

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

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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

Response to the statements of Ukraine and the United States in the context of the questions of the Russian Federation on the compliance by these states with their obligations under the BTWC in the context of the activities of biolaboratories

Submitted by the Russian Federation

1. We would like to respond to the statements by Ukraine and the United States on the substance of the questions posed by the Russian Federation in the context of these States' compliance with their obligations under the BTWC.
2. The materials presented by the delegations of the Ukraine and the United States contain information on the declared goals and objectives of the Defense Threat Reduction Program in the territory of foreign states; historical aspects of the implementation of this program, efforts undertaken by the Ministry of Health of Ukraine to strengthen national measures aimed at ensuring the security of biological materials, Ukrainian civil health projects, and other information that is mostly unrelated to the questions posed by the Russian Federation.
3. We would like to dwell on certain points and show that the statements by the American and Ukrainian delegations are an attempt to avoid answers to specific, clearly formulated questions concerning the provisions of Articles I and IV of the BTWC and to shift the attention of the consultative meeting to issues that are not directly related to these points on the agenda of the event.
4. Today, we have heard a lot about the Russian Federation's participation in the threat reduction program, which was completed about 10 years ago. Let us note that one of the reasons for the termination of this interaction is that it was not mutually beneficial for the Russian side and was aimed at addressing narrowly focused issues of interest only to the DTRA. Moreover, the declared nature of cooperation corresponds to Article X of the BTWC (international cooperation) only externally, since the implementation of this program did not result in real improvement of the disease situation and the improvement of diagnostic capabilities of public health. There were no other attributes included in the understanding of the term "peaceful cooperation" in the context of the BTWC. At the same time, the focus of work within the framework of the DTRA projects was aimed at obtaining information of interest to the United States in the field of the current state of biosafety, ongoing research and developments in the field of diagnosis, prevention and treatment of infectious diseases.



5. This is well illustrated by the results of the implementation of the Program in Ukraine, which we have seen today, and the presentation of which has been reduced to a demonstration of photographs of several renovated laboratory facilities. Apart from these achievements, no other real results have been demonstrated. Unfortunately, neither the delegation of Ukraine nor the delegation of the United States provided information on how cooperation had helped improve the sanitary and epidemiological situation in Ukraine, which has been steadily deteriorating for the past 15 years.

6. Much of the U.S. delegation's presentation focused on the historical aspects of the program, without pointing out that the real goal of the program, which was to reduce the threat posed by the potential of the former Soviet Union, was achieved back in 2008. Let me remind you that in 2008 the U.S. Congress changed the mandate of the Program and expanded it to other regions of the world, outside the territory of the former Soviet Union. In this regard, it is not quite clear what kind of threats the DTRA is currently fighting in the post-Soviet space.

7. Almost all of the statements of the USA and Ukraine were focused on the fact that all the arguments and data presented by Russia are lies and misrepresentation. We would like to get a clarification from the Ukrainian and American Sides as to which of the documents presented by us at the meeting on September,5 are disinformation, if these papers have the signatures of real officials and the seals of organizations, and a significant portion of them are in the public domain.

8. In spite of the categorical nature of such allegations, out of the total volume of documents presented, real claims for authenticity concerned only two of them - a memo from the Security Service of Ukraine, as well as an appeal of the "Motor Sich" enterprise to the Turkish manufacturer of unmanned aerial vehicles "Bayraktar Akindzhi". The speculative argument used to prove that the document is a forgery is that Ukrainian state institutions do not use the Russian language in their correspondence. We would like to remind you that "Motor Sich" is not a Ukrainian state institution and uses Russian and English for interaction with the Turkish side, in which the mentioned document was drawn up.

9. We would like to dwell on certain points of the speech of the representatives of the U.S. Department of Defense and the DTRA.

10. In the context of the implementation of paragraph 5 of article IV of the 2005 Agreement "On cooperation in preventing the spread of pathogens, technologies and knowledge that can be used in the development of biological weapons", the thesis was heard that the transfer of samples of pathogenic biomaterials by the Ukrainian side to the United States, quote "... was infrequent...". Apparently, in the absence of any other presented evidence, we have to be satisfied with such a subjective formulation, without understanding whether we are talking about tens, hundreds or thousands of samples.

11. With regard to Article VII of the 2005 Agreement, there was an attempt to reproach us for misinterpreting the provisions on making the information obtained during the implementation of the DTRA projects restricted or classified. It was emphasized that this information, although not classified by default, *can* be recognized as such. In this connection, we should like to ask a counter question: what closed results were supposed to be obtained during the implementation of projects in Ukraine if they are known to be allegedly "peaceful" in nature and are intended to achieve the goals set out in Article X of the Convention?

12. In our opinion, the explanations by the American side regarding the participation in the Ukrainian projects of the citizens of the USA, whose names we have cited, do not stand up to criticism. The assertion that they only monitored the implementation of the projects, being members of the United States diplomatic missions in Ukraine, does not exempt them from the obligation, despite their diplomatic status, to observe the requirements of Article IV of the BTWC with regard to assistance in implementing projects with signs of violation of the Convention.

13. Regarding the statement by representatives of the Ministry of Health of Ukraine, we would like to express our surprise that the lack of interpretation of the term "biological laboratory" prevented Ukrainian experts from understanding the essence of the documents we presented and from interpreting them correctly.

14. In the presentation and additional comments, unfortunately, the nature of the use of the collection during the period from 2017-2018 in the Anti-Plague Institute named after Mechnikov in Odessa was not disclosed as well as the activities carried out with pathogens, though we repeatedly asked the Ukrainian delegation to do so. At the same time, the Mechnikov Institute in Odessa is designated as a leading institution in the field of pathogenic microorganisms. The institute is designated as a leading scientific and methodological center and an example of national control over biosafety compliance. Given the violations that were identified during a routine inspection of the institute in 2018, which included storage of pathogenic biomaterials in the stairwells and the lack of a functioning access control system for pathogens, the effectiveness of such national control is questionable and creates preconditions for theft and non-transparent trafficking of pathogens.

15. The presentation also mentioned the activities of Russian scientific organizations and their participation in projects to study vectors of particularly dangerous and economically significant infections, including highly pathogenic avian influenza. The Russian Federation has never concealed the fact of participation of profile institutes in research of such issues; they are carried out by the institutions of the Ministry of Agriculture of Russia and Rosselkhoz nadzor. Such studies have been and are being conducted by specialized professionals, just as in Ukraine, but with one significant exception. In Russia these studies are not funded by the Ministry of Defense, much less by the Ministry of Defense of another country, and their results and isolated strains are not transferred to a third party. Their implementation does not involve sensitive or classified information that is withdrawn from public access.
