# Formal Consultative Meeting 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 

[^0]> Questions for the United States regarding compliance with obligations under Article IV of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC) in the context of activities of biological laboratories in Ukrainian territory

Submitted by the Russian Federation

Agreement between the Department of Defense of the United States of America and the Ministry of Health of Ukraine Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens anc Expertise that could be Used in the Development of Biological Weapons


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Article VI
As appropriate, the Parties may enter into additional implementing arrangements op agreements to cary out the provisions of this Agreement. In the
case of any inconsistency between this Agreement and any such arrangements or agreements, the provisions of this Agreement shall prevail.

Article VII
In order to facilitate the provision of assistance in accordance with the terms
and of his Agreements, and without prejudice to the U.S. Department of Defense's right
to conduct audits and examinations in accordance with Article $V$ of this Agreement: 1. The information transmitted under this Agreement or developed as a result of its implementation and considered by the U.S. Department of Defense as "sensitive" of
by the Minister

2. "Sensitive" information or "restricted information" shall be protect
accordance with the laws of the state of the party receiving the information. A) According to the laws and regulations of the United States of A erica, such
information shall be treated as sensitive information of information shall be treated as "sensitive information of a foreign government", and
shall be withheld from public disclosure to thc extent fond regulations of the United Sites of America Any such information by the laws and
res regulations of the United States of America. Any such information transmitted by
the Ministry of Health of Ukraine to the U.S. Department of Defense must be accompanied by w written declaration from the Government of of Ukraine which states
that it is withholding such information term that it is withholding such information from public disclosure and that the
information is provided to the Government of the United States of America on the information is provided to the Government of the United States of America on the
condition that it not be released to the public without the approval of the Government of Ukraine. In this written declaration, the Government of Ukraine shall specify the date until which the information provided should be withheld from
public disclosure by the Government of the United States of America That date public disclosure by the Government of the United States of America. That date
may be extended by the U.S. Department of Defense, to the extent permitted by the laws and regulations of the United States of America, in accordance with a request Government of Ukraine.
B) Information marked or designated by the U.S. Department of Defense as "sensitive
Ukraine.
3. The Parties shall minimize the number of persons who have access to information that is designated "sensitive" or "restricted information" in accordance with Paragraph 2 of this article. formation and technology considered "state secret of Ukraine" may be provided to the U.S. Department of Defense in accordance with the provisions of the "Law of Ukraine on State Secret.

1. The information transmitted under this Agreement or developed as a result of its implementation and considered by the U.S. Department of Defense as "sensitive" or by the Ministry of Health of Ukraine as "restricted marked as such
2 "Sensitive" information or "restricted information" shall be protected in accordance with the laws of the state of the party receiving the information

Information marked or designated by the U.S. Department of Defense as sensitive" should be withheld from public disclosure by the Government of Ukraine.
3. The Parties shall minimize the number of persons who have access to nformation that is designated
with Paragraph 2 of this article.
4. During implementation of this A greement, access to certain information Department of Defense in "accordance with the provisions of the "Law of Ukraine Department of
in State Secret

Article VIII
This Agreement shall enter into force upon signature and shall remain in Force for the duration of the Umbrella Agreement. This Agreement may be force for the duration of the Umbrella Agreement. This Agreement may be
amended by the written agreement of the Parties and may be terminated by either party upon written notification to the other party ninety days prior to its intention to do so, provided that the provisions of Article
for the duration of the Umbrella Agreement.
in WITNESS WHEREOF, the undersigned
IN WITNESS WHEREOF, the undersigned, being duly authorized by their
respective governments, have signed this Agreement.
DONE AT Kyiv, this 29 day of August, 2005, in duplicate, each in the
English and Ukrainian languages, bot texts being equally authentic.

For the Department of Defense of
For the Department of Defense
the United States of America
For the Ministry of Health of


## Registration Card under the DTRA Cooperative Biological Engagement Program (CBEP)



«the United States, its personnel, contractors and the personnel of the contractors due to the activity conducted under this Agreement, are exempt from the obligation to pay any taxes or similar charges that are levied on the territory of Ukraine»



Plan for providing technical assistance to certain recipients of the Ministry of Defense of Ukraine


Involvement of "Black \& Veatch Special Projects Corp" in activities that would violate the Biological and Toxin Weapons Convention


The 2015 report of the Security Service of Ukraine on the implementation of the Biological Threat Reduction Program and the Program of engagement in biological activities


Metabiota's involvement in activities violating the Biological and Toxin Weapons Convention


## Evidence of emergency destruction of documentary evidence of the Threat Reduction Program and the Biological Involvement Program in Ukraine



How does the restricted and closed nature of the results of work obtained within the framework of implementation of the Threat Reduction Program in Ukraine explain, and does this requirement, regulated by the Agreement on Cooperation in Prevention of Spread of Pathogens, Technologies and Knowledge Which May Be Used for Development of Biological Weapons of 2005, allow to provide the transparency regime in the context of implementation of the BTWC requirements by the USA and Ukraine?

What explains the need for centralization of collections and transfer to the United States of strains of dangerous pathogens isolated on the territory of Ukraine, as stipulated by Article IV of the said Agreement, and how does this correlate with the U.S. obligations under Article 1 of the Convention in terms of accumulation of dangerous pathogens?


[^0]:    2022 Meeting
    Geneva, 26 August and 5-9 September 2022
    Item 6 of the agenda
    Respective outstanding questions by the Russian Federation to the United States and to Ukraine concerning the fulfilment of their respective obligations under the Convention in the context of the operation of biological laboratories in Ukraine

