

**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**

Distr.: General
12 September 2022
English only

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**

**Statement delivered on behalf of the Republic of
South Africa on the occasion of the 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**

Submitted by South Africa

Chairperson,

1. South Africa remains committed to the Biological Weapons Convention and continues to condemn the development, production, stockpiling or acquisition of microbial or other biological agents, or toxins, whatever their origin or method of production, for the production of biological weapons.
2. South Africa supports Article V of the Biological Weapons Convention as a valid and important mechanism of consultation and dialogue among Member States. Although seldom invoked, Article V has the great potential to be used as a tool of dialogue to clarify issues and engage in good faith to find constructive solutions to problems encountered by States Parties.
3. South Africa therefore engage constructively in these Article V consultations and will consider the arguments against the following benchmarks.

Chairperson,

4. South Africa attaches great value to the Convention's developmental and co-operative features as provided for in Article X and elaborated on by successive Review Conferences.
5. South Africa believes in the right of every States Party to engage freely and openly in cooperation with other States Parties on the use of biological agents for prophylactic, protective and peaceful purposes in accordance with the Convention.
6. Bilateral and multilateral technical cooperation agreements and assistance programmes form integral part of the implementation of Article X and includes programmes aimed at increasing capacity in developing countries in the use of biosciences for peaceful purposes.



7. Our first benchmark is therefore that any outcome to these Article V consultations will need to uphold the provisions of Article X and the relevant Review Conference outcomes.

Chairperson,

8. The second benchmark for South Africa would be that the outcome upholds the provisions of Convention. After having listened to the arguments raised, the full provisions of Article I seem particularly relevant when considering which activities may be or may not be consistent with the Convention.

Chairperson,

9. The third aspect is that these Article V consultations highlight the fundamental challenge facing the Convention in that while it establishes a clear and comprehensive norm against biological weapons, it lacks the means to verify adherence to this norm. The reality is that as we conduct these consultations, there are no means under the Convention to investigate or verify the veracity of either the concerns raised or the responses given to these concerns.

10. The discussion also highlights the limitations of the Convention's Confidence Building reports as the only transparency measure. Though important, the reports are by nature voluntary, circumscribed in terms of the areas of reporting and not subject to multilateral verification to the same extent as with the other two WMD instruments.

11. In the context of these challenges and without the "appropriate international procedures" provided for in Article V having been invoked, these consultations will likely not be able yield any definitive consensus conclusions on the substantive issues raised.

12. Finally, coming just ahead the important 9th Review Conference, it is South Africa's hope that these consultations will prompt the BWC community to use the Review Conference to set in motion procedures to resume work on the long overdue legally binding protocol, to develop a sustainable, responsive and focused basis for intersessional work, and to agree on appropriate institutional and budgetary arrangements to support the full and effective implementation of the Convention in the contemporary environment.

Thank you.
