30 May 2001; as well as other national documents, contributions and proposals submitted by the States Parties.
- The Final Report of the Group should be circulated to all States Parties no later than 6 months prior to the Tenth Review Conference for consideration at that Conference.