

**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 2022

English only

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**

**Proposals for the Final Document of the Ninth Review
Conference of the Biological and Toxin Weapons Convention
(BTWC): Intersessional Programme, Implementation
Support Unit and Science and Technology**

**Submitted by the Republic of Azerbaijan on behalf of the Group of the
Non-Aligned Movement and Other States to the BWC**

I. Decisions and recommendations

A. Outcome of the 2017-2020 intersessional programme

1. In accordance with the decision taken by the Eighth Review Conference, Meetings of States Parties of one week duration were held each year, commencing in 2017, to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme. Each meeting of States Parties was prepared by a one-week meeting of experts. The Standing Agenda Items addressed at meetings of both the Meeting of Experts and Meeting of States Parties were:

- (a) Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X;
- (b) Review of developments in the field of science and technology related to the Convention;
- (c) Strengthening national implementation;
- (d) The following other items were discussed during the intersessional programme in the years indicated.

2. The Conference notes that the meetings of States Parties and meetings of experts functioned as an important forum for exchange of national experiences and in-depth deliberations among States Parties. The meetings of States Parties engendered greater common understanding on steps to be taken to further strengthen the implementation of the Convention.

3. The Conference notes the contribution by the WHO, FAO, OIE and other relevant international organizations, as well as scientific and academic institutions and non-governmental organizations, to the meetings of States Parties and meetings of experts.



B. Intersessional Programme 2023-2026

4. The purpose of the intersessional programme is to discuss, ~~and~~ promote common understanding and recommend effective action to strengthen the Convention on those issues identified for inclusion in the intersessional programme by the Ninth Review Conference.
5. Recognizing the need to balance an ambition to improve the intersessional programme within the constraints — both financial and human resources — facing States Parties and the importance of respecting the mandate given by the review Conference to the inter-sessional process and the position of not reopening the fractious debates on this matter.
6. The future new intersessional period should be guided by the following principles and objectives:
 - (a) The aim of the intersessional programme is to strengthen the effectiveness and improve the implementation of all the provisions of the Convention on a voluntary basis;
 - (b) The BWC forms a composite whole and that, while it is possible to address related issues separately, it is necessary for all the interlinked elements of the Convention to be dealt with in a balanced and comprehensive manner, whether they relate to regulation, compliance or promotion;
 - (c) Any follow-up or ad hoc mechanism for the Tenth Review Conference should be comprehensive enough to allow an evaluation of the Convention in its entirety. It should take advantage of all the experiences accumulated so far by the States Parties in the framework of the Convention;
 - (d) Annual meetings should achieve a balance between political and technical follow up of the Convention, including balance between the timing and content of work been assign to the different meetings. Any expert meetings should not be in the detriment of the States Parties Meetings;
 - (e) To ensure that Review Conferences remains as the forum with the authority to make decisions within the framework of the Convention, taking into account the recommendations and proposals emanating from the ISP;
 - (f) To facilitate the fullest exchange of equipment, materials and scientific and technological information for the peaceful uses of bacteriological agents and toxins;
 - (g) Although the multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement is the only sustainable method of strengthening the Convention; the Conference recognizes however the value of the intersessional programme for promoting the objectives of the Convention in the aspects related to regulation, compliance or promotion;
 - (h) To take into account the economic obstacles that the developing countries face, giving continuity to the results of the Review Conferences.
7. The traditional rotation of the Chair of the Annual Meetings among the Regional Groups, to be supported by two annual vice-chairs, one from each of the other two regional groups, should be maintained.
8. All meetings will reach any conclusions or results by consensus.
9. The Tenth Review Conference will consider the work and outcome of these meetings and decide on any further action.

II. Decisions and recommendations

A. Strengthening national implementation

10. The Conference decides that the following topics will be addressed under the Standing Agenda Item on strengthening national implementation:

(a) national legislations which are consistent and in conformity with all provisions of the Convention (NAM proposals to Chairman non paper MSP 2020 held in 2021);

(b) enacting necessary legislations and/or regulations to ensure the fullest possible exchange of equipment, materials and technologies for peaceful purposes;

(c) enacting necessary legislations that any violation of Article X would be prosecuted;

(d) necessary measures to redress and remedy the situations arising from the violation of obligations under Article X, committed by any legal or natural persons;

(e) reviewing national laws and regulations governing international exchanges and transfers to ensure that they are in full conformity with the obligations undertaken under Article X.

B. Confidence-building measures

11. The Conference decides to maintain the current reporting forms as the basis for all the CMB submissions from States Parties, unless there is a consensus otherwise.

12. The Conference calls upon States Parties that have not yet done so to designate a national point of contact responsible preparing the submission of CBMs, in accordance with the decision of the Seventh Review Conference.

C. Promotion of universalization

13. To keep the language of the 8th Review Conference's final document.

D. Implementation Support Unit

14. The language of this section could be in line with the 8th Review's Final Document.

15. The Conference notes that the Implementation Support Unit, which was established by the Sixth Review Conference in order to provide administrative support to meetings agreed by the Review Conference as well as support for the comprehensive implementation and universalization of the Convention and the exchange of confidence-building measures, has successfully discharged its mandate. The Conference therefore decides to renew the mandate of the Unit, *mutatis mutandis*, for the period from 2023 to 2026, unless there is consensus otherwise.

16. The Conference decides that, in addition to the tasks mandated by the Sixth Review Conference, the ISU will perform the following tasks:

17. The Conference considers that the sub paragraphs under this paragraph would need to be reviewed in the light of the proposals included in the section of the Standing Agenda on Article X.

18. Also, The Conference believes that complex issues such as future mandates, scopes, plans, role of State Parties in its structure and program, as well as due regard to the equitable geographical distribution in the recruitment process, should be adequately addressed with regard to ISU.

III. Decisions and recommendations

Review of developments in the field of science and technology related to the Convention

19. The Conference decides to maintain the “Review of developments in the field of science and technology related to the Convention” as a Standing Agenda Item and to continue to promote common understanding and effective actions which will support States Parties to benefit from the developments in science and technology.

20. States Parties noted that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; and programming cells to produce toxins, viruses or other biological materials which could cause harm. States Parties also agreed on the importance of facilitating the fullest possible exchange of relevant technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

21. The Conference considers that the ideas for a structural, systematic and ongoing process of the review of science and technology related to the Convention, are part and parcel of Review Conference mandate and should be decided by the Review Conference.

22. The Conference decides that the following topics will be addressed under this Standing Agenda Item:

(a) New science and technology developments that have potential for uses contrary to the provisions of the Convention;

(b) New science and technology developments that have many potential benefits for the Convention, including those to improved health care, increasing capacity to diagnose and treat diseases;

(c) New science and technology developments that have potential benefits for efficient food production, more renewable energy resources and better pollution management.

23. The Conference will consider the following measures:

(a) Enable new technologies between developed and developing countries and ensure the unhindered flow of scientific information and technology;

(b) Support the peaceful activities of States Parties, such as vaccine development, medicines and diagnostic equipment, which are essential for developing countries for meeting their public health needs;

(c) Promote equitable benefits from international cooperation in this area, keeping in mind the need for ensuring appropriate and affordable support for developing countries;

(d) Help States Parties to scale-up routine and urgent immunization activities;

(e) Support developing countries in accessing cost-effective, affordable and quality assured medicines and vaccines;

(f) Prevent actions and decisions within the BWC that would raise obstacles to the development of biological sciences in developing countries;

(g) Avoid any restrictions and/or limitations on exchange of scientific discoveries in the field of biology for prevention of disease and other peaceful purposes that may amount to a violation of obligations undertaken under Article X of the BWC;

(h) Promote technology transfers by the developed to developing countries in the context of enhanced national implementation of the Convention.

(i) Address the need for necessary cooperation and assistance in the form of training and capacity building to developing countries to set up advanced laboratories for detecting and responding to infectious diseases, collecting and disseminating information on

S&T developments, including new research in areas relevant to the Convention, exchange information about databases and networks and ensuring access to such databases and networks and training of personnel without any unjustified limitations that are of utmost importance for the developing countries.
