



Security Council

Seventy-seventh year

Provisional

9171st meeting

Thursday, 27 October 2022, 3 p.m.

New York

<i>President:</i>	Mr. Biang.	(Gabon)
<i>Members:</i>	Albania	Mr. Hoxha
	Brazil.	Mr. De Almeida Filho
	China	Mr. Geng Shuang
	France	Mr. De Rivière
	Ghana	Ms. Oppong-Ntiri
	India	Mr. Raguttahalli
	Ireland	Mr. Mythen
	Kenya.	Ms. Mbabu
	Mexico	Mr. De la Fuente Ramírez
	Norway	Ms. Juul
	Russian Federation.	Mr. Nebenzia
	United Arab Emirates	Mrs. Alhefeiti
	United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
	United States of America.	Mrs. Thomas-Greenfield

Agenda

Threats to international peace and security

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Adedeji Ebo, Director and Deputy to the High Representative for Disarmament Affairs to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Ebo.

Mr. Ebo: We are aware that the Russian Federation has filed an official complaint, in line with the provisions of article VI of the Biological Weapons Convention (BWC), regarding allegations of biological weapons programmes in Ukraine. As High Representative Nakamitsu informed the Council in March and May, the United Nations is not aware of any such biological weapons programmes. That remains the case today. I would also like to note that the United Nations currently has neither the mandate nor the technical or operational capacity to investigate that information.

As High Representative Nakamitsu has previously stated in the Council, the relevant instrument of international law is the 1972 Biological Weapons Convention, which effectively prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons. The Russian Federation and Ukraine are both States parties to the Biological Weapons Convention.

On 29 June, Russia submitted a request for the convening of a formal consultative meeting under article V of the BWC and the Final Declarations of the Convention's second and third Review Conferences. In accordance with the agreed timelines, an informal meeting to discuss the arrangements for the formal meeting took place in Geneva on 27 July, chaired by Ambassador Aidan Liddle of the United Kingdom. The formal consultative meeting opened on Friday, 26 August 2022 for a brief procedural meeting. It then resumed its business on Monday, 5 September, for a

period of four days, and was chaired by Ambassador György Molnár of Hungary.

The meeting heard the presentation by the Russian Federation of its article V consultation request regarding respective outstanding questions by the Russian Federation to the United States and Ukraine concerning the fulfilment of their respective obligations under the Convention in the context of the operation of biological laboratories in Ukraine. The meeting also heard the response by the delegations of Ukraine and the United States. Each delegation then made further statements amplifying points raised in their statements. Additionally, the meeting heard national statements from 42 States parties and one signatory State. There then followed an opportunity to respond for the Russian Federation, the United States and Ukraine.

States parties welcomed the fact that the delegations of the Russian Federation, Ukraine and the United States had sought to clarify their positions with respect to the issue at hand. States parties noted that the consultation was fully in conformity with the conclusions of the final document of the third Review Conference relevant to the application of article V of the Convention. The formal consultative meeting concluded with States parties adopting a report agreeing that "No consensus was reached regarding the outcome of the formal consultative meeting". The adoption of the report marked the end of the formal consultation process.

The provisions of article VI have not been invoked since entry into force of the Biological Weapons Convention. Article VI of the Biological Weapons Convention states the following:

"(1) Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.

"(2) Each State Party to this Convention undertakes to cooperate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation."

The Convention does not provide any guidance on the type of investigation that the Council may initiate. States parties have also not developed any specific guidance or procedures concerning the modalities to be employed for the purposes of an article VI investigation. Should the Council initiate an investigation, the United Nations Office for Disarmament Affairs stands ready to support it.

As High Representative Nakamitsu has mentioned previously, the operations and institutional structures of the BWC must be further bolstered to ensure it is properly equipped and resourced to face future challenges. The Convention's upcoming ninth Review Conference in November and December this year presents the ideal opportunity for its States parties to comprehensively strengthen the Convention.

The President (*spoke in French*): I thank Mr. Ebo for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): We note the briefing of Deputy High Representative for Disarmament Affairs, Mr. Adedeji Ebo.

Russia requested the convening of this meeting of the Security Council on the basis of article VI of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC) in order for the Council to consider a complaint lodged on 24 October, which contains evidence of violations of the BWC by Ukraine and the United States in the context of activities of biological laboratories in Ukraine. The complaint is contained in a letter that was circulated on 25 October as an official document of the Security Council (S/2022/796).

The Russian Federation has long repeatedly expressed concern over military biological activities carried out with the direct assistance and participation of the United States Department of Defense in laboratories on the territories of former Soviet republics, far from the North American continent and close to Russia's borders. Such activities are conducted, inter alia, indirectly through the Pentagon's Defense Threat Reduction Agency and private companies that are standing contractors of the United States Department of Defense, including the Black & Veatch Special Projects Corp., CH2M Hill and Metabiota. This

poses a direct threat to the biological security of the Russian Federation.

In the course of the special military operation in Ukraine, the Russian Federation has obtained a variety of documents and evidence revealing the true nature of the military biological activities of the United States Department of Defense and its contractors with Ukraine in the military biological area. This has been presented in detail at numerous briefings of the Russian Ministry of Defence and meetings of the Security Council. Analysis of those materials offers evidence of non-compliance by the American and Ukrainian sides with the provisions of the BWC.

When making the decision to lodge a complaint and call for a Security Council meeting, Russia acted in full compliance with the understanding of BWC States parties anchored in the final documents of the second and third BTWC Review Conferences. Before resorting to the mechanism of article VI, we made every effort to have the situation settled in bilateral and multilateral formats. In mid-June, we sent aide memoires to the United States and Ukraine in which we articulated specific questions regarding their compliance with articles I and IV of the Convention and asked for detailed answers to those. However, neither Washington, D.C., nor Kyiv provided any clarification, and neither took urgent measures to remedy the situation.

In light of the outstanding unacceptable situation in the area of biological security, in late June 2022 we sent a request to the two depositaries of the BWC to initiate a procedure for calling a consultative meeting under article V of the BWC, and attached thereto a large volume of documents to justify our concerns. In late July, informal consultations were held to host a preliminary discussion of organizational issues of the pending meeting. The consultative meeting itself convened on 26 August and from 5 to 9 September. The very fact that the meeting was held and the substantive nature of the discussion confirm the relevance of the problem that we raised, which affects not only Russia but the entire global community.

We proceeded on the assumption that the consultative meeting would allow the delegations concerned, with the support of their experts, to gain a thorough understanding of the situation, exchange assessments, ask professional questions and receive detailed answers. During the meeting, we made every necessary effort to provide detailed materials and arguments to enable the consultative meeting to achieve its objectives and

resolve the situation related to military and biological activities on the territory of Ukraine. We expected the representatives of the United States and Ukraine to provide all required clarifications on the substance of our concerns, and hoped to encourage Washington and Kyiv to adopt comprehensive and exhaustive measures to improve the current situation.

However, based on the results of the exchange of views among participating States, we must say that the overwhelming majority of the claims put forward by Russia have not been appropriately addressed. As stated in the final report of the consultative meeting, it was not possible to reach consensus on the questions raised; they remain open and must be resolved. The Russian Federation reiterates that we still have questions for the United States and Ukraine regarding compliance with their obligations under the BWC in the context of biological laboratories operating in Ukraine. We circulated a list of those questions together with our formal complaint so that all participants in this meeting would have an opportunity to study it.

In accordance with article VI of the BWC, any State party to the Convention which finds that any other State party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council. In doing so, each State party undertakes to cooperate in carrying out any investigation that the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. In that connection, Russia has lodged a complaint with the Security Council under article VI of the BWC, in which we state that the United States and Ukraine have committed acts violating their obligations under the BWC and request the Security Council to convene a meeting to consider that complaint.

In accordance with article VI of the Convention, the complaint includes all possible evidence confirming its validity. Under the 2005 Agreement between the United States Department of Defense and the Ministry of Health of Ukraine Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise that could be Used in the Development of Biological Weapons, the Pentagon may provide the Ministry of Health of Ukraine with assistance in the area of “cooperative biological research, biological threat agent detection and response” with regard to “dangerous pathogens located at the facilities in Ukraine”, as stated in article 3. Article 4 of the

Agreement stipulates that all pathogens can be stored only at the laboratories assisted by the United States Department of Defense, and that the samples of all strains collected in Ukraine and data generated by the infectious disease surveillance in that country must be transferred to the United States. The deliverables under the Agreement, as well as the information on its implementation, are by default sensitive or restricted under article 7. At the same time, representatives of the Pentagon or its contractors, in accordance with article 5, shall have the right to participate in all activities related to the implementation of the Agreement.

The direct United States Department of Defense involvement in the financing of military and biological activities in Ukraine is reflected in the 2018 plan for the provision of technical assistance to certain recipients of the Ministry of Defence of Ukraine under the 2005 Agreement. The real recipients of funds are laboratories of the Ukrainian Ministry of Defence located in Kyiv, Lviv, Odesa and Kharkiv. Black & Veatch Special Projects Corp. was designated as the implementation contractor. By 2020, the number of Ukrainian laboratories involved in the work funded by the Pentagon through the Defense Threat Reduction Agency and Black & Veatch Special Projects Corp. had reached 30, located in 14 communities, as set out in the relevant registration card.

A final report upon review of the microorganism strain collection at the I. Mechnikov Anti-Plague Scientific and Research Institute in Odesa gives vivid insight into the scale and focus of these military and biological activities. According to that document, the Institute had 422 cholera storage units and 32 anthrax storage units. Of note is a large number of test tubes that contained the same strains from different subcultures. In the absence of any recent mass outbreaks of these diseases in Ukraine, the range and accumulated volumes of bioagents challenge their alleged preventive, protective or other peaceful purposes.

At the same time, the list of studied pathogens is not in line with current Ukraine’s health issues, as outlined in World Health Organization documents — including measles, poliomyelitis, tuberculosis and other socially significant infections — but includes pathogens of dangerous infectious diseases that are potential agents of biological weapons. The documents obtained contain descriptions of the UP-4, Flu-Flyway and P-781 projects to study the possibility of spreading dangerous infections through migratory birds, including highly

pathogenic influenza and Newcastle disease, and bats — including pathogens of plague, leptospirosis, brucellosis, as well as coronaviruses and filoviruses that are potentially infectious to humans — that can be considered means of delivery. The geographic scope of both projects includes Russian regions bordering Ukraine and the territory of Russia itself.

In addition, on 9 March, on the territory of the Kherson region, the Armed Forces of the Russian Federation discovered three unmanned aerial vehicles equipped with 30-litre containers and equipment that could be used to spray bioagents. In late April, 10 more drones of the same type were found in the area of Kakhovka. These facts are of particular importance in light of a confirmed request from the Ukrainian side to the manufacturer of Bayraktar unmanned aerial vehicles (UAVs) concerning the maximum payload of Bayraktar Akıncı UAVs, with a flight range up to 300 kilometres, and the possibility of equipping them with an aerosol-generating system with a capacity of 20 litres and higher.

Unanswered questions remain concerning United States patent No. US8967029B1, of 3 March 2015, issued by the United States Patent and Trademark Office for an unmanned aerial vehicle equipped for the aerial release of infected mosquitoes, that is, for a device designed to be applied as a technical means of delivery and use of a biological weapon — biological and immunobiological agents, bacteria and viruses — including highly contagious — “that could wipe out 100 per cent of enemy troops”.

According to the description, such a drone transports a container housing a huge number of infection-transmitting mosquitoes to be released at a designated area. The attacked people are infected with highly contagious diseases via mosquito bites. The description clearly states that an infected soldier will not be able to fulfil his assigned mission, and that therefore “the sickness can be a more valuable military tool than the most up-to-date military guns and equipment”. It is indicated that “infecting enemy’s personnel in such a way would have significant military effect”.

In accordance with United States legislation, a patent cannot be issued in the United States unless a complete description of the actual machine assembly is provided. It therefore follows that a container as a bioagent delivery means has been developed and can be quickly manufactured.

Ukraine fails to mention data on the programmes and projects ongoing since 2016 — including UP-4, Flu-Flyway and P-781 — and funding by a foreign State’s military department in its annual reporting under the BWC confidence-building measures developed by the States parties in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions. This raises the question of a violation of political obligations regarding the submission of data on confidence-building measures adopted by the States parties to the BWC. The United States reports also omit data on the programmes and projects implemented outside United States national territory, or on the financing thereof. Our repeated appeals to the American side to provide exhaustive explanations with respect to such activities remain without due feedback in essence. Such secrecy and neglect of Russian claims by the United States only confirms their validity.

The circumstances described and the nature of military and biological activities carried out in Ukraine testify to the violations of provisions of BWC articles I and IV by the United States and Ukraine. Such assessments are also confirmed by the analytical reports of the Kherson Department of the Security Service of Ukraine, dated 30 June 2016 and 28 February 2017. It is indicated therein that the United States Defense Threat Reduction Agency programmes implemented through the Black & Veatch Special Projects Corp. were intended to establish control over the functioning of microbiological laboratories in Ukraine conducting research on pathogens of infectious diseases that can be used to create or update biological weapons. It is indicated that projects subordinate to the military department of a foreign State are conducive to allowing foreign specialists to penetrate regional laboratories and familiarize themselves with strategic developments.

We have submitted a draft resolution to the Security Council. In accordance with article VI of the BWC, the draft is aimed at establishing and dispatching a Security Council commission to investigate into the claims against the United States and Ukraine contained in the complaint of the Russian Federation regarding compliance with their obligations under the BWC in the context of the activities of biological laboratories in the territory of Ukraine. The draft is under discussion at the expert level, and we count on its prompt endorsement and adoption.

We hope that the Council commission will be able to speedily clarify all circumstances of potential

non-compliance by Washington, D.C., and Kyiv with their obligations under the BWC in the context of biolaboratory activities in Ukrainian territory with a view to stimulating the American and Ukrainian sides to remedy the outstanding intolerable situation. We also expect that the commission will present a relevant report on the issue containing recommendations to the Council no later than 30 November and inform the BWC States parties of the results of the investigation at the ninth Review Conference, to be held in Geneva from 28 November to 16 December.

Russia will articulate its further approach to ensuring national, regional and global biological security depending on the results of the consideration of our complaint and the Security Council draft resolution. The outcomes of this work will also define our position with regard to the strengthening of the BWC and resolving the situation with violations of the Treaty by the United States and Ukraine in the context of the activity of United States biolabs on Ukrainian territory.

Ms. Juul (Norway): I would like to thank Mr. Ebo for his briefing.

We regret that yet again this Chamber is being used as a stage for the Russian disinformation campaign. The sole purpose of these false allegations is to provide a smoke-screen aimed at sowing confusion and drawing attention away from Russia's own unprovoked, illegal and brutal warfare in Ukraine.

Let me be clear — Norway is determined to uphold a total ban on biological weapons. Allegations of the violation of the Biological Weapons Convention (BWC) are something we take seriously and merit scrutiny. Norway has meticulously assessed the documents provided by the Russian Federation, circulated to the Biological Weapons Convention (BWC) and the Council. Norway also listened carefully to the exchanges during the formal consultations under article V earlier this fall. Yet we have heard nothing and read nothing that even comes close to substantiating the allegations put forward. The consultations did not demonstrate cause for concern regarding violations of the BWC by the United States and Ukraine.

Contrary to Russia's assertions, the documentation strongly suggests that the cited cooperation between the United States and Ukraine indeed had a legitimate, peaceful purpose — a purpose fully in line with the provisions on international cooperation and assistance in article X of the BWC. It is intolerable that Russia

repeatedly uses the BWC's mechanisms to criticise international assistance, which is encouraged under article X, a cornerstone of the Convention. We know, now better than ever, that cross-border cooperation is essential to strengthening our collective resilience to biological threats. It is therefore imperative that we speak out forcefully and resolutely against attempts to falsely frame peaceful cooperation and assistance activities as a form of non-compliance.

In recent months Russia has made numerous allegations that Ukraine is planning military operations that involve chemical, biological or radioactive material. But let me say again that Russia's war against Ukraine is a blatant violation of law and the very principles of the Charter of the United Nations.

Let me end by underscoring again that Norway condemns Russia's war against Ukraine. We demand that Russia halt fighting, withdraw its troops immediately and stop causing death, suffering and destruction.

Mrs. Alhfeiti (United Arab Emirates) (*spoke in Arabic*): I thank Mr. Ebo for his briefing.

The United Nations was established following the Second World War with the objective of saving humankind from the scourge of war. Ensuring that weapons of mass destruction of any kind are never used is at the very heart of that commitment. The Council must be unified in sending a clear message that any use of biological, chemical or other weapons of mass destruction under any circumstances is unacceptable and would constitute an attack against our shared humanity.

The international consensus around the prohibition of the use of weapons of mass destruction is built on well-established international legal frameworks, including the Biological Weapons Convention (BWC), to which the United Arab Emirates is committed. According to the Convention, biological weapons must never be developed, produced, stockpiled, acquired, retained or transferred. Their use in conflict or in any other setting is unacceptable. We also recall the importance of supporting and facilitating the research of biological agents for peaceful purposes, including notably for the prevention of disease, in line with the Convention.

We encourage all States parties to the Convention to resolve their disagreements through constructive dialogue. In practical terms, this means that when issues arise under the Convention, parties consult one another and cooperate to resolve differences.

The formal consultative meetings held in August and September represented an example of that commitment by the States parties.

Finally, we once again call for de-escalation, a cessation of hostilities throughout Ukraine, and finding a diplomatic solution to this conflict. We stress again that dialogue is the only sustainable way to avoid the dangerous path that we now find ourselves on. We urge the parties to identify and commit to working on specific areas where positive steps forward may be feasible. We also believe that by building confidence in an incremental way, we may work towards achieving a sustainable peace.

Dame Barbara Woodward (United Kingdom): I thank our Mr. Ebo for his very clear briefing.

I would like to start by reaffirming the United Kingdom's deep commitment to the Biological and Toxin Weapons Convention (BWC).

On 24 February, Russia invaded Ukraine — an act of aggression in clear violation of international law that the General Assembly voted overwhelmingly to condemn. Since then, the Russian Federation has repeatedly spread disinformation, including wild claims involving dirty bombs, chemical weapons and offensive biological research. How much more of this nonsense do we need to endure?

As we have heard, Russia's allegations were given a full hearing last month, in accordance with the processes set out under article V of the Biological and Toxin Weapons Convention. Eighty-nine States parties attended that meeting and listened as Russia delivered nothing but misrepresentations of assorted public documents and copy-and-pasted images from Wikipedia. The response from the other States parties was clear and overwhelming: Russia must end its aggression and disinformation campaign against Ukraine, and Russia must stop demonizing legitimate, peaceful scientific and technical cooperation, which all BWC States parties have a right to participate in under article X of the Convention, and which is rightly valued by many States parties.

That process has now concluded. Russia's claims have been heard, considered and rejected. The bar has not been met for further investigation and proposals for further action would be a waste of the Council's time. The Council is a serious body and risks being brought into disrepute by Russia's actions. There are plenty of issues that demand our attention, but Russia is clogging

up the agenda with conspiracy theories. Instead of attempting to smear Ukraine, Russia should focus on its own obligations, including under the Charter of the United Nations, and end this war.

Mr. Hoxha (Albania): This is the fourth or fifth meeting — I have lost track — called by the same delegation, on the same issue, to listen to the same things, with the same outcome: nothing. The agenda for this meeting could therefore have been: Security Council briefing on nothing — a new agenda item of the Council.

Let us be very clear — we take issues of weapons of mass destruction very seriously. We listen very carefully to reports, look for evidence and are and will always be ready to do the right thing in case of need. But there has to be a case, and we do not find it here. Therefore, my question is: Does the Security Council not have anything better or more important to do than to succumb to an incurable obsession and keep spending its time and resources in such misuse? Because that is the sad reality nowadays. When the Council is not being blocked, paralysed or held hostage, it is simply misused and drained. Have we not enough of such endless smokescreens to divert attention from real issues, from the terrible debacle on the ground, with the sole aim of feeding the domestic and international opinion with *parole, parole*?

Throughout this year, on every occasion we have listened carefully to the Russian claims, which to date, as confirmed once more today by Mr. Ebo, remain unfounded, unverified, unsubstantiated and uncorroborated. As we have said many times here on this issue and other related issues, the only way to verify claims is to make use of the mechanisms we have. We have a Convention; we have mechanisms; we have established procedures; we have rules. What more do we need?

Article V of the Biological Weapons Convention (BWC) provides all member States with a mechanism for dialogue and consultation to clarify issues related to the application of the Convention. It was convened in August, and it was inconclusive; that should be the proper process in any circumstance, instead of disseminating false and messy information that does not meet any scientific parameters or criteria, and making baseless accusations against member States. We cannot be thrown into and stay in the propaganda courtyard just because Russia has decided to talk and

listen to itself and misuse the Council, exporting a distorted reality.

Documents presented by Russia do not present any tangible evidence to demonstrate any violation of the BWC in Ukraine. The scientific research and projects mentioned therein are within the prerogatives of article X, one of the pillars of the Convention, devoted to international biological cooperation for peaceful purposes. Therefore, the allegations made and the conclusions drawn are neither convincing nor credible and, in our view, do not constitute any breach by the United States and Ukraine of their obligations under the BWC. We have heard again today a lot of accusations, including about different pathogens and deadly mosquitoes. I wonder how those mosquitoes would be able to distinguish between Russians and Ukrainians.

The use of disinformation and misinformation, in particular by States or those affiliated to them, is never candid. It always has a purpose. It often is used as a cover for something else, and we do not want to believe that this is a pretext for further escalation and the possible use of chemical or biological weapons in Ukraine by Russia. That should never happen, and we hope it will not happen. It is the Russian war that is deadly and that is causing victims, and it is this war that must stop. That is what we should be discussing and deciding upon here.

Mrs. Thomas-Greenfield (United States of America): I thank Mr. Ebo for his informative briefing this afternoon.

I am going to keep my remarks short because, frankly, this meeting is a waste of everyone's time. Russia has called us here once again for the sole purpose of spreading disinformation. We all know those claims are pure fabrications, brought forth without a shred of evidence. And I would even venture to say that the Russian delegation knows that these charges are fabricated, but it dutifully carries out marching orders from President Putin. Still, I must take this opportunity to set the record straight.

Ukraine does not have a biological weapons programme. We just heard Mr. Ebo say that the United Nations is not aware of any such programmes. The United States does not have a biological weapons programme. There are no Ukrainian biological weapons laboratories supported by the United States. Ukraine does own and operate a public health laboratory infrastructure, as do many countries that seek to guard themselves from

infectious diseases. Those facilities make it possible to detect and diagnose diseases.

We hear Russia raise alarms that biological weapons will be delivered by birds and bats, and now even mosquitoes. Birds and bats —Russia knows that public health laboratories routinely study migratory animal species to assess and counter animal-borne pathogens. We must bear in mind that, much like Russia, birds and bats do not tend to observe or respect sovereign borders. Russia's assertions are absurd for many reasons, including because such species, even if they could be weaponized, would pose as much a threat to the European continent and to Ukraine itself as they would to any other country. Ukraine's scientific studies do not amount to a malicious conspiracy. To the contrary, they constitute a laudable public health campaign. The United States is proud to have assisted Ukraine in doing that work safely and securely, as we have with other countries.

Respecting the Biological Weapons Convention, we presented our arguments in detail in the article V consultative meeting of States parties to the Convention in Geneva just last month. Russia failed to convince the States parties of its false claims in Geneva. Now it is trying to see if its lies can gain traction in the Security Council. But Russia will continue to be frustrated, because unfortunately for that country, facts do not lie. We take our obligations under the Biological Weapons Convention seriously and participate fully, transparently and with integrity in the procedures outlined in the treaty.

The same cannot be said for Russia. It is Moscow that has long maintained a biological weapons programme in violation of international law. And it is Moscow that has a well-documented history of using chemical weapons and shielding the Al-Assad regime, which has repeatedly used chemical weapons, from accountability.

Russia is right to claim that the Council has the power to investigate violations of certain international obligations. That is exactly why we believe there should be an investigation into whether Russia illegally procured Iranian unmanned aerial vehicles. But here is the difference, and it is a big one. We have ample evidence of our claims. All Russia has are bizarre conspiracies — conspiracies that are no more credible today than when they were first brought it to the Council six months ago.

So, while I believe that this meeting is a colossal waste of time — and we should decide just how much of our time we allow Russia to waste — I am glad the Council has the chance to see Russia's disinformation campaign for what it is — an attempt to distract from the atrocities Russian forces are carrying out in Ukraine and a desperate tactic to justify an unjustifiable war.

It does not matter how many meetings Russia tries to call on this subject, and it does not matter how hard it ratchets up its propaganda machine. We must not divert United Nations resources towards a baseless investigation and we must not allow Russia's tactics to distract us from its brutal war of aggression. To do so would be to give in to lies and undermine the credibility and the dignity of the Council.

My Russian colleague said that the current situation is unacceptable and should be rectified. What situation? The only unacceptable situation is Russia's war of aggression against Ukraine, and we call on Russia to rectify that by withdrawing its forces from Ukraine and ending this war now.

Ms. Oppong-Ntiri (Ghana): I join previous speakers in thanking Mr. Ebo for his briefing.

Today's briefings and previous briefings on the same subject, provided earlier this year, have been noted, and we continue to take, seriously, every report of the threat of use or potential use of biological or chemical weapons. In that regard, we maintain that the independent and impartial investigations conducted by internationally recognized and mandated bodies should be the only way to establish the facts in reports concerning the threat of use or the potential use of biological or chemical weapons.

We believe that in all such circumstances, the voluntary disclosure of information and easy access to relevant information on the activities of laboratories of member States are a vital confidence-building measure that could help build trust among States. Accordingly, we wish to underscore the need to establish an implementation body for the Biological Weapons Convention (BWC) as a means of encouraging compliance and transparency by member States, and further urge the international community to forge consensus towards the establishment of a verification regime for the BWC in light of recent global developments, such as the coronavirus disease pandemic, as well as the continuous deterioration of the international security climate.

Ghana remains concerned about the ongoing war in Ukraine, and more so with the increasing prospect of the use of weapons of mass destruction as the conflict escalates. Ghana therefore reiterates its call on both parties to exercise restraint and avoid the deliberate or accidental release of chemical or biological agents and other weapons of mass destruction. We implore both parties to adhere to international laws and instruments like international humanitarian law and the BWC, which prohibits the use of biological agents as instruments of war. Those instruments were established to prevent the recurrence of past tragedies and protect future populations.

In conclusion, the use of biological agents and toxins and other weapons of mass destruction as instruments of war is ruthlessly inhumane, can never be confined to national borders, will leave no winners and should therefore not be even contemplated. We implore the parties and stakeholders of the conflict to resort to diplomacy and constructive dialogue as the only sustainable solution to the conflict.

Ms. Mbabu (Kenya): I thank Mr. Adedeji Ebo for his briefing.

Weapons of mass destruction, including biological weapons, pose a grave danger. The indiscriminate nature of those weapons can lead only to immediate and long-term effects on people, societies and the environment. Kenya is therefore deeply concerned by any allegations of their use anywhere and by anyone. We reaffirm our support for the Biological Weapons Convention (BWC), which remains the global norm against biological weapons and a fundamental pillar of the international community's efforts to prevent the use of such weapons.

As a State party, we echo the need for adherence to the BWC. In this case, we refer to article I of the Convention, which states that each State party to the Convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain those weapons. Once such conventions are breached, the escalation of armed conflict could lead to an almost unprecedented humanitarian catastrophe. It would also make it all the more difficult to resolve this conflict promptly and peacefully. Kenya therefore reiterates its call on all State parties to the Convention to make use of the established mechanisms to ensure there is no ambiguity on the presence of these extremely dangerous weapons.

Finally, we reiterate the need for restraint and immediate de-escalation of the situation in Ukraine and to continue to seek a peaceful solution for this conflict, in accordance with the Charter of the United Nations.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): We thank Mr. Adedeji Ebo for his briefing.

Mexico has taken due note of the Russian Federation's statements on alleged military biological activities in Ukraine and has considered them with the seriousness they deserve.

The Security Council addressed this situation in March and May, and the consultations provided for in article V of the Biological Weapons Convention took place in September in Geneva. Those consultations did not conclude in indicating that there had been any violation of the Convention. The United Nations Office for Disarmament Affairs stated that it had no evidence regarding activities in Ukraine contrary to the Biological Weapons Convention, as brought to the attention of the Council in May.

Now that the consultations provided for in article V have been held, the question before us is whether an investigation by the Security Council should be triggered, as provided for in paragraph 2 of article VI of the Convention. The unavoidable requirement for activating the Security Council's consideration of the matter and the eventuality of launching an investigation in that regard is to have irrefutable evidence of the presumed violation of obligations derived from the Convention. Given that the Office for Disarmament Affairs, on two occasions — and again this afternoon — has said that it does not have such evidence, in Mexico's opinion what is appropriate is that the issue be brought to the attention of the ninth Review Conference of the Biological Weapons Convention, which is to meet next month in Geneva. We will have another opportunity to determine at that time if we can establish a verification mechanism, which the Convention is undoubtedly lacking.

Mr. De Rivi re (France) (*spoke in French*): I thank Mr. Ebo for his briefing.

France condemns this umpteenth attempt by Russia to make us forget that it is in violation of the Charter of the United Nations. Russia is again using the Security Council as a propaganda platform. It repeats that there are offensive biological programs in Ukraine. Let us be serious and return to the facts. The United Nations has

clearly indicated on several occasions, has done so again today, that it has no information on this subject — none.

States parties to the Biological Weapons Convention also met in Geneva in September to consider the so-called evidence provided by Russia. This has been examined in detail and its inanity has been technically demonstrated. It is clear that the open consultation procedure under article V of the Convention is no longer necessary. But what Russia is asking for today is to set up an ad hoc commission to investigate the same unfounded allegations, which are clearly not supported by any serious evidence. Russia is once again sowing confusion. It seeks to distract the attention of the international community and its own people from the catastrophic reality of its war on the ground.

Unfortunately, this is not the first time that Russia has spread lies to cover up its own responsibility. Everyone knows that it is Russia, not Ukraine, that has used chemical weapons in recent years and for years covered for the Syrian regime, which used them against its own people. We are very concerned that this disinformation campaign could be a prelude to the use of a weapon of mass destruction in Ukraine. The obviously false allegations that Ukraine is preparing to use a dirty bomb reinforce our concern. No one would be fooled by an attempt to use such an allegation as a pretext for escalation. Let it be clear — we reject any pretext for escalation on the part of Russia.

The Russian discourse is dangerous, and all the more irresponsible as it emanates from a State depositary of the Biological Weapons Convention and is part and parcel of its instrumentalization by Moscow. We must focus all our efforts on safeguarding and implementing the Convention so as to ensure that those shocking weapons are never used in the future.

Mr. Geng Shuang (China) (*spoke in Chinese*): I wish to thank the Secretariat for its briefing.

Military biological activities bear on international peace and security and the common interests of all humankind. As a country that suffered immensely from biological weapons during the Second World War, China always stands for the complete prohibition and thorough destruction of all weapons of mass destruction, including biological weapons, and firmly opposes the research, development, stockpiling or use of biological and chemical weapons by any country under any circumstances. All States parties should

strictly observe the objectives and principles of the Biological Weapons Convention (BWC).

The information and leads about biological military activities released by Russia deserve a corresponding response from the party concerned. China calls on the relevant party to take a responsible attitude, effectively fulfil its obligations as a State party to the BWC, and provide comprehensive and in-depth clarifications on the issues raised by Russia. At Russia's request, the States parties to the BWC held a formal consultative meeting on this matter in September. It is regrettable that the relevant party failed to answer and clarify fully the questions raised by Russia. The international community could consider invoking article VI of the Convention to facilitate the solution of the issue.

The establishment of a verification mechanism is a necessary means to ensure the authority and effectiveness of the various treaties in the field of disarmament and arms control. The BWC should not be an exception or gap to be filled. China once again calls on all parties to meet each other halfway; take the ninth Review Conference of the Convention, to be held in late November, as an opportunity to further strengthen the confidence-building mechanism; restart at an early date the negotiations on a verification protocol that have been stalled for more than 20 years; and strive for the establishment of a multilateral verification mechanism, so as to effectively strengthen global biosecurity.

On the Ukraine issue itself, China's position is consistent and clear. We expect, as always, an early ceasefire and cessation of hostilities so as to prevent a larger humanitarian crisis from arising. We have consistently called on all parties concerned to exercise calm and restraint so as to avoid a further escalation of the situation. We have always advocated dialogue and negotiation to achieve a political settlement of the crisis.

A prolonged, expanded and complicated conflict in Ukraine serves no one's interests. The international community should embrace a heightened sense of urgency, step up mediation efforts, push for an early resumption of negotiations between Russia and Ukraine, and build up political conditions for peace. China is ready to work with the international community and continue to play a constructive role to that end.

Mr. Mythen (Ireland): I thank Mr. Ebo for his very clear briefing today.

The use of biological agents or toxins as instruments of war is truly abhorrent. It is rightly banned under

international law, and there can be no impunity for those who use them. Ireland looks forward to the ninth Review Conference Biological Weapons Convention (BWC) and will work with States parties to further strengthen that key international instrument.

That makes it all the more regrettable that Russia is again bringing its baseless and unfounded claims against Ukraine and the United States regarding legitimate public health cooperation and research. Despite the large amount of material Russia has shared, no substantive or credible evidence has been presented to support Russia's allegations. That was also the case at the BWC article V formal consultative meeting held last month. Ireland considers the article V meeting to have been a deeply regrettable misuse of the provisions of the Biological Weapons Convention by Russia.

Regardless, we appreciate the comprehensive and substantive responses of Ukraine and the United States to Russia's allegations. The responses clearly demonstrate that their treaty-related activities, as well as their activities conducted through the Cooperative Threat Reduction programme, represent peaceful, legitimate cooperation and research. Such activities are fully consistent with article X of the Convention and, indeed, are to be encouraged. In that regard, Ireland is gravely concerned by Russia now having lodged a complaint with the Security Council under article VI of the Convention.

We uphold the right of any State to request the Council to investigate alleged breaches of the Convention. However, given the nature of the material that Russia has presented, we do not see further investigation under article VI as either warranted or useful. Rather, the invocation of article VI in this manner is a further effort by Russia to misuse the BWC and the Security Council as a platform for its disinformation, in an attempt to justify its unjustifiable and unlawful invasion of Ukraine. Such deeply cynical and harmful actions demean the Council and its role in maintaining international peace and security.

Russia's actions risk undermining essential multilateral disarmament and non-proliferation instruments upon which all our security depends. Equally, they are an attack on legitimate cooperation and research supporting public health in Ukraine and countries around the world. We must do all that we can, as global partners, to ensure effective disease monitoring, detection, control and prevention. Efforts to misrepresent or undermine such work in Ukraine

and elsewhere will only weaken efforts to prevent and control future outbreaks. That is work that Russia itself engages in and benefits from.

Russia would be better served by immediately and unconditionally ending its hostilities, withdrawing from the entire territory of Ukraine and refraining from further threat or use of force of any kind against Ukraine or any other State.

Mr. De Almeida Filho (Brazil): Let me start by thanking Director Ebo for his briefing.

From 5 to 9 September, the parties to the Biological Weapons Convention (BWC) held formal consultations in Geneva under article V of the BWC, in accordance with the procedures established at the Review Conferences of the Convention. On that occasion, Russia presented its concerns regarding alleged biological weapons developed jointly by the United States and Ukraine on Ukrainian territory. Likewise, the parties to the Convention listened to the comments of the two countries on the Russian queries. We take note of the arguments presented by the Russian Federation, as well as of the draft resolution put forward.

Since this is the first time a complaint is being brought to the Security Council under article VI of the BWC, it is essential to establish procedures that can be used for future, similar initiatives. Moreover, should the Council decide to proceed with such an investigation, it must be thoroughly provided with substantial, solid evidence. We hope that the parties directly involved in the issue can take advantage of these exchanges of information to keep the dialogue channels open in order to avoid misunderstandings that could be perceived as threats, with undesirable consequences for all.

That having been said, allow me to reaffirm Brazil's commitment to the resumption of negotiations with a view to the adoption of a binding verification protocol that strengthens the implementation of the Biological Weapons Convention regarding the exclusively peaceful use of knowledge and technology in the field of life sciences. The situation before the Council today only reinforces the urgency of and necessity to establish such a mechanism.

The next BWC Conference represents an opportunity for us to re-engage in such discussions without delay. Until such a protocol is adopted, we call on States parties to strengthen the mechanisms of transparency and confidence-building available under the framework of the Convention by sharing the widest possible range

of information regarding research projects on topics related to the object of the Convention.

Mr. Raguttahalli (India): At the outset, I thank Mr. Adedeji Ebo, Director in the United Nations Office for Disarmament Affairs, for his briefing. We have carefully noted the points made in the briefing.

India attaches high importance to the Biological and Toxin Weapons Convention (BWC) as a key global and non-discriminatory disarmament convention. The Convention also includes binding obligations on States parties to never acquire or retain biological agents that have no justification for peaceful purposes and bans assistance to anyone in acquiring or developing them. It is important to ensure the full and effective implementation of the BWC in letter and spirit. We also believe that any matter relating to obligations under the Biological Weapons Convention should be addressed as per the provisions of the Convention and through consultations and cooperation between the parties concerned.

India would like to underline the important role of international cooperation in the field of peaceful biological activities and related exchanges of scientific and technical information, as provided for in article X of the BWC. India believes that the full and effective implementation of article X of the Convention is important to generate equitable benefits for States parties, in particular developing countries.

India participated in the article V consultations on the matter last month. The current situation reflects the need to negotiate a comprehensive, legally binding protocol, providing for an effective, universal and non-discriminatory verification mechanism to strengthen the implementation of the Convention by States parties. That is necessary to strengthen the Convention and its implementation.

We remain deeply concerned at the worsening situation in Ukraine. We have been consistent in calling for a cessation of hostilities and pursuing the path of diplomacy and dialogue to address the situation. The very fact that we are discussing this issue in the Council is reflective of the precarious predicament in which the world finds itself today.

India's position on the conflict has been consistent since the beginning of hostilities. An escalation of hostilities and violence is in no one's interest. We have urged both sides to return to the path of diplomacy and dialogue. We have expressed our support for all

diplomatic efforts to end the conflict. We therefore sincerely hope for an early resumption of peace talks to bring about an immediate ceasefire and an early resolution to the conflict. We reiterate that the global order is anchored in respect for principles of the Charter of the United Nations, international law and the sovereignty and territorial integrity of States.

The President (*spoke in French*): I shall now make a statement in my capacity as representative of Gabon.

I thank Mr. Adedeji Ebo for his briefing.

Allegations about programmes to develop biological weapons in Ukraine are very serious. The rhetoric of fear surrounding such allegations is as challenging as it is alarming. We are clear in our view that the use of biological agents, pathogens or germs to spread disease for warlike purposes bodes ill and grim for humankind. Such weapons have indeed been prohibited by the Biological and Toxin Weapons Convention for 50 years.

We call here for the strengthening of the Biological Weapons Convention regime and for providing it with monitoring and verification mechanisms capable of guaranteeing compliance by member States with its relevant provisions. My country therefore calls for a timely, transparent, impartial and independent investigation into those allegations.

My country is opposed to the use of any weapon of mass destruction. We condemn the use of all kinds of weapons with indiscriminate effect and targeting civilian populations and infrastructure, including remote-controlled weapons, which inflict unnecessary suffering on civilians and contribute to fuelling a climate of daily terror. We call on all parties to demonstrate restraint.

We must work to end this murderous war in Ukraine by engaging in good-faith negotiations with a view to achieving a lasting peace between the parties. We must respond to the urgent humanitarian needs and distress of civilians, who continue to pay the highest price in the war. We call on the parties to refrain from any attitude of provocation or self-deception that could compromise the search for a diplomatic solution.

I now resume my functions as President of the Council.

The representative of the Russian Federation has asked to make a further statement.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): The propaganda arsenal of our Western colleagues has long contained what they believe to be a hard-hitting argument: “Russia is raising a false alarm”, “spreads disinformation”, “misleads the Security Council members”, “distracts the Council from discussing more important matters”. At the same time, we have heard nothing of substance today. Indeed, our Western colleagues have had nothing to say save that, in their high, peremptory opinion, none of this is worth even the tiniest bit of attention. Funnily enough, some of them still cannot tell the difference between biological and chemical weapons, mixing the two together.

We were told today, inter alia by the representative of the United Kingdom, that all the issues had been considered and Russian allegations dismissed. By whom? By the United Kingdom? Of course, what the United Kingdom believes to be true is always the ultimate, indisputable truth. If the United Kingdom rejected the allegations, then we can call it a day.

There have been attempts to convince us that the cooperation of the United States and Ukraine in the biological area is purely peaceful in nature. But will they please answer one simple question? Why is it that this cooperation on the part of the United States is managed by a military authority — the Pentagon — and its many contractors? If they had really studied the documents that we circulated, which I doubt, they would have seen copies of agreements and work acceptance sheets signed by military representatives on both sides. What sort of humanitarian cooperation can a Ministry of Defence engage in? We have heard no answer even to that simple question, to say nothing of the others that, as can well be imagined, are quite numerous in the 300-page compilation that we shared.

In all that was said today, we were particularly touched by the remark of our American colleague concerning the United Nations Office for Disarmament Affairs (UNODA), saying that there was no United States military biological activity in Ukraine and asserting that this affirmation by UNODA was proof in itself. Does anyone believe that we are that naïve enough to imagine that the Pentagon would have informed UNODA and its High Representative about its secret military biological programmes in Ukraine?

We have invoked the mechanism provided for under the Biological Weapons Convention. We invoked article V of the Convention, but received no meaningful

response. That being the case, we were compelled to invoke the provisions of article VI. The fact that some do not like it does not make our request illegitimate. I repeat — we are acting within the legal scope of the Biological Weapons Convention. As I said, even if some do not like our arguments and the facts we cite, they have no right to ignore them and shift the focus to their political assessments. Perhaps that is how they would choose to act within the “rules-based order” that they promote, in which they set the rules and others have to follow them, but here at the United Nations we all are equal before international law and we all proceed on its basis. Like it or not, there will be accountability for violations of the BWC, if proven.

My colleagues’ synchronized attempts to present our arguments as some sort of propaganda are unconvincing and indicative of their bloc discipline, or rather their “frank pledge”. Let me stress again that neither the United States nor Ukraine has responded to our question, either in Geneva or, in the case of the United States, here today. I think that the representative of Ukraine, who will speak shortly, will not do so either. That is why we continue to take steps within the BWC framework. We lodged a complaint with the Council and put forward a draft resolution requesting an investigation. We have the right to do so, whether they like it or not. So let us remain in the legal field and save our political assessments for other meetings.

The President (*spoke in French*): I now give the floor to the representative of Ukraine.

Ms. Hayovyshyn (Ukraine): I would like to thank Mr. Ebo, the Deputy to the High Representative for Disarmament Affairs, for his briefing, which has yet again reconfirmed the absence of any information to substantiate the Russian disinformation narratives.

This week is Global Media and Information Literacy Week at the United Nations. Having called for three consecutive meetings of the Security Council with the sole purpose of spreading its propaganda and disinformation, the Russian Federation has chosen the weirdest way possible to mark this week. This is a deliberate misuse of the Security Council’s responsibility for the maintenance of international peace and security. By continuously producing fakes and disinformation on the compliance of other States parties to the Biological Weapons Convention, the

Russian Federation undermines the credibility and integrity of the Convention.

Ukraine has never, ever developed, produced or stored, alone or together with someone else, biological or chemical weapons. Our country does not possess a corresponding infrastructure for biological weapons development and production. Formally, that provocative issue has been raised by Russia many times already.

In that regard, I would like to draw attention to the outcomes of the formal consultative meeting of States parties to the 1972 Biological Weapons Convention (BWC), requested by the Russian Federation and held in Geneva in September. The delegations of the two BWC member States arrogantly blamed by Russia for prohibited biological activities — namely, Ukraine and the United States — provided the international community with detailed and exhaustive information during the event. The overwhelming majority of the 89 BWC States parties that participated in the meeting found those presentations accurate and persuasive. All Russian allegations were rejected, and the discussion has exhausted itself. The BWC formal consultative meeting’s final report is self-evident — the process launched by Russia under BWC article V is terminated.

Ukraine would also like to recall our readiness to receive in our country a transparency visit of a group of international independent experts to our public health laboratories after Russia ceases its full-scale war of aggression against Ukraine and withdraws its military from the sovereign territory of Ukraine.

Since 2014, Ukraine has repeatedly requested the Russian Federation at the BWC meetings, and demands so now, to provide the international community with information on the location and status of the biomaterials from the occupied Ukrainian public health laboratories and their use. No answer has been received so far. By spreading such lies, the Russian Federation is laying the groundwork for further provocations in Ukraine. Russia’s false flag operation over the use of biological warfare agents is a threat that should be treated seriously.

Ukraine appeals to the international community to exercise the utmost vigilance and exert pressure to prevent Russia’s insidious plans with bioweapons.

The meeting rose at 4.25 p.m.