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Convention sur l'interdiction de la mise au point, de la fabrication et du stockage des armes bactériologiques (biologiques) ou à toxines et sur leur destruction

Conseil de sécurité
Soixante-dix-huitième année

Lettre datée du 7 juin 2023, adressée au Secrétaire général et à la Présidente du Conseil de sécurité par le Représentant permanent de la Fédération de Russie auprès de l'Organisation des Nations Unies

Je souhaite porter à votre attention le rapport final de la Commission parlementaire de la Fédération de Russie chargée d'enquêter sur les circonstances de la création de laboratoires biologiques par des spécialistes américains sur le territoire ukrainien ainsi qu'un résumé des travaux de la Commission (voir annexes).

Je vous serais reconnaissant de bien vouloir faire distribuer le texte de la présente lettre et de ses annexes comme document de l'Assemblée générale, au titre du point 106 de l'ordre du jour, et du Conseil de sécurité.

(*Signé*) Vassily **Nebenzia**

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Annexe I à la lettre datée du 7 juin 2023 adressée au Secrétaire général et à la Présidente du Conseil de sécurité par le Représentant permanent de la Fédération de Russie auprès de l'Organisation des Nations Unies

[Original : anglais et russe]

Travaux de la Commission parlementaire de la Fédération de Russie chargée d'enquêter sur les circonstances de la création de laboratoires biologiques par des spécialistes américains sur le territoire ukrainien

La Commission parlementaire chargée d'enquêter sur les circonstances de la création de laboratoires biologiques par des spécialistes américains sur le territoire ukrainien (ci-après dénommée « la Commission ») a été constituée en mars 2022 et a poursuivi ses travaux jusqu'en mars 2023. Elle a mené ses activités conformément à la Constitution de la Fédération de Russie et à la loi fédérale nº 196-FZ du 27 décembre 2005 relative aux enquêtes parlementaires menées par l'Assemblée fédérale de la Fédération de Russie.

Les faits et les circonstances portés à l'attention du Parlement de la Fédération de Russie concernant les programmes biomédicaux entrepris par les États-Unis sur le territoire ukrainien ont justifié l'ouverture d'une enquête parlementaire.

La Commission a réalisé ses travaux sur la base de documents pertinents à sa disposition, d'informations tirées de discours prononcés par les autorités exécutives fédérales et par des dirigeants d'organisations scientifiques spécialisées, de documents saisis lors de l'opération militaire spéciale et de résultats d'interrogatoires de spécialistes bien renseignés, dont certains ont travaillé sur le territoire ukrainien.

Conformément à la loi fédérale nº 196-FZ du 27 décembre 2005 relative aux enquêtes parlementaires menées par l'Assemblée fédérale de la Fédération de Russie, l'enquête parlementaire n'avait pas pour objet d'établir la culpabilité de certaines personnes. Elle ne se substitue donc pas aux procédures d'instruction et d'enquête préliminaire, ni à la procédure judiciaire.

Un aspect important des travaux de la Commission a également été d'appeler l'attention de la communauté internationale sur les révélations de violations du droit international.

Les principaux objectifs de la Commission sont les suivants :

– synthétiser les informations délibérément fragmentées par la partie américaine concernant les activités biologiques militaires menées en Ukraine ;

– caractériser la création d'un vaste réseau de laboratoires biologiques « extraterritoriaux » situés en dehors des frontières nationales des États-Unis ;

– évaluer la capacité du système de sécurité biologique russe de contrer les menaces ;

– formuler des recommandations et des propositions visant à renforcer le système national de sécurité biologique et le régime de la Convention sur l'interdiction de la mise au point, de la fabrication et du stockage des armes bactériologiques (biologiques) ou à toxines et sur leur destruction.

La structure du rapport final de la Commission s'inscrit dans cette logique. Le document se compose de sept sections : une introduction et six chapitres comprenant chacun des conclusions et des suggestions. Il reprend toutes les informations dont la

Commission dispose sur les programmes biologiques américains en Ukraine. Il contient notamment une analyse détaillée du cadre réglementaire régissant la coopération des deux pays dans ce domaine, les principales orientations des recherches biologiques menées par les États-Unis sur le territoire ukrainien ainsi que leurs incidences sur la situation épidémiologique et sanitaire en Ukraine. Cette analyse a permis de conclure à la double finalité des programmes biologiques américains sur le territoire ukrainien : ceux-ci peuvent être utilisés à des fins militaires.

L'enquête parlementaire a montré que :

– les États-Unis mettaient en place des programmes biologiques secrets dans le monde entier ;

– les États-Unis avaient fragmenté à dessein leurs recherches biologiques afin d'en dissimuler la véritable nature ;

– les États-Unis s'opposaient délibérément à l'élaboration d'un protocole juridiquement contraignant relatif à la Convention sur les armes biologiques qui prévoirait la création de mécanismes efficaces de contrôle international dans ce domaine ;

– les États-Unis avaient créé dans le monde entier, et en particulier en Ukraine, un vaste réseau de laboratoires biologiques « extraterritoriaux » situés en dehors de leurs frontières nationales ;

– les États-Unis faisaient participer des sociétés commerciales (sous-traitants du Pentagone) à la mise en œuvre de programmes biologiques militaires, en violation de la résolution 1540 (2004) du Conseil de sécurité ;

– le Pentagone et les structures qui lui sont affiliées, telles que la Defense Threat Reduction Agency (l'organisme américain chargé de l'atténuation des menaces), étaient les principaux commanditaires de recherches biologiques.

Par ailleurs :

– En mettant à exécution des programmes biologiques en Ukraine, en collectant des substances biologiques, voire en étudiant la réaction de la population locale à certains agents pathogènes, les États-Unis se donnent non seulement la possibilité de simuler dans cette région la propagation d'épidémies locales et mondiales mais aussi de les gérer ;

– La géographie des recherches biologiques américaines n'est pas le fruit du hasard : celles-ci sont menées dans des zones potentielles de déploiement de contingents issus de pays membres de l'OTAN. Ainsi, les conditions d'une éventuelle agression contre la Russie sont de facto créées ;

– La législation américaine autorise la mise au point de composants d'armes biologiques. En devenant États parties au Protocole de Genève de 1925, 37 États, dont les États-Unis, se sont réservé le droit de contre-attaquer si la partie adverse (et, dans certains cas, un allié de celle-ci) violait le Protocole (attaque de représailles). Parallèlement, de nombreux pays sont également membres de la Convention sur les armes biologiques, qui interdit en principe la possession d'armes biologiques. Or le fait de se réserver le droit de contre-attaquer implique la possession d'une arme biologique, ce qui peut prouver indirectement l'existence de celle-ci.

La Commission est parvenue à la conclusion que :

– les États-Unis maintenaient et renforçaient leur capacité de créer des composants d'armes biologiques et, le cas échéant, de produire et d'utiliser celles-ci en dehors de leur territoire national ;

– les États-Unis contrevenaient à de nombreuses dispositions de la Convention sur les armes biologiques ;

– les violations américaines du régime juridique international de la Convention sur les armes biologiques étaient également le signe que des lacunes existaient dans les normes actuelles et qu'il était urgent de renforcer le régime de la Convention sur les armes biologiques dans son ensemble.

Pendant toute la durée de ses travaux, la Commission a eu recours à chaque instance internationale disponible pour informer la communauté internationale des activités militaires et biologiques menées par les États-Unis en Ukraine et des violations des normes de la Convention sur les armes biologiques. À la neuvième Conférence d'examen de la Convention sur les armes biologiques, elle a proposé d'accroître la transparence des programmes biologiques nationaux et de veiller à ce que tous les États parties sans exception se conforment à la Convention. Elle a adressé à deux reprises des déclarations aux parlements du monde entier concernant les activités militaires et biologiques menées par les États-Unis en dehors de leur territoire national.

La Commission souligne en outre que le terrorisme international constitue une grave menace pour la sécurité biologique mondiale. Elle propose que la communauté internationale se mobilise pour que les négociations multilatérales sur l'élaboration d'une convention internationale contre les actes de terrorisme chimique et biologique débutent sans délai dans le cadre de la Conférence du désarmement.

Le rapport final de la Commission, entériné le 12 avril 2023, est disponible sur le site Web du Conseil de la Fédération. Il est en cours de traduction dans toutes les langues officielles de l'Organisation des Nations Unies.

Annexe II à la lettre datée du 7 juin 2023 adressée au Secrétaire général et à la Présidente du Conseil de sécurité par le Représentant permanent de la Fédération de Russie auprès de l'Organisation des Nations Unies

[Original : anglais et russe]

Outcome report of the Parliamentary Commission of the Russian Federation on the Investigation into the Circumstances Related to the Creation of Biological Laboratories by United States Specialists on the Territory of Ukraine

Moscow, 2023

CONTENTS

INTRODUCTION

In accordance with the Resolution of the State Duma of the Federal Assembly of the Russian Federation dated March 22, 2022 No.960-8 GD and the Resolution of the Federation Council of the Federal Assembly of the Russian Federation dated March 23, 2022 No.102-SF, a parliamentary commission was established to investigate the circumstances related to establishment of biological laboratories by U.S. specialists in Ukraine (hereinafter referred to as the Commission). Activities of the Commission have been carried out in accordance with the Constitution of the Russian Federation, federal constitutional laws, Federal Law dated December 27, 2005 No.196-FZ "On Parliamentary Investigation of the Federal Assembly of the Russian Federation", other federal laws and other regulatory legal acts of the Russian Federation.

Grounds for conducting the parliamentary investigation were facts and circumstances related to medical and biological programs implemented by the United States in Ukraine, which became known to the Parliament of the Russian Federation.

The Commission based its work on available materials relating to the subject matter of the investigation; information obtained during speeches of heads of federal executive bodies and specialized scientific institutions; documents seized in the course of a special military operation; results of surveys of specialists, experts with the required information, including persons who directly worked in Ukrainian territory.

During the investigation members of the Commission assessed the transformation of U.S. approaches to biological weapons. In this context particular attention has been paid to the study of the U.S. military biological capacity, including through the analysis of information provided by 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 (hereinafter referred to as the BTWC) on an annual basis as part of its confidence-building measures, and materials of the Defense Threat Reduction Agency (hereinafter referred to as DTRA).

The main purpose of the parliamentary investigation was to identify |the causes and conditions for the establishment by U.S. specialists of biological laboratories in the territory of Ukraine; to inform Russian society about them; to assist federal executive bodies in eliminating such causes and conditions; and, consequently, to protect human and civil rights and freedoms guaranteed by the Constitution of the Russian Federation, including the right of citizens of the Russian Federation to health and favorable environment.

Recommendations and proposals formulated on the basis of the investigation outcomes can be used by federal government bodies in making decisions in the field of ensuring biological safety and drafting new initiatives of the Russian Federation to develop international cooperation in this area, strengthen the BTWC regime conforming to current biological threats.

Chapter 1. Creating Global Biological Threats by the United States

1.1. U.S. Biological Weapons Program

The United States is the only country in the world that has used both nuclear and chemical weapons; as well as has actively tested biological weapons on the population as part of a developed biological weapons program.

The U.S. Biological Weapons Program was launched in 1942–1943 with the establishment of a special military research service within the Department of Defense. In 1944, responsibility for its implementation was assigned to the Chemical Weapons Service of the U.S. Department of the Army.

As part of the implementation of the program, a complex of research laboratories in Fort Detrick (Maryland), a large test site in Dugway (Utah), enterprises for the production and storage of combat biological formulations in Pine Bluff (Arizona), as well as other specialized enterprises were constructed.

In 1945, the Central Intelligence Agency (hereinafter referred to as the CIA) conducted a secret operation "Paperclip" aimed at identifying and resettling in the United States of German and Japanese experts in the area of biological weapons (hereinafter – BW). These war criminals, who had conducted monstrous biological experiments on humans, received judicial immunity from the U.S. authorities in exchange for their participation in secret U.S. military biological projects.

By the late 1960s, the United States already had a military biological arsenal aimed at not only killing humans, but also at destroying crops; which included numerous pathogenic bacteria, toxins, fungi and plant parasites. By this time, biological warfare formulations based on causative agents of anthrax, tularemia, plague, yellow fever, brucellosis,

psittacosis, Q fever and equine encephalomyelitis were taken into service. Means of delivery of biological warfare formulations have been developed (several versions of small caliber spherical and cylindrical bombs, specially designed cassettes and devices for spraying biological agents, including aircraft discharge devices).

In the course of preparation for the use of biological weapons during the Korean War (1950–1953), the U.S. Department of Defense purchased a large number of biological air-delivered munitions. A test site located in Canada was used for their testing, and a concept for their application was developed. Causative agents of brucellosis and economically significant infections, in particular wheat stem rust, were considered as biological agents. The United States planned to use 2.5 thousand munitions filled with them, including in the territory of the Soviet Union.

In 1969, the United States officially announced the cessation of implementation of the Military Biological Program. Nevertheless, Washington did not stop research in the area of development and possible use of biological combative agents (hereinafter referred to as BCA), but continued such research under the pretext of strengthening biological safety and combating bioterrorism. For example, the memorandum of the U.S. National Security Council states: U.S. programs in the area of bacteriological, biological weapons will be limited to research and development for protection purposes. This does not mean abandoning studies of the possibilities of military use of bacteriological and biological agents necessary to determine the required protective measures.

In this context, it should be noted that the United States, after announcing the termination of implementation of the offensive military biological program, have retained its potential for the production of BW.

Specifically, Russian experts, in the course of visiting U.S. biological facilities held under the trilateral agreement between Russia, the United States and the United Kingdom in February-March 1994, revealed that at the former Pfizer company biological weapons production plant (Terry Hole, Indiana), technological equipment previously intended for the production of military biological formulations was not only preserved, but even upgraded. At the same time, equipment and technological lines for growing, concentrating, drying and packaging biological agents were maintained in working order. It was also uncovered that there were still technical possibilities for processing pathogens of dangerous infectious human and animal diseases in the enterprise facilities.

1.2. Transformation of U.S. approaches to biological weapons

After several years since the U.S. statement on the refusal to develop biological weapons, U.S. specialized professionals have again begun to show interest in this type of weapons of mass destruction. At the same time, representatives of the United States political and military decision-makers started to make statements about the advisability of revising the approach to BW.

Specifically, in August 1986, Douglas Feith, Deputy Assistant Secretary of Defense, speaking before the House of Representatives Committee on Intelligence of the U.S. Congress, declared that the Pentagon had changed its opinion on the value of biological weapons from the military perspective, and the BTWC should be recognized as imperfect and ambiguous.

In September 2000, the influential U.S. non-governmental organization “Project for the New American Century”, which was active in the United States from 1997 to 2006 and influenced the ideology and military policy of the President George Bush Jr. administration, stated in one of its policy documents as follows: “In the twenty-first century, new methods of aggression will spread – electronic, non-lethal, biological ... the struggle is likely to move into new dimensions – into space, cyberspace, and maybe into the world of microorganisms...”. Moreover, “...advanced biological weapons capable of affecting a specific genotype can transform bioweapons from terrorist means into useful policy tools.” The position of this organization was supported by many conservatives and members of the future Republican Government of the United States.

According to a number of foreign experts, the extensive media coverage of the incident in the United States with the spread of anthrax spores by mail in the fall of 2001 was organized by U.S. intelligence agencies on instructions of the U.S. Government. As a result of such action, the civil society demanded U.S. Administration and Congress to take decisive steps in countering the biological threat. The Pentagon, which sought a significant increase in spending on “protective” biological programs and the corresponding reform of the national biological safety system, was also interested in this development. As a result, the United States was forced to admit that such letters were mailed by an employee who worked at one of the U.S. Department of Defense specialized facilities.

In October 2001, George W. Bush, Jr. signed a special directive on homeland security (Homeland Security Presidential Directive), which provided for the intensification of the development and testing of new, especially dangerous

pathogenic microorganisms, as well as creation of technologies for their production. It was planned to create genetically modified pathogens with high resistance to existing medicines; improve methods for increasing their virulence and resistance to the environment; as well as to examine ways to convert them to an aerosol state.

In particular, a laboratory of the St. Louis University conducted experiments related to modification of the cowpox virus in order to make it dangerous to humans. According to official statements, such experiments were carried out in order to develop countermeasures against terrorist attacks, which could be carried out by means of modified bioagents. It was assumed that the research would include field tests with both simulants of biological agents and real pathogens at the Lothar Salomon Life Sciences Test Facility (LSTF), which was additionally equipped for this purpose with four modular biological laboratories with a high level of biological safety.

As a result, biological projects of the U.S. Department of Defense have been significantly expanded both in the volume of research conducted and in its focus.

It was during this period that Pentagon structures conducted the planned distribution of strains of the anthrax pathogen to 192 laboratories located in seven foreign states. The dispatch was carried out without prior notification of the relevant UN entities, the States Parties to the BTWC and governmental authorities of the recipient countries. Some samples contained live spores of the agent, which led to the infection of personnel of the target facilities. Such irresponsible actions posed a threat to biological safety in the world and required the most serious condemnation from the international community.

The scope of relevant scientific activities has increased dramatically. Total annual allocations for federal biological defense programs reached US$8 billion. The scale of the allocated funding provoked a construction boom associated with creation of laboratories with high (third, BSL 3) and the maximum (fourth, BSL 4) biosafety levels.

Since 2005, the availability of information about the U.S. Biological Defense Program has significantly decreased. Fragmentary information can be found only in media reports or public conference materials. At the same time, financing in this area is growing steadily. The technical work capacity with dangerous pathogens has also increased dramatically.

The United States continues to include tasks to build up military biological capacity in its doctrinal documents.

For example, on October 18, 2022, the White House published a new Strategy to Counter Biological Threats, involving funding in the amount of US$88 billion, including US$17 billion in the first year of implementation of the Strategy.

One of key focus areas of the Strategy is the improvement of methods of individual and collective biological protection of the U.S. Armed Forces personnel in various theaters of military operations. The task is to continue studies of pathogens of highly dangerous infectious diseases endemic to specific areas.

Therefore, the United States, within the framework of the Strategy, intends to strengthen its system of global control and management of the global biological situation and reserves the right to conduct dual-use research, including outside the national territory.

Another strategic planning document is DTRA’s updated strategy until 2027, which openly recognizes the dual role of this military agency. This aspect concerns not only ensuring the defense of the country, but also combat support for military units in various regions of the world. Given that one of DTRA priorities is to ensure the military superiority of the U.S. Armed Forces over armed forces of a potential enemy, there is an emerging threat of development, production and use of biological weapons.

1.3. Modernization of the facilities that previously worked on military biological issues

At the end of 2004, the United States decided to reorganize National Interagency Biodefense Campus, biosecurity research complex located in Fort Detrick (Maryland). National Biodefense Analysis and Countermeasures Center was established on its premises. According to the plan, the Center was intended to become the leading institution for studies of potential agents of biological weapons.

It was planned that the Center would be engaged in the development of genetically modified pathogens with high resistance to existing medicines; |the improvement of technologies aimed at increasing their virulence and resistance to the environment; as well as research on methods for their conversion to an aerosol state. At the same time, the mission was set to develop reliable methods for the forensic identification of sources of microorganisms. To this end, it was planned to create a generalized database of foreign pathogens collections.

National Institute of Allergy and Infectious Diseases (NIAID), located in Fort Detrick, has been focused on studies of causative agents of exotic diseases suitable for use as BCA. At the same time, NIAID employees received permission to conduct relevant experiments on animals, which have been forbidden to them in recent years.

At the same time, the modernization of facilities previously active in the area of biological weapons has been carried out at an accelerated pace. In particular, U.S. Army Medical Research Institute of Infectious Diseases (Fort Detrick, Maryland) has undergone reconstruction. The facility was a crucial element of the U.S. Military Biological Program from 1943 to 1969. After the reconstruction two laboratories of the fourth level of biological safety were opened on its premises.

The Institute has become the main agency in the United States conducting virological, bacteriological and genetic research. It studies mechanisms of the effect of pathogenic agents, and explores ways to prevent or block the progress of diseases caused by them through the use of vaccines, immunotherapy or chemotherapy methods; performs genetic engineering work with pathogens of human and animal diseases, and also studies the effect of modified bioagents in aerosol chambers, thus simulating conditions of their combat use.

1.4. Modern biological research areas in the United States. Ongoing military-related applied projects

There is every reason to believe that after ratification of the BTWC in 1975, the United States not only failed to stop activities in the area of biological weapons, but rather intensified them under the guise of biosafety programs.

For example, in 2001, a model of a cluster bomb for BCA delivery was tested within the framework of the CIA Project “Clear Vision”. For a number of years, weapon-grade anthrax pathogens have been produced, ostensibly to test diagnostic equipment and to develop means of protection against biological weapons. Project “Jefferson” was initiated to create a genetically modified strain of anthrax, similar to the one created by Soviet scientists, as believed by the United States. Under the auspices of DTRA, Project “Bacchus” was implemented under which a production facility was built on a test site in the Nevada desert using publicly available biotechnological equipment. The possibility of creating BCA, for example, by terrorists, was allegedly tested at this production facility; moreover, manifestations characterizing specific features of such a facility and methods of its detection were evaluated.

The existence in the United States of programs that can be offensive in nature is confirmed by publications of Eckhard Wimmer in 2002 on the artificial synthesis of poliomyelitis, Craig Venter in the field of genomics and synthetic biology, as well as modification of the mousepox virus, which has 100 percent destructive power.

It should be noted that the United States pays special attention to synthetic biology. It allows creating microorganisms with specified properties that do not exist in nature with the help of streamlined synthesis methods in small laboratories equipped with special equipment. It is impossible to identify the true direction of such work even at the stage of production of the final product without an intrusive inspection of a facility, since input raw materials for the synthesis may not belong to controlled materials category. An important feature of synthesized microorganisms is that their structure and, consequently, properties are known only to developers.

It is extremely difficult to detect and identify them in real time, as well as to provide the necessary assistance in case of damage in a timely manner.

A special working group was established within the framework of the Pentagon’s Scientific and Technical Advisory Council in order to explore possibilities of applying biosynthetic methods for military purposes in the United States. The United States received the most significant results of dual-use research related to the modification of cellular and molecular structures of living organisms. Specifically, in 2006, a genetic modification of a virus capable of causing an epidemic of avian influenza in humans was synthesized in the United States. At the end of 2008, based on a combination of three genes for the causative agent of the Spanish flu, a virus was obtained that can penetrate into human lung cells, as well as produce an enzyme necessary for its reproduction.

The Pentagon is actively investing billions of dollars in synthetic biology. The majority of studies has a confidential nature. There are a number of projects among them, which are implemented by dedicated research organizations, including within the framework of the “JASON” Project.

Special attention to programs in the area of synthetic biology is paid by the Defense Advanced Research Projects Agency (DARPA), which in 2014 established the Biological Technologies Office (BTO), responsible for basic and applied research in the field of gene editing, synthetic biology and other emerging biotechnologies. The work of this Office is focused on using achievements of engineering sciences and information technology to improve the biotechnological capacity

of the U.S. Army, ensuring its technological advantage. Currently, DARPA is implementing more than 45 programs, of which 14 are aimed at using achievements of synthetic biology, including such projects as “Detect It with Gene Editing Technologies” (DIGET), “Living Foundries”, “Safe Genes”.

According to a number of experts, a typical example of the military orientation is the research conducted at the Erasmus Medical Center (Erasmus MC, Kingdom of the Netherlands) and at the University of Wisconsin-Madison (USA) and financed by funds coming from the United States. In 2012, scientists at these institutions announced the breeding of a new variety of the avian influenza that can be transmitted between humans by airborne infection. At the University of Pennsylvania, studies of artificially synthesized smallpox virus were conducted, ostensibly in order to explore this pathogen at a qualitatively new level compared to how it was done with the smallpox virus before its official elimination in 1980.

Professionals from the United States and Japan have developed a technology for the artificial synthesis of specified modifications of dangerous viruses and a method for selecting among them the most deadly pathogens that have the ability to be rapidly transmitted from person to person. Synthesized microorganisms are tested on laboratory animals that are closest to humans in structure of the immune system (ferrets, monkeys). The most dangerous experiments are carried out in laboratories of the fourth level of biological safety. Some experts argue that in five to seven years, the United States will be able to synthesize any biological agent with specified properties.

Defense Advanced Research Projects Agency of the U.S. Department of Defense has also initiated the “Insect Allies” Project in order to assess the feasibility of using various insect species to spread genetically modified viruses. The intention was to develop a mechanism for the use of beneficial genes by insect carriers for distribution in certain areas in order to transfer such genetic material to crops.

Despite assurances of the U.S. side concerning the peaceful, protective purpose of these works, experts from the University of Montpellier (France), the Max Planck Institute for Evolutionary Biology and the University of Freiburg (Germany) recorded features of a program to create a new type of biological warfare in such works. It was noted that an effective way of introducing genetically modified viruses into plants (almost any crop species) through insects in order to destroy crops was actually being studied. Obviously, this type of warfare could also be used against humans and farm animals using blood-sucking insects, such as mosquitoes.

In this context, the patent issued by the U.S. Patent and Trademark Office dated March 3, 2015 No.8,967,029 B1 for an aerial drone for the spread of infected mosquitoes in the air is of particular relevance.

The patent description states that with the help of this device, enemy troops can be destroyed or disabled without any risk to the U.S. military personnel; it is characterized by “low unit cost, rapid destructive effect and no need for contact with enemy manpower.” This is in line with the U.S. concept of “contactless warfare.” The possibility of equipping capsules with toxic, radioactive, narcotic substances, as well as pathogens of infectious diseases has been demonstrated. The development of such munitions, which do not belong to the list of conventional weapons and the nomenclature of humane means of warfare in accordance with the norms of international humanitarian law, in fact violates U.S. obligations under the BTWC and UN Security Council Resolution No.1540.

The Ministry of Foreign Affairs of the Russian Federation provided the Commission with a copy of an inquiry to the United States Department of State, dispatched in 2018, requesting a legal assessment of the development of such technical devices from the standpoint of compliance with the BTWC. In response to this inquiry, the U.S. Administration limited itself to a formal reply without substance, cynically thanking the Russian side for drawing attention to this issue and pointing out that “the development and production of biological and chemical weapons are prohibited by national legislation, however the decision to issue a patent does not violate U.S. obligations under the BTWC and the CWC.”

Another equally noteworthy U.S. patent – dated August 5, 2014 No.8,794,155 B1 – concerns hollow-point ammunition for firearms containing toxic substances or bioagents. A capsule with poison or infectious agent is inserted into the cartridge. Even if the gunshot wound is not fatal, the person struck by such ammunition must die either as a result of the effect of poison or as a result of the development of infection, in the latter case being also a source of infection of other people.

These inventions fall under the ban under the BTWC (Article I), which indicates a direct violation by the United States of its obligations under this convention.

1.5. Changing tactics for dual-use biological research

The most sensitive biological research of a military applied nature has been transferred to top secret facilities in the United States. Americans carry out genetic engineering work there with causative agents of such dangerous infectious diseases as anthrax, plague, tularemia, botulism and others. The properties of potential BCA, including pathogens of especially pathogenic viruses of hemorrhagic fevers, are explored. Effects of modified agents in aerosol chambers are studied, thus simulating conditions of their combat use.

In the United States much of dual-use biological research is conducted by civilian ministries and agencies, as well as by private companies. Moreover, many works have been removed from the "protective" category and declared anti-terrorist, which makes it possible to avoid providing information about them within the framework of the BTWC confidence-building measures. Such an approach also makes it possible to completely eliminate not only the conduct of international inspections, but also the control of biological activities at the national level.

The United States establishes biological laboratories under its control outside the national territory, which allows them to solve several tasks at once.

First, such approach opens up the possibility of conducting genetic and other biological experiments on humans in such facilities, without concern regarding any protests of the American public and any consequences of violating their national legislation.

Second, by using foreign biological facilities, the United States can collect and study pathogens that can infect a specific genotype of humans, animals, and plants. At the same time, U.S. experts have the opportunity to study dissemination and behavior of these microorganisms in real climatic conditions in order to adjust their properties.

Third, the United States can test biological agents of interest on the ground, exploring their pathogenicity, virulence, possible delivery routes to the "target", and other properties in the field of potential use.

Fourth, U.S. professionals following instructions and acting under the control of the U.S. Department of Defense, are exported previously collected especially dangerous pathogenic microorganisms (in particular, cholera, anthrax, tularemia) and genetic material using diplomatic channels for further work at the Pentagon's secret closed facilities, which allows them to escape from any forms of public and international control in countries where biological laboratories are located. This represents one of the most obvious signs of dangerous U.S. activities in Ukraine. However, such transboundary movements of pathogens are not controlled by the World Health Organization, the BTWC or other international institutions. Documents available to the Commission confirm numerous cases of transfer abroad from Ukraine of human tissue samples and blood serum, as well as dangerous pathogens and their carriers. It is known that the United States and its allies managed to export at least 16,000 biological samples outside Ukraine, which creates risks of transmitting sensitive genetic information abroad, as well as threats to biological safety not only for Ukraine, but also for all regions from which the samples were transferred.

Fifth, the United States conducts studies of especially dangerous pathogenic microorganisms that have natural foci within countries of interest to the United States; and the use of which can be disguised as natural outbreaks of infectious diseases.

Therefore, the United States is implementing a strategy to ensure a military biological presence through a network of laboratories under its control outside the national territory for purposes that are of a particularly dangerous nature hidden from public control and reporting.

1.6. Model of implementation of Pentagon medical and biological activities outside the national territory

The United States is creating a global military biological network, effectively using other countries as a testing ground for military biological tests. As a result, millions of people living in these countries unwittingly become hostages to deadly biological threats posed by the United States.

U.S. biological facilities are funded by the DTRA military entity within the framework of the Cooperative Biological Engagement Program (CBEP); and are located in the former Soviet republics, the Middle East, Southeast Asia, and Africa.

The global plan for military biological development of countries of the world involves not only the Pentagon and U.S. special services, but also their controlled or affiliated corporations and structures.

Under the cover of the so-called Biologic Threat Reduction Program, the United States is consistently building up military applied biological research in the area of infectious diseases outside its territory. These works are mainly carried out within the framework of the U.S. Department of Defense projects to study genetic factors that determine the resistance of people to various infections.

The military biological infrastructure, created with the direct participation of the Pentagon and its affiliated companies, extends far beyond the United States and includes about 400 dual-use biological laboratories. Research results obtained by them allow the United States to manage the spread of epidemics and study genetic factors that affect the resistance of people to various diseases.

The United States forms databases on the resistance of representatives of various ethnic groups of the population to effects of pathogenic microorganisms and their reaction to medicines. As a result, it becomes possible to experiment with pathogens of infectious diseases, giving them necessary properties, and thus create prerequisites for the creation of new BCA capable of overcoming the immune defense of inhabitants of any particular geographical zone.

In most cases such biological facilities are not under jurisdiction of a local administration in practical terms, but are rather de facto controlled by U.S. experts. Tests are often carried out without prior approval by the host country authorities or even notification thereof. Research outcomes and obtained biomaterials are sent through special channels to the United States. The presence of diplomatic immunity for U.S. experts deprives local authorities of the opportunity to inspect cargoes they transport.

The United States establish dependence of host countries on U.S. pharmaceutical companies. They are actively promoting vaccines on markets of these countries, which are developed by companies collaborating with the Pentagon, despite the fact that often such vaccines show low efficacy (for example, the widely advertised vaccines against Ebola and Marburg hemorrhagic fevers).

The United States pays great attention to strengthening its biological presence in the former Soviet republics, primarily through significant expansion of the laboratory and experimental base and increase in the volume of research being within the scope of interest to the Pentagon. Systematic work is being carried out to create a unified closed network of biological laboratories and epidemiological monitoring stations in the post-Soviet space. This work is carried out under the pretext of countering threats of biological terrorism and strengthening biological safety.

The Pentagon’s main goals in the post-Soviet space are to establish control over the epidemiological situation in the region and the ongoing work there with pathogenic microorganisms; collection of biomaterials along the borders of the Russian Federation; exploring the susceptibility of residents of the post-Soviet space to various infectious diseases and means of their treatment; testing new medicines on ethnically heterogeneous local populations.

The following algorithm of the Pentagon’s actions aimed at creating networks of biological facilities in the former Soviet republics can be traced: in the 1990s, general agreements on disarmament were signed, in the 2000s – specific agreements on cooperation in the biological field were concluded; then the U.S. Department of Defense modernized national biological facilities in order to conduct research which was of interest to Americans.

A standard scheme of epidemiological control and management has been worked out, based the example of Georgia; and later replicated in other post-Soviet republics adjacent to Russia. It involves, inter alia, the establishment of a central reference laboratory; creation of biological facilities for environmental control and research of infectious disease pathogens; integration of all biological facilities into a unified system and the introduction of U.S. standards in their work; training of specialists using U.S. curricula.

In all reference laboratories created by the United States, there are experts of the U.S. Department of Defense who have diplomatic immunity. The nature and results of their activities are confidential and are available only to their principals from the Pentagon. Relevant national entities of host countries are given the opportunity to conduct only research of a secondary nature.

U.S. specialists participate in work with pathogenic microorganisms conducted by national scientific centers, conduct fundamental and applied medical and biological research of a military applied nature on their basis. In particular, the United States, having presence in the former Soviet republics, is engaged in analyzing effects of deadly viruses on living organisms and assessing the effectiveness of means of their detection. Specialized equipment, animals and samples of non-endemic viruses are imported to conduct such studies. Results are sent to such specialized U.S. military institutions as the Medical Research Institute of Infectious Diseases, the Walter Reed Research Institute and the U.S. Naval Medical Research Center.

Pathogenic microorganisms are tested in climatic conditions of their potential use and their properties are adjusted depending on identified immune characteristics of the population of the relevant region. The aim is to create technologies for the synthesis of new biological agents from various microorganisms, taking into account their ability to adapt to various external factors.

U.S. military biologists also have the opportunity to freely collect blood samples of citizens of the host country, both healthy and infected with pathogens of infectious diseases, and send them through closed channels to specialized scientific centers in the United States for subsequent in-depth analysis.

Work in these areas allows Americans to obtain accurate data on genetic characteristics of the local population and characteristics of its immune system, which opens up wide opportunities for experiments with various pathogens of infectious diseases. In addition, research is underway to find ways to overcome the immune defenses of local residents.

Special attention in the Pentagon is paid to the implementation of programs related to studies of animal diseases that may pose a threat to animal husbandry. Emphasis is placed on work with carriers of especially dangerous diseases, as well as on the study of their natural habitats. In particular, the Defense Advanced Research Project Agency of the U.S. Department of Defense implements a program to modify the DNA of insects in order to transfer by them of certain genes that contribute to the occurrence of various diseases in animals. Research is underway to create pathogens that infect living organisms, united by a certain common trait (habitat, food preferences, body temperature or blood type).

The centralization of national collections of pathogen strains in a single repository allows U.S. professionals not only to gain access to such collections, but also to completely exclude possibilities of conducting experiments with museum specimens that are not coordinated with them. Moreover, it makes it easier to export pathogens to the United States.

According to available data, U.S. experts purposefully participate in the collection of samples of pathogenic materials that are obtained from infected old cattle burial grounds. These samples are also virtually freely exported to the United States under the pretext of ensuring reliable storage.

1.7. U.S. Compliance with safety measures in biological research

As evidenced in practice, the United States is experiencing serious problems with ensuring biological safety in its biological laboratories. Cases of improper handling of dangerous pathogens are regularly recorded at U.S. biological facilities. Numerous violations of basic principles of working with them; attempts by the management of biological laboratories to hide the facts of incidents; as well as cases of failure of filter ventilation systems and protective equipment have been noted. Only since 2001, there have been more than 1,000 incidents in the United States involving the disappearance or theft of biological materials from various biological facilities.

With the highest frequency such incidents occurred at the U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID). For example, in 2001, Bruce Ivins, employee of USAMRIID, took out anthrax spores without any hindrance, which he sent later by mail to various recipients. At the end of 2008, several unaccounted-for ampoules with samples of Venezuelan encephalitis (VE) were found in the institution. As a result of their verification, a number of discrepancies were revealed between the entries in the biological sample registry and actually stored pathogen strains. In particular, the fact of loss of the listed ampoules with samples of VE was established. In the summer of 2019, this institute’s laboratory was closed for several months due to security threats. At that time, it conducted experiments with the causative agents of such dangerous infections as Ebola, smallpox, anthrax, plague, as well as with the ricin toxin.

In 2009, a serious incident occurred in the laboratory of the Centers for Disease Control and Prevention of the U.S. Department of Health when, as a result of a computer failure, all systems in the decontamination room failed. In 2014, test tubes with Ebola virus were mistakenly transported to another laboratory with a lower biosafety level.

In 2014, in one of the laboratories subordinate to the U.S. Department of Health, about a hundred scientists and laboratory assistants were exposed to the anthrax virus. During the investigation of this incident, unaccounted samples of smallpox were found. In the same year, the avian influenza virus was mistakenly transferred from the above mentioned laboratory for experiments to a laboratory that does not have a relevant permit.

Details of the long-term mailing by the Pentagon (from L. Salomon Laboratory and Dugway Proving Ground in Utah) in 2005–2015 of live anthrax spores have not yet been clarified. It is hardly possible to refer to an accidental leak: they were sent more than 190 times to 12 countries. Questions about the real purpose of production facilities within the U.S. Department of Defense, which developed these spores, as well as about the true purposes of sending them abroad to U.S. military facilities (of particular concern was the dispatch of pathogens to the U.S. air base in the city of Osan, South Korea)

are also being suspiciously hushed up. In 2001, a similar incident occurred at the U.S. Army Infectious Diseases Institute (Fort Detrick, Maryland).

In June 2014, there was a case of transmission of a non-disinfected strain of anthrax for research on new test systems in the biological laboratory of the Department of Health in the city of Atlanta, resulting in infection of 80 scientists and laboratory assistants. In the same month, a strain of the avian influenza virus was mistakenly transferred to an uncertified laboratory for research purposes.

In July 2014, seven unregistered test tubes labeled as "smallpox" were accidentally found on the premises of the Food and Drug Administration laboratory in the Washington suburb of Bethesda, in which unaccounted-for samples of the disease virus were identified. These test tubes were found in an unused part of the laboratory's warehouse during preparations for its relocation. According to the staff of the institution, these test tubes could have been stored in the laboratory since the 1950s.

In March 2015, an accident occurred at the Tulane National Primate Research Center (Louisiana), as a result of which a leak of deadly especially pathogenic Burkholderia pseudomallei bacteria was recorded.

In September 2016, during experiments with animals infected with a recombinant strain of the Chikungunya virus, a graduate student of the University of Washington grossly violated the rules of biological safety, which led to infection with this virus, manifested in the acute form.

In 2021, in the U.S. state of Pennsylvania, unaccounted-for test tubes marked as "smallpox" were accidentally found in the laboratory of one of the largest pharmaceutical companies.

In accordance with the US Federal Law "On Freedom of Information", in November 2022, the U.S. edition of Intercept analyzed documents of the National Institutes of Health relating to safety violations in biological laboratories in the United States territory. More than five and a half thousand pages of incident reports over the past 18 years have been examined. It is concluded that studies conducted in laboratories with a high degree of protection (BSL-3 and BSL-4) at universities in states of Washington, Minnesota, Illinois, led to intra-laboratory infections and created a risk of further spread of genetically modified pathogens of viral fevers, severe acute respiratory syndrome, especially pathogenic avian influenza and a number of other infections. Numerous violations of basic guidelines of working with pathogens, attempts by the management of biological laboratories to hide facts of incidents, as well as failures of filter ventilation systems and protective equipment were noted. In total, more than two hundred such incidents were registered. There is a reason to believe that only a small part of incidents was included in the official statistics and the real situation is much worse.

Therefore, the existing United States system for monitoring safety violations in biological laboratories is decentralized and covers only those facilities that receive funding from the federal budget. There is virtually no control over private laboratories, even though they conduct research with especially dangerous pathogens. The lack of uniform standards for monitoring activities of such facilities creates risks of conducting research bypassing provisions of the BTWC and gross violations of safety requirements.

These facts indicate the presence in the United States of a systemic problem associated with a low level of ensuring the reliable storage of especially dangerous biological pathogens and compliance with necessary safety measures when working with them.

The high risk of accidents in U.S. biological laboratories is one of the reasons for their withdrawal from national jurisdiction and transfer to the territory of third countries, including Ukraine and other states. This explains the deterioration of the epidemic situation in places where biological laboratories are located; the emergence of diseases and their carriers that are unusual for relevant regions.

All incidents in U.S. biological laboratories confirm the scale of danger posed by their biological activities and hazardous research, which are unsafe for the public. Today U.S. citizens are also under threat, because the very facts of dangerous military biological activities and non-compliance with the necessary biological safety measures are hidden from them.

1.8. Establishing the U.S. global biological intelligence system under the guise of scientific research conducted for peaceful purposes

The United States, expanding its network of biological laboratories abroad, thereby pursues the goal of unilateral control over biological research and development of other countries and certain specific features of the spread of infectious diseases there. Therefore, the United States is creating, in fact, a legal global biological surveillance system.

In the course of the special military operation of the Russian Federation on the territory of Ukraine, specialists of the Ministry of Defense of the Russian Federation confirmed the fact of connecting Ukrainian biological laboratories to the system of global control over the spread of infectious diseases. The basic structure of this network, which has been formed by the Pentagon since 1997, is the Walter Reed Army Research Institute (Maryland). This network includes laboratories of the Army and the Navy, as well as military bases located in various countries of the world. Biological facilities after their completion are being connected to a unified biological monitoring system; and all the R&D outputs in the biological area available to the host country become the property of the United States. Moreover, local professionals are subject to restrictions on access to a number of studies, as well as to their results. At the same time, the Threat Reduction Agency of the US Department of Defense is actively introducing hardware and software systems for automated monitoring of diseases, as well as systems for controlling access and movement of pathogenic biological agents in places of their storage and research.

The launch of the Electronic Integrated Disease Surveillance System (EIDSS) is a priority in this area. It is designed to provide the Pentagon with the capability to detect in real time any changes in the epidemiological situation in the countries of interest to the United States. Currently, this system is being implemented in various countries of the world, including in the post-Soviet space. According to Washington's plan, all countries participating in this project will be included in a unified network for collecting information, access to which will be available to the National Center for Medical Intelligence of the U.S. Department of Defense. It is located in Fort Detrick (Maryland); is an affiliate of the Pentagon's Defense Intelligence Agency (DIA); and is responsible for collecting information about civilian and military biological R&D, capabilities of the pharmaceutical industry of other states, as well as external biological threats to the United States. The Center provides intelligence not only to the Pentagon and the U.S. intelligence community, but also to the supranational intelligence alliance Five Eyes and NATO.

Recently, special attention in the United States has been paid to the Finding Engineering-Linked Indicators (FELIX) program, which is carried out by the Intelligence Advanced Research Projects Activity (IARPA).

Within the framework of this program, methods are being developed to detect various mutations in genomes of bacteria and viruses in order to determine the source of their origin. The program provides for computer analysis of strains of pathogens of various infectious diseases in order to establish foreign elements in the DNA chain (violation of the gene sequence, the presence of traces of cloning, etc.).

Another program implemented by IARPA – Biointelligence and Biosecurity for the Intelligence Community (B24IC) – is aimed at developing new ways of collecting, summarizing, analyzing information in the field of synthetic biology.

The United States expects that these programs will bring the U.S. intelligence community and the Pentagon to a qualitatively new level of military biological control and management of the epidemiological situation in other countries. In addition, the creation of such a network by U.S. professionals is designed to ensure unfair dominance in the field of biotechnology.

It should be noted that in 2018, the U.S. journal named "Bulletin of the Atomic Scientists", covering issues related to various types of weapons of mass destruction (WMD), published opinions of experts identifying new serious threats posed by the DARPA program called PREPARE (PReemptive Expression of Protective Alleles and Response Elements), aimed at developing a new approach by means of identifying innate genetic protection of the host organism from external threats and the development of new countermeasures that can quickly activate and modulate genes to enhance defenses without altering the underlying genetic code.

Scientists express reasonable fears that this DARPA program can be implemented in order to deliver on other aggressive tasks in the current geopolitical situation. They do not rule out that the program would contribute to the development and testing of U.S. biological weapons. Therefore, in their opinion, "on the way to achieving the military defense goal, new data will inevitably be obtained on what the population of a particular region is vulnerable to, as well as

on ways to deliver programmable genetic modulators in order to reduce the level of protection of the inhabitants of this region."

In February 2019, scientists from the United States and the Great Britain started working on the PREventing EMerging Pathogenic Threats (PREEMPT) project, implemented as part of the DARPA program. The need for this project is being explained by the fact that the United States Armed Forces are deployed in remote areas around the world, often where dangerous infectious diseases are common. The PREEMPT project is supposedly aimed at maintaining the combat readiness of the U.S. Army by protecting military personnel from the threat of infectious diseases. However, instead of treating humans, PREEMPT involves working with viral pathogens in reservoir animals and insect carriers, in which many diseases occur before being transmitted to humans. The project combines biological surveillance and biomodeling with new technologies to treat or contain high-risk pathogens at their source. According to U.S. experts, this approach will make it possible to predict geographical "hot spots" where an animal can come into contact with a human being, and where outbreaks of especially dangerous infections are possible. Within the framework of the project, materials are collected and pathogens that cause such especially dangerous diseases as Lassa and Ebola fevers, and the Zika virus, are being explored.

Research within the framework of this project is carried out in US-controlled biological laboratories and is of confidential nature. According to U.S. researchers, if the PREEMPT project is successful, potential field trials can be launched under the auspices of other states in accordance with all standard biosafety protocols. However, to date, the success of this project has not been confirmed, which creates serious security risks for the population of regions in which the above mentioned research is conducted.

Chapter 2. Medical and biological activities of Pentagon in Ukraine as an integral part of the U.S. Military Biological Program

2.1. Agreements on cooperation between Ukraine and the United States in the biological sphere

Under the guise of assisting in the development of national systems of sanitary and epidemiological surveillance, countering threats of biological terrorism and the proliferation of biological weapons, many states in various regions of the world, including some states of the former Soviet Union, fell into the sphere of military biological development of the United States.

This factor allowed the United States to establish control over the sanitary and epidemiological situation, intellectual resources and dual-use research in strategically important regions.

The creation of a network of biological laboratories in the post-Soviet space, on the basis of which it is possible to create and store components of biological weapons, directly threatens the national security of the Russian Federation. Unlike nuclear weapons, which are deployed on the territories of U.S. NATO partner countries, such a policy in the biological sphere allows Washington, in fact, to approach Russian borders uncontrollably.

In the post-Soviet space the United States assigns a special role to Ukraine. This is primarily due to the fact that at the time of the collapse of the USSR, anti-plague research institutes were located on the territory of Ukraine, acting as components of a unique civilian system for the prevention of infectious diseases., Unique collections of strains of pathogens of especially dangerous infections collected over the past 70-80 years were stored in biological laboratories of such cities as Lvov, Kyiv and Odessa. They employed competent specialists, professionals in the biological field.

In addition, the interest of the U.S. Department of Defense in the deployment of biological research in Ukraine is due to its unique geographical location, in particular, the presence of a long common land border with Russia and the crossing of transcontinental migration routes for wild birds. Ukraine has a number of natural foci of infectious diseases: tularemia, plague, tick-borne encephalitis, leptospirosis, avian influenza, Crimean-Congo and Marseille hemorrhagic fevers.

In October 1993, the United States and Ukraine signed a framework interstate agreement on the implementation of the U.S. program “Cooperative Threat Reduction” (CTR). The Program was adopted in the United States in 1991, has the unofficial name “Nunn-Lugar program” (after names of its initiators – Senators Samuel Nunn and Richard Lugar); and is being implemented under the false pretext of eliminating remnants of weapons of mass destruction in the former Soviet republics.

The main executor of the program is the Threat Reduction Agency of the U.S. Department of Defense, acting in cooperation with the State Department and the U.S. Departments of Energy and Commerce.

Subsequently, the offensive activity of these departments was redirected to the implementation of the Biological Threat Reduction Program (BTRP) in Ukraine.

One of main directions thereof is the implementation of joint research projects designed to promote the integration of Ukrainian biological laboratories into Western biological research organizations (primarily the U.S. ones). At the same time, the Pentagon, as a condition for the provision of funding, put forward requirements for full transparency of activities of Ukrainian biological facilities participating in these projects and the transfer of their results to interested U.S. departments.

To expand the scale of biological activities in the post-Soviet space, in October 1993, Ukraine, the United States, Canada and Sweden signed an intergovernmental agreement on the establishment of the Science and Technology Center in Ukraine (STCU). In 1998, the EU countries joined this agreement. Therefore, the NATO bloc is directly involved in the military biological assimilation of the post-Soviet space.

In fact, STCU has acted as a politico-military structure of the United States and NATO countries. In the period from 1995 to 2021, more than two thousand projects were implemented in the post-Soviet countries under the auspices of the STCU, for which the Pentagon allocated hundreds of millions of dollars.

STCU cooperates with many Western military organizations, in particular with the Polish Military Institute of Hygiene and Epidemiology (participates in the Ebola virus research program), with the U.S. “Pacific Northwest National Laboratory” (deals with the fight against terrorism).

STCU was used to conclude agreements with other countries and to enter under its cover of military specialists from the United States and other NATO countries in the territory of other sovereign states of the post-Soviet space.

STCU has concluded bilateral agreements with a number of post-Soviet countries. For example, in Moldova, they are searching for new infectious agents and collecting biomaterials from local residents.

Within the framework of the so-called STCU peace projects, potential damage effects of insect plant pests are assessed. It is no coincidence that the results of such work are of acute interest to DIA specialized units.

In the course of project implementation, STCU actively cooperates with the Richard Lugar Public Health Research Center located in Georgia and a branch of the International Science and Technology Center, whose activities are also focused on solving biological problems in the interests of the Pentagon.

In August 2005, within the framework of the BTRP program, an agreement was signed between the U.S. Department of Defense and the Ministry of Health of Ukraine "On Cooperation to Prevent the Spread of Technologies, Pathogens and Information That Can Be Used to Develop Biological Weapons." Its signing was lobbied personally by Senator Richard Lugar. Judging by materials of WikiLeaks, strong external pressure was exerted on Ukraine in this matter.

The major role in the implementation of this agreement is played by relevant units of the Pentagon, namely the Threat Reduction Agency and the National Center for Medical Intelligence.

In accordance with the agreement, the Pentagon provides support to the Ministry of Health of Ukraine in the field of joint biological research, identification of threats from biological agents and development of a response to them in relation to dangerous pathogens located at facilities on the territory of Ukraine (Article 3). However, in fact, the United States establishes full control over dangerous pathogens: it is prescribed to store them only in laboratories assisted by the U.S. military, as well as to send samples of all strains collected in Ukraine and observations of the spread of infectious diseases in this country to the United States (Article 4).

Furthermore, outcomes of work under the agreement, as well as information on its implementation, become confidential by default (Article 7). Representatives of the Pentagon and its contractors acquire a special right to participate in all activities related to the implementation of the agreement (Article 5). Particular attention is paid to the complete exemption from legal liability for any consequences of their activities to all U.S. representatives with the guarantee of granting diplomatic status. The totality of these terms of the agreement fully characterizes it as deliberately discriminatory for the national interests of Ukraine.

In the course of the parliamentary investigation, the facts (testimony of witnesses) of a direct ban for representatives of the special services of Ukraine to familiarize themselves with and exercise control over activities of laboratories within the framework of a military biological project in Ukraine were confirmed, which fully exposes the concealed and dangerous nature of research in strict secrecy.

This information completely refutes the goals officially stated in the agreement to strengthen the security of Ukrainian laboratories in the face of the terrorist threat and the danger of the proliferation of biological weapons.

The false nature of the stated goals was also revealed by specialists in the field of epidemiological safety of Ukraine. Specifically, in November 2009, in a letter to the Alexander Bilovol, Chief Sanitary Physician of Ukraine; Professor Alexander Khaitovich, Head of the State Anti-Plague Station in the city of Simferopol, noted that the concept proposed by the United States, on the one hand, leads to the loss of the country's sovereignty (in terms of ensuring its own biological safety), and on the other hand, results in an unjustified increase in the volume of "sordid" work with dangerous pathogens throughout its territory (for example, work with the plague was to be carried out in thirteen institutions instead of two).

In August 2008, Alexander Ponomarenko, Director of the Department of State Sanitary and Epidemiological Control of Ukraine, and Luke Kluchko, Head of the Threat Reduction Department of the US Embassy in Ukraine, signed a Plan for the Provision of U.S. Technical Assistance to the Ministry of Health of Ukraine; and in October 2009, the concept of implementing a biological threat reduction program was approved. These documents formed a framework for cooperation in the biological sphere of the military departments of the United States and Ukraine. They provided for the construction by 2014 of two central reference laboratories (temporary and main ones) and the concentration of the entire Ukrainian collection of pathogen strains in them, as well as equipping another 28 biological facilities, including laboratories at regional sanitary and epidemiological stations. Thus, the Pentagon has built a centralized system of control and management.

The total planned amount of funding for the project exceeded US$183 million.

At the insistence of the U.S. side, the Decree of the Cabinet of Ministers of Ukraine dated August 27, 2008 No.1154-r determined additional executive bodies of the agreement – the State Veterinary and Phytosanitary Service and the National Academy of Agrarian Sciences. Thus, official access was granted to foreign military specialists to domestic biological facilities of various profiles. Americans extended their projects to all these structures, as well as to the National Academy of Sciences of Ukraine. They were less interested in modernizing laboratories than in access to databases, materials and specialists.

All the steps taken have been coordinated by a special section at the U.S. Embassy in Ukraine. It was headed by Luka Kluchko, who, quite notably, did not conceal the fact that he was a descendant of Bandera followers; and they fled to the United States after the Great Patriotic War. This area of work has been directly supervised by Andrew Weber, U.S. Assistant Secretary of Defense. This suggests that the U.S. Embassy has consistently implemented a plan of integration into the system of public administration and destruction of the sovereignty of Ukraine. Diplomatic channels have been used to cover activities of representatives of the special services and the export of biomaterials to the United States.

After the coup d'état in Kyiv in February 2014 and the coming to power of the Western-controlled government, the implementation of biological projects under the auspices of the United States in Ukraine has intensified. The exception was the territory of Crimea, on which, after the reunification of the peninsula with Russia, the anti-plague station in the city of Simferopol came under the Russian jurisdiction.

2.2. U.S. constructing new biological laboratories in Ukraine and modernizing existing ones

The deployment of biological laboratories in the territory of Ukraine has a pronounced dual purpose. All laboratories are divided into research and sanitary-epidemiological; and each of these categories is engaged in identifying, assembling or collecting especially pathogenic sources of infection. Laboratories are classified into several levels with a strict hierarchy.

The deployment of biological laboratories in the territory of Ukraine; administrative support and modernization of each of the laboratories; their financing for several years were carried out directly by the Pentagon. All laboratories were supposed to be re-equipped to the second level of biological safety and combined into a unified network. The United States planned to upgrade about 50 Ukrainian biological facilities of federal and regional significance.

Consequently, the pronounced dual purpose nature of biomedical facilities controlled by the Pentagon in the territory of Ukraine is confirmed.

During first stage (from March 2007 to March 2009), Americans carried out a complete re-equipment in accordance with the standards established by the U.S. Department of Defense, and merged into a common network biological laboratories of the central sanitary-epidemiological station of the city of Kyiv, the sanitary-epidemiological station of the city of Odessa and the research institute of epidemiology and hygiene of the city of Lvov.

These biological facilities have been upgraded to work with dangerous pathogens.

In October 2008, the tender of the U.S. Department of Defense for the modernization of Ukrainian biological facilities in the amount of about US$175 million was awarded to the U.S. engineering corporation Black & Veatch based in Overland Park (Kansas). Since 1993, the company has been performing DTRA contracts in the countries of the former USSR; in 2005 it opened a representative office in Kyiv at the address: 5/60 Zhylyanskaya Street, office 1. Its Ukrainian branch was headed by Matthew Weber, who previously worked in Russia. The company was also engaged in biological research in cooperation with Ukrainian laboratories in cities of Vinnitsa, Dnepropetrovsk, Kyiv, Lvov, Poltava, Ternopol, Uzhgorod, Kharkov and Kherson. The subject of their interest was causative agents of swine influenza, hepatitis A, cholera, botulinum toxins. Local scientists are involved in these works. Other contractors of the U.S. Department of Defense were such U.S. companies as Raytheon, Metabiota and CH2M Hill, which were entrusted with construction of biological facilities and supply of equipment for them. Ukrainian media also mentioned the company Holtek-Ukraine, headed by the American Aslani Kamran among contractors for the construction of biological facilities in Ukraine.

In 2009, Hunter Biden, the son of the current U.S. President Joe Biden, Christopher Heinz, the stepson of former US Secretary of State John Kerry, and Devon Archer, founded the investment company Rosemont Seneca Partners. Close connection of this fund with principal contractors of the Pentagon, including Metabiota, can be traced.

The above mentioned facts confirm the available information that the United States engages private firms and organizations in the implementation of dual-use biological projects. It should be mentioned, that the involvement of a large number of private contractors by the United States is a violation of Article IV of the BTWC and UN Security Council

Resolution 1540, according to which all states should refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, transport, transfer or use nuclear, chemical or biological weapons.

On June 15, 2010, in the presence of John Tefft, U.S. Ambassador to Ukraine, a temporary Central Reference Laboratory (CRL) was opened on the basis of the I.I. Mechnikov Anti-Plague Research Institute (Odessa). The facility, estimated to cost about US$3 million, was assigned the third level of biological safety. Senator Lugar called the laboratory "the main institution for the study of dangerous pathogenic substances used by terrorists."

At the request of the United States, most of the Ukrainian national collection of strains of pathogens of dangerous infectious diseases was temporarily moved to the city of Odessa, despite the fact that their decentralized storage has been practiced in Ukraine since Soviet times. The collection effectively came under the complete control of Black & Veatch employees. They gained access to the national collection of pathogens, the cost of which (exceeding US$2 billion dollars according to foreign estimates) was hundreds of times higher than the funds allocated by the United States for the reconstruction and equipping of the Ukrainian Sanitary and Epidemiological Service.

The demand of the U.S. side to create a single repository of pathogens not only contradicts to guidelines of the Ukrainian veterinary control system, which envisions constant work with pathogens in local units, but also creates a real threat to the population safety. This measure has significantly complicated the work on the diagnosis of rare diseases in various regions of the country and increased the level of biological risks.

By 2020, it was planned to complete the implementation of the Pathogen Access Control System (PACS). It allows to control all activities related to microorganisms, and to regulate access to them due to the fact that they are marked with a unique code.

By 2013, Americans had re-equipped facilities in such cities as Vinnitsa, Ternopol, Uzhgorod, Kyiv, Lugansk, Dnepropetrovsk, Simferopol and Kherson. In the city of Lvov, three biological laboratories were opened simultaneously. During first year all their maintenance costs were borne by the United States, during the second year – 70 percent, and during the third year – 30 percent; and from the fourth year laboratories were financed entirely from the budget of Ukraine.

Until 2014, Americans modernized 15 biological laboratories in Ukraine. However, within the framework the BTWC confidence-building measures these laboratories do not include:

- diagnostic laboratory in the city of Vinnitsa (2010), created on the basis of the regional sanitary and epidemiological station;
- diagnostic laboratory in the city of Uzhgorod (2011);
- diagnostic laboratory in the city of Dnepropetrovsk (2011);
- State Regional Laboratory of Veterinary Medicine (2011);
- laboratories in the cities of Kherson, Poltava and Ternopol.

After 2014, the United States has been lobbying for the creation of a permanent Central Reference Laboratory in Ukraine with the third level of biological safety, where all samples of pathogens from around the country were to be transferred. It was planned to build it in the city of Merefa, Kharkov region, including for research purposes of especially dangerous animal diseases. It was supposed to work under the de facto direct control of the Pentagon with exclusively foreign personnel. It was assumed that the laboratory would be equipped with a modern repository that would accommodate a large number of strains of infectious diseases. The Pentagon planned to build and equip this facility entirely at its own expense. Within the 30-kilometer zone around Kharkov, Americans planned to conduct research with strains of anthrax, plague, avian influenza, epizootic aphthae and other viruses.

The peculiarity of the location of this laboratory deserves special attention. At 700 meters from the site of its proposed construction, a small river called Rzhavchik flows, joining Mzha River, which, in turn, flows into one of the largest tributaries of Don River – Seversky Donets. Therefore, in the event of an accident, not only the entire eastern part of Ukraine, but also the Rostov Region and the Krasnodar Territory, including the basin and biological resources of Don River, would be under the threat of spread of dangerous infectious diseases. Consequences of a biological disaster in this region would be very sensitive for Russia.

All upgraded biological facilities are located in Ukraine in those cities and regions that are of interest to the United States from the strategic military and epidemiological perspective. The network of these laboratories covers northern,

southern, western and eastern parts of Ukraine, as well as several regional centers where large military formations and units are located (Vinnitsa, Poltava, Khmelnytsky regions).

In July 2021, DTRA signed a contract with Jacobs Engineering Group to modernize two more Ukrainian biological research and technology centers and equip them with specialized equipment for working with especially dangerous pathogens of infectious diseases. Both facilities (one in the city of Kyiv, the other in the city of Odessa) were supposed to become operational by the end of 2022. However, Russia's special military operation thwarted these plans. Areas for construction of biological laboratories located close to the state border were not chosen by chance. The nearest Russian territories are agrarian regions of Belgorod and Kursk. It seems that it was in this direction that BCA could be used.

At the same time, the U.S. side did not fully comply with its obligations to ensure the compliance of biological facilities with standards in the field of biological security. Laboratories, while being designed, did not provide premises for working with bioassays and conducting bacteriological research, as well as vivariums. Repeatedly, estimated cost of facilities was overstated for corrupt purposes. For example, the company Black & Veatch declared that 37.8 million hryvnias were spent on the upgrading of three biological laboratories of the State Veterinary and Phytological Service. However, according to the results of an independent expert evaluation, costs of works performed were overstated by 17.7 million hryvnias.

At the same time, the re-equipment of Ukrainian laboratories was carried out with gross violations of safety regulations. For example, the I.I. Mechnikov Anti-Plague Research Institute was built without observing biological security standards using low-quality materials and equipment, which raises concerns about ensuring proper storage of dangerous pathogens in a building which is in a potentially emergency state. Moreover, the project for its modernization did not take into account the fact that Odessa is located in a seismically unfavorable area. Despite this, the U.S. Embassy (represented by Luka Kluchko, Head of the Threat Reduction Department) in an ultimatum form demanded that the management of the facility signed documents on its acceptance.

The laboratory of the Crimean Republican Sanitary and Epidemiological Station (the principals were Black & Veatch) could not be put into operation for a long time due to lack of sufficient funding. There were problems with ventilation and roofing. After heavy rains, the facility was flooded. Cracks were found in the buildings of some laboratories after they became operational. This represented an emergency, since it is strictly forbidden to carry out repair works with the installed equipment in place. Therefore, in conditions of non-compliance with elementary standards of biological security, there is a threat of leakage of dangerous pathogens. In addition, such biological facilities become an ideal target for terrorists. Thus, the thesis of humanitarian medical and biological assistance to Ukraine by the United States is completely refuted. In fact, dangerous unpredictable risks have been formed for the citizens of Ukraine.

The United States provides targeted funding for their assignments and actually controls the functioning a network of specialized biological laboratories and research centers in the territory of Ukraine. According to agreements reached between the U.S. Department of Defense and the Ministry of Health of Ukraine, the U.S. side provides gratuitous funding to specialized Ukrainian organizations: the Lvov Research Institute of Epidemiology and Hygiene (NII EG), the Odessa Anti-Plague Research Institute and the Central Sanitary and Epidemiological Station in Kyiv. At the same time, it was planned to create a Center for the Study of Pathogens of Especially Dangerous Infections on the basis of the Lvov NII EG.

At the same time, as part of the BTWC confidence-building measures, Ukraine concealed information about funding by the U.S. military and announced that the financing of biological laboratories was provided by the Ministry of Health of Ukraine, National Academy of Medical Sciences of Ukraine, National Academy of Agrarian Sciences of Ukraine and partly from the state budget. The Gromashevsky Institute of Epidemiology and Infectious Diseases and the Institute of Veterinary Medicine of National Academy of Medical Sciences of Ukraine are partially funded by the Ministry of Defense of Ukraine.

2.3. Areas of biological research. Ongoing military-related applied projects

The officially declared goal of U.S. biological activities in Ukraine is to strengthen the security of national biological laboratories in the face of the terrorist threat and the danger of spread of BW. Nevertheless, according to the interviewed witnesses, main tasks of U.S. experts are to assess especially dangerous pathogens of infectious diseases; to monitor the sanitary and epidemiological situation; to develop and test medical protective equipment; and to collect pathogens of infectious diseases in unified collections of strains in order to control access to them by U.S. experts.

The United States exercises control over the ongoing medical and biological research in the territory of Ukraine through the embassy in Kyiv and the Science and Technology Center in Ukraine (STCU), which provides targeted funding for scientific projects of interest to the Pentagon and Ukrainian scientists.

U.S. experts collect samples of environmental objects probes, such as air, water, soil, as well as samples of pathogenic microorganisms and their carriers in natural foci (mosquitoes, ticks) to study the circulation area of pathogens of various infections. The material is then packaged and delivered mainly (70 percent) to the central Kyiv Sanitary and Epidemiological Station, as well as to the cities of Odessa and Lvov.

In some Ukrainian biological laboratories (Kyiv, Kharkov, Lvov, and Odessa), the properties of pathogens of infectious diseases under the influence of chemical and other reagents were researched.

U.S. experts from various institutes and ministries were involved in working with pathogens, including:

- U.S. Department of Defense Medical Research Institute for Infectious Diseases;
- Walter Reed Army Institute of Research (WRAIR), Silver Spring, Maryland;
- Naval Medical Research Unit Three (NAMRU-3), Cairo, Egypt;
- Universities of Louisville (USA), Ljubljana (Slovenia), Bundeswehr (Germany) and others.

Biological threat reduction projects were carried out in Ukrainian institutions under the code abbreviation UP. The proposed decoding is the “Ukrainian Project”.

Analysis of these projects shows that they have a comprehensive strategic nature by means of the step-by-step implementation of full control over the entire biological safety system of Ukraine; demonstrate the goal of the main beneficiary of all projects – the Pentagon, namely a qualitative deepening of multipronged military biological research in the interests of the United States, and the formation of a military biological test site in Ukraine.

In particular, the UP-1 Project (later reformatted into the UP-6 Project) was intended to study transmissional rickettsial diseases and Q fever. Its main mission is to assess the spread of pathogens of these infections by mosquitoes, ticks and lice in the territory of Ukraine. In the course of ongoing work, the collection of these carriers has been carried out. Participants from the U.S. side are William Nicholson from the U.S. Centers for Disease Control and Prevention, Allen R. Richards from the U.S. Naval Medical Research Center, Matt Hepburn from the U.S. Department of Defense Institute of Infectious Diseases. The project manager is Irina Kurganova from the Lvov Research Institute of Epidemiology and Hygiene. Specialists from the I.I. Mechnikov Anti-Plague Research Institute were also involved in the work.

Within the framework of the UP-2 Project, the Pentagon pays special attention to programs related to the study of zoonoses – pathogens of dangerous infectious diseases and their dissemination areals. Natural and anthropogenic foci of infections, including anthrax cattle burial grounds, were explored. The goal of the program is to create a database (including the cartographic one) on anthrax and tularemia; to introduce a geographic information system for surveillance of tularemia and anthrax. The project was attended by employees of the U.S. Department of Defense and technical experts from the Booz Allen Hamilton corps, who engaged representatives of the Bundeswehr (Germany) as co-executors, in particular experts (Gerhard Dabler, Roman Wolfen, Allen Richards) from the Institute of Microbiology (Munich). The main participants on the U.S. side are the U.S. Department of the Army Medical Research Institute for Infectious Diseases, the Walter Reed Research Institute, Universities of Florida and Kansas, and the Johns Hopkins Center for Human Nutrition.

Under the UP-2 Project, from 2012 to 2013, several expeditions were organized to collect carriers (blood-sucking insects) and probable sources of especially dangerous rodents (as natural reservoirs of tularemia) in the Volyn region, namely in the zone adjacent to borders with Poland and Belarus. The mission is to compile a detailed epidemiological map of the spread of tularemia and anthrax in natural focal zones and to study the migration of carriers of these infections to other regions and states. The special significance of this mission is confirmed by the involvement of specialized U.S. military experts in the implementation of this project, which may indicate its dual purpose.

The name of the UP-3 Project focused on medical and diagnostic aspects – “Epidemiological Algorithms and Molecular Approaches to the Differential Diagnosis of Severe Febrile Diseases of Unknown Etiology in Ukraine” – allows us to judge its special military biological purpose. Participants are Medical Research Institute for Infectious Diseases of the United States, University of Louisville, University of Ljubljana, Black & Veatch company.

The UP-4 Project was implemented in laboratories in Kyiv, Kharkov and Odessa. Its mission was to study the possibility of the spread of dangerous infections (avian influenza, Newcastle disease) through migratory birds.

Another STCU project, "Risk of new infections from insectivorous bats in Georgia and Ukraine" (P-781), studied bats as carriers of pathogenic microorganisms. Among the priorities is the research of bacteria and viruses that can be transmitted from bats to humans: pathogens of plague, leptospirosis, brucellosis, coronaviruses and filoviruses, paramyxoviruses, orthomyxoviruses, lysoviruses. Experiments were carried out in western, northern, eastern and central regions of Ukraine, as well as in the Imerita, Samegreli, Kakheti regions of Georgia and in the Gardabani natural reserve.

STCU research in this area is of systematic nature, and has been carried out since at least 2009 under the direct supervision of military experts from NATO countries (since STCU is supervised by the United States, Canada and EU countries) within the framework of the R-382, R-344 and R-568 projects. In the course of their implementation, representatives of six families of viruses (including coronaviruses) and three types of pathogenic bacteria (causative agents of plague, brucellosis and leptospirosis) were identified. This fact confirms the dual purpose of the work carried out and strengthens the validity of Russia's actions aimed at protecting its sovereignty and national security.

Special attention should be paid to the UP-8 Project with its special goals and objectives (there is certain documentary evidence, namely an order for its implementation). The UP-8 Project envisaged collection of biomaterial from volunteers, including vulnerable groups such as military personnel and patients in psychiatric hospitals. Specifically, blood samples were taken from 4,000 servicemen for the presence of antibodies to hantaviruses, and from 400 servicemen for the presence of antibodies to the Crimean-Congo hemorrhagic fever virus in laboratories of Lvov, Kharkov, Odessa and Kyiv. Such a large-scale screening of human natural immunity was probably carried out in order to select biological agents that are the most dangerous to the population of a particular region. According to data published in the Bulgarian media, during these experiments only in the laboratory of the city of Kharkov, about 20 Ukrainian soldiers died, another 200 soldiers were hospitalized. The danger of the Pentagon's research under this project is confirmed by the fact that the agreement itself allows for the fatal outcome, which must be reported within 24 hours to U.S. experts.

In addition to U.S. experts, Ukrainian military virologists participated in the project. Work in this area allows U.S. experts to obtain data on the genetic characteristics of the local population and characteristics of its immune system, which opens up opportunities for targeted experiments with various sources of infections.

Within the framework of the UP-8 Project, the study of causative agents of the Crimean-Congo hemorrhagic fever was also carried out (lead by the State Research Institute of Laboratory Diagnostics and Veterinary-Sanitary Examination in Kyiv). Relevant studies were carried out in laboratories with the second level of biological safety (there should be a third level). Since 2008, research of Ebola and smallpox viruses was supposed to be conducted at the Lvov Research Institute of Epidemiology and Hygiene with the third level of biological safety. The leak or deliberate dissemination of these bioagents could lead consequences that are difficult to predict.

The UP-9 Project was aimed at studying processes of transmission of the African swine fever virus in the territory of Ukraine and its genetic mapping. In the course of the research, the possibility of the vector borne transmission of pathogens was explored. The nature of research within the framework of this project indicates the search for ways to transmit pathogens of economically significant infections and modalities of infection of farm animals.

Attention should also be drawn to the UP-10 Project, which was aimed at exploring ways of spreading African swine fever through the territory of Ukraine, as well as to simultaneously implemented "Veterinary Projects" coded as "TAP".

The main focus of these projects was on economically significant quarantine infections that can cause significant damage to the agriculture of a country and a whole region. These include African and classical swine fever, highly pathogenic avian influenza and Newcastle disease.

In particular, the TAP-3 Project aimed to study the spread of the causative agent of African swine fever through wild animals. Within the framework of the project, migration routes of wild boars in the territory of Ukraine were explored.

The TAP-6 Project has scaled up this process to countries of Eastern Europe. The study of the population of carriers of dangerous infections was carried out by employees of the Institute of New Pathogens of the University in Volyn, Rovno, Zhytomyr, Chernigov regions of Ukraine, as well as in the territories bordering Belarus and Russia.

The amount of funding for scientific projects for the period from 2015 to 2020 alone amounted to about US$32 million. At the same time, the total U.S. spending on biological programs in Ukraine since 2005 has exceeded US$250 million.

The nature of these studies serves as indication of, at least, formation by the United States of technological prerequisites for the implementation, if necessary, of economic sabotage in Russian regions bordering Ukraine. Given the difficulty of identifying sources of biological contamination, they can be disguised as natural outbreaks of diseases of domestic animals and crops. The United States, apparently, is working out routes for the possible injection of infectious diseases into Russian territory and identifying their potential carriers.

In connection with the special military operation, U.S. medical and biological programs in Ukraine were terminated or suspended. The Pentagon is transferring research that has not been completed within the framework of Ukrainian projects to other nearby countries.

2.4. The impact by the United States on the epidemiological situation in Ukraine

Until 2014, biological laboratories in Ukraine were equipped in accordance with the requirements for working with pathogens of infectious diseases of any hazard class.

However, after the coup d'état in 2014, assisted by the United States, the Sanitary and Epidemiological Service (SES) was reorganized, and in 2017, by the Resolution of the Cabinet of Ministers of Ukraine dated March 29, 2017 No. 348, SES was completely liquidated. Its functions were transferred to the State Service for Food Safety and Consumer Protection. This decision was made when the health care system of Ukraine was effectively under the external control, since duties of the Minister of Health of Ukraine were performed by a U.S. citizen Ulyana Suprun.

Moreover, the training system of specialists for the State Sanitary and Epidemiological Service was completely destroyed. By 2020, when the COVID-19 pandemic began, epidemiologists had already not been trained in Ukraine for 5 years; the system of public medical screening and mandatory vaccination was canceled.

In 2020, Kyiv District Administrative Court opened proceedings in the appeal case against liquidation of the State Sanitary and Epidemiological Service by the government. According to the complainant, liquidation of the competent authority dealing with the sanitary and epidemiological welfare of the population excludes the possibility of implementing provisions of the Law of Ukraine "On Protection of the Population from Infectious Diseases"; contributes to the spread of diseases; and violates constitutional rights of Ukrainian citizens to protect health and life as the highest social value. The court's judgment on this issue is unknown.

The United States effectively received the right to control the epidemiological situation in the country in its own interests. U.S. experts, in fact, have acquired the ability to investigate outbreaks of any infectious diseases in Ukraine, including in areas bordering Russia. Moreover, they managed to compile geographical maps of their dissemination, study all aspects of seasonal activity, make forecasts of the sanitary and epidemiological situation, and carry out molecular biological certification of collected samples of pathogens, including those circulating in the vicinity of the border with the Russian Federation. Washington is also the final recipient of all scientific research results, materials, developments and data of sanitary and epidemiological surveillance.

Despite the receipt by the United States of these exclusive rights, none of them was used for humanitarian aid to the Ukrainian population. Obtaining such rights is the basis for the influence and hidden negative impact on the sanitary and epidemiological well-being of Ukraine.

By the end of 2022, it was planned to deploy the "Electronic Integrated System for Monitoring Infectious Diseases" in the territory of Ukraine, covering the national, regional and local levels of biological laboratories and ensuring the collection of information on dangerous infections. The U.S. Threat Reduction Agency has signed a contract with Black & Veatch, which supplied Ukraine with specialized equipment to ensure functioning of this system.

The system allows the Pentagon to:

- detect in real time any changes in the epidemiological situation in Ukraine;
- compile geographical maps of the microbiological landscape of infections and the immunological status of the Ukrainian population;

- study in detail the epidemiological and epizootological situation in the country, the degree of impact of certain infectious strains on specific regions;

- monitor the spread of infections in Russia;

- monitor the impact of poorly studied pathogens on the population of Russian regions.

The information accumulated by the system (which is hardly feasible without the collection of personal data about patients, that is, confidential information that constitutes a medical secret), will be analyzed in special centers in the United States.

The United States obtains a clear algorithm for creating threats of local and global epidemics and managing them.

2.5. Training of Ukrainian specialists by the United States

The United States is organizing trainings in Ukraine for local specialized professionals, which are conducted by U.S. military experts. This provides the Pentagon with the solution of such an important task as identifying persons who are ready to carry out the military biological activities necessary for Americans.

Training of Ukrainian specialists is carried out by representatives of the Center for Disease Control and Prevention in Atlanta. Courses are organized in U.S. military medical institutes. An information exchange has been established with the citizens of Ukraine. In fact, psychological testing of personnel was carried out in order to identify and assess their capacity; recruit them for direct cooperation with U.S. special services; use them in the "blockchain" mode to perform confidential missions; build a management system for Ukrainian personnel by Pentagon experts.

A department was created in the Ministry of Health of Ukraine, to provide grants; by means of which specialists traveled abroad, completed training there and received relevant supporting documents, permitting them in the future to participate in selected works in an official status. In particular, the Lvov Research Institute, specializing in natural focal infections transmitted by ticks and mosquitoes, worked very closely the relevant institutions of the U.S. Department of Defense.

Specialists of the central office of the laboratory center at the Sanitary and Epidemiological Service of Ukraine were trained outside the country. They went on an internship for one and a half or two months in different foreign laboratories, depending on their specialty.

Trainings conducted in Ukraine by experts from the U.S. Department of Defense were aimed at the selection of pathogenic microorganisms, their primary identification and packaging, but not at an in-depth study of bioagents. This approach involves certain risks. In absence of information about a pathogen, it is impossible to correctly assess its danger; level of susceptibility of the local population is to it; its sensitivity to various drugs. It is impossible to make an accurate forecast of possible consequences of its dissemination, to plan and carry out the necessary set of measures in order to minimize such consequences.

2.6. Outbreaks of infectious diseases in Ukraine

Negative outcomes of U.S. assistance in the liquidation of the Sanitary and Epidemiological Service of Ukraine manifested themselves in the measles epidemic, polio problems, an emergency situation for tuberculosis, HIV infection, diphtheria, tularemia among military personnel and other challenges.

Specifically, the incidence of measles in Ukraine in 2017 increased by more than 100 times (compared to 2016). Destructive actions of "Maidan authorities" have led to the situation when Ukraine has become the "world leader" in terms of the incidence of measles. According to UNICEF, in the period of 2017-2018, more than 30,000 people were infected with this disease in the country. In the first half of 2019, more than 50,000 cases of the disease have already been detected in Ukraine. Moreover, the number of cases in Ukraine was several times higher than that of other "leaders" of this list.

Such a deplorable result was caused by the extremely low level of immunization coverage, especially among children, which, according to the Center for Public Health of the Ministry of Health of Ukraine, did not exceed 40 percent, compared to the level of at least 95 percent, as prescribed by the World Health Organization. For example, in Transcarpathia region in 2015 there was an outbreak of polio in the context of immunization coverage of children of less than 14 percent. Two cases of the disease, which was eradicated in the European Region more than 20 years ago, occurred in Ukraine in 2021 as well.

Suspicions arise with regards to outbreaks of tularemia among Ukrainian military personnel. Moreover, the civilian population as not infected. During the medical screening of military personnel, it was noted that antibodies were detected in the blood of 30-40 percent of servicemen, indicating that they had suffered tularemia, which confirms the concealed nature of experiments conducted on military personnel.

Nevertheless, such issues as prevention of these infections and expansion of immunization programs were not within the range of interests of the United States as cooperation priorities. Laboratories that were cooperating with the Pentagon and received its funding were not involved in immunization and prevention of vaccine-preventable infections, development of epidemiological surveillance network for measles, rubella, polio, diphtheria, and in training of specialists in these areas. The work was intentionally carried out only with dangerous viruses that were of interest to U.S, researchers.

Occasionally, suspicious outbreaks of diseases began in various regions of Ukraine. Public opinion associates these facts, inter alia, with the functioning of nearby secret facilities of the biological profile.

Ukraine has already suffered from several epidemics (there were none until 2009). The population of the country associates them with the beginning of work of the temporary Central Reference Laboratory in Odessa. For example, in 2010 (the year of the opening of this laboratory in the city of Odessa) in Crimea, an outbreak of avian influenza was recorded, which caused great economic damage to poultry farms and private farmsteads.

In 2010, in Crimea, biomaterial in the form of blood serum was collected from inhabitants of territories where outbreaks of avian influenza were registered.

Since 2014, the death of pigs from African swine fever began in Ukraine. In 2015, all the pigs (more than 60 thousand) were slaughtered because of this disease in 'Kalita' agro-industrial complex (located near the city of Kyiv); and more than 100 thousand pigs were slaughtered throughout the country. In 2019, quarantine was imposed in the Odessa region due to swine fever outbreak. In the same year, Sergey Shabovta, the President of the All-Ukrainian Association of Security Market Operators, said that Ukrainian authorities conceal the scale of the epidemic of African swine fever in official statistics; and sick animals are sent for slaughter and processing for consumption by residents of Ukraine. One of the reasons for emerging outbreaks of plague, according to the expert, is dietary supplements supplied to Ukraine by the U.S. food company Cargill.

Since 2014, there has been an increase in the number of foci of tularemia in Ukraine. The most adversely affected disadvantaged areas are Volyn, Sumy and Chernigov regions. Since 2015, specialists of the State-controlled "Ukrainian Center for Disease Control and Monitoring M3 of Ukraine" have isolated strains of tularemia (from Volyn and Sumy regions), confirmed circulation of the pathogen in 28 territories. Of particular concern are facts of emergence of tularemia foci in urban settlements and in a number of large cities.

In 2015, there was an increase in the incidence of polio in Ukraine. In the same year, deaths from leptospirosis were recorded in the country. In 2016, in the city of Izmail (Odessa region), there was an outbreak of an unknown intestinal infection, which affected mostly children. The cause of the outbreak has not been determined. In the same year, Ukraine suffered an incredible epidemic of swine influenza. In 2017, massive outbreaks of botulism were recorded in Kyiv and Kherson. People died due to the lack of specific means of post-exposure prophylaxis.

According to the U.S. intelligence and analytical company Stratfor (Strategic Forecasting Inc.), the rapid spread of tuberculosis and HIV infection (AIDS) makes the country a very difficult neighbor and partner of dubious value.

According to official data, since 2019, the number of cases of a highly resistant strain of tuberculosis has increased by 3.6 times compared to the number of patients with extensively drug-resistant tuberculosis. There was an extremely high mortality rate among patients with extensively drug-resistant strain of tuberculosis – in the city of Avdeevka in 2013, almost every third person who became infected with tuberculosis for the first time died and in 2015 and 2019 – it was every fifth person.

According to the Center for Medical Statistics of the Ministry of Health of Ukraine, in 2021 the number of newly registered tuberculosis cases in the country increased by more than 4 percent and amounted to 44 cases per 100,000 of population. For comparison, in the Russian Federation this figure is almost two times lower.

During the massive outbreak of the disease recorded in the area of the village of Peski, more than 70 cases of diseases were detected, which ended in rapid death. This may indicate a deliberate infection or an accidental leak of a pathogen from one of biological laboratories located in the territory of Ukraine.

Suddenly dirofilariasis appeared in Ukrainian regions (Odessa, and Crimea and Donbas until 2014). This disease is transmitted by mosquitoes. Their larvae multiply directly under the human skin, in ocular organs and the brain.

It is noteworthy that in order to combat each new epidemic, the Kyiv Government had to purchase a new vaccine from U.S. pharmaceutical companies. The state spent US$40 million to protect the population from swine influenza alone.

In many ways, this unfavorable epidemiological situation arose as a result of actions of Ulyana Suprun, Minister of Health of Ukraine, which were devastating for the Ukrainian health care system; and as a result of lobbying interests of U.S. pharmaceutical companies for the purchase of vaccines and other medicines.

Therefore, all outbreaks of diseases, including those of unknown origin, disavow allegations of U.S. officials about alleged humanitarian benefits brought by the U.S. Department of Defense and STCU to the territory of Ukraine. In fact, after the Maidan, the systematic integration of Ukraine into a system of biological vulnerability, complete economic dependence and ruin has been successfully completed.

2.7. Medical experiments on humans

In the period from 2019 to 2021, U.S. experts conducted tests of potentially dangerous uncertified medicines on patients of the Regional Clinical Psychiatric Hospital No. 3 in the city of Kharkov. Experiments were also conducted on citizens of Ukraine in Psychiatric Hospital No.1 in the village of Strelechye, Kharkov region. The result of round-the-clock monitoring of patients' condition was recorded in special cards, while this information was not entered into the hospital database, and the staff of this medical institution signed a non-disclosure agreement. Patients with mental disorders were selected for experiments taking into account their age, nationality and immune status.

During the parliamentary investigation, it was established that long before the launch of Russia's special military operation, U.S. experts conducted large-scale experiments on Ukrainian servicemen. At the disposal of the parliamentary commission there are documents that indicate that within the framework of the UP-8 Project, blood samples were taken from four thousand servicemen in Lvov, Kharkov, Odessa and Kyiv for antibodies to hantaviruses, and from another four hundred for the presence of antibodies to the Crimean-Congo hemorrhagic fever virus. The Commission believes that such large-scale immunity screening was carried out in order to assess the susceptibility of population of the region to certain biological agents.

The Commission analyzed the existing document signed by the head of the ethics committee of the Center for Public Health of Ukraine on June 12, 2019 as part of the UP-8 Project. The document confirms the conduct of studies with an unknown risk to the life and health of participants, as well as the concealment of the subjects' identity. At the same time, it is prescribed to report minor incidents with volunteers to the U.S. Bioethics Committee 72 hours after the incident, and serious ones, including death of subjects, within 24 hours. The project was extended until 2020.

It is noteworthy that results of the blood test were not provided to the study participants themselves, which was earlier stipulated as a prerequisite.

The analysis of blood samples of Ukrainian servicemen who voluntarily surrendered and are undergoing treatment (more than 180 samples) conducted by Russian specialists showed the following results: more than 30 percent of servicemen were earlier or are currently infected with hepatitis A; 14 percent – with Crimean-Congo hemorrhagic fever, and 21 percent – with West Nile fever. These figures are significantly higher than average indicators. Taking into account the fact that these diseases have been actively studied in Ukraine by representatives of the Pentagon within the framework of UP-4 and UP-8 Projects, there is every reason to assert that a much larger number of screened Ukrainian military personnel were deliberately infected, even in comparison with figures stated under the UP-8 Project.

In addition, biochemical analysis of samples revealed traces of narcotic drugs, as well as high concentrations of several antibiotics belonging to different classes. This may indicate infection with multidrug-resistant strains.

The Commission received documents confirming that the United States tested drugs with an unexplored effect on Ukrainian military personnel.

In particular, we are talking about the so-called pharmaceutical screening system called "Deep Drug", which have not passed the licensing procedure in the United States and Canada. It is noteworthy that the developer, Scymount company, offered to purchase this system on a commercial basis, despite the fact that the Ministry of Defense of Ukraine engaged military personnel as volunteers, which indicates the extreme cynicism of organizers.

According to open sources it is clear that the United States is actively studying issues of improving the combat qualities of soldiers, the prospects for creating a super-warrior, a cyborg soldier. For example, a report of the U.S. Army Combat Capabilities Development Command defines areas of work until 2025, which, according to the authors, will make American soldiers invincible. In particular, they mention “robotization” of military personnel – the merger of a human being with a machine.

In December 2020, the U.S. Department of Defense Center for Naval Analysis (CNA) published an open part of the report “Superhumans: Implications of Genetic Engineering and Human-Centered Bioengineering”, in which the Pentagon receives recommendation to develop guidance for military personnel who may be interested in experimenting with genetic engineering, obtaining chip implants or making other modifications using such technologies. Moreover, the U.S. Department of Defense was recommended to establish a unified interagency oversight framework of the integration of such technologies.

These and many other facts confirm the direct and cynical interest of U.S. military experts in conducting secret experiments on military personnel.

In addition, similar experiments on Ukrainian military personnel could be carried out in terms of assessing the effectiveness of use of narcotic drugs and psychotropic substances in combat.

In this regard, attention should be drawn to the facts of uncovering narcotic drugs, including opioids, such as methadone, codepsin, codeterp, as well as ephedrine substances: t-phedrine and tri-phedrine.

The synthetic drug methadone is used in the treatment of drug addiction as a means of substitution therapy. This drug has been widely used as a means of mass “narcotization” of the population of Ukraine, which facilitated the imposition of fascist and Nazi ideology among young people.

It should be recalled that in Nazi Germany during the Second World War, especially in the period from 1943 to 1945, soldiers were given pervitin tablets, an amphetamine derivative, in order to reduce psycho-emotional stress. This drug was also massively used by U.S. military personnel during wars in Korea and Vietnam.

A side effect of such drugs that cause drug addiction is, inter alia, excessive aggression, which explains manifestation by some Ukrainian combatants of monstrous cruelty towards civilians and prisoners of war.

U.S. experts in Ukraine have conducted an in-depth study of antibiotic-resistant forms of tuberculosis, and in its course a protocol was drafted to explore resistance to anti-tuberculosis drugs. The detection of drug-resistant strains of tuberculosis (DRS), and the introduction of the DRS code in the laboratories of Ukraine was carried out. This work was funded by the United States Agency for International Development (USAID).

Routing of drug-resistant material has been developed:

- if mycobacterium growth levels 2 and 3 is detected in the material in laboratory context, it is sent to an interregional laboratory for a drug susceptibility test (DST);

- in the interregional laboratory, phenotyping of drug resistance to the first row of drugs was carried out, and the culture was prepared for shipment to the central laboratory. The central laboratory arranged for all strains with antibiotic resistance to be sent to a designated subnational laboratory to determine resistance to second-line drugs. All material with identified resistance to antibacterial drugs was sent to laboratories in the cities of Kyiv and Riga.

At the same time, work has been carried out to identify new possible ways of infection with a highly resistant strain of tuberculosis. Such tests are of particular interest to the so-called “Big Pharma”, and are aimed at finding new markets for pharmaceutical products. In the context of this activity, a very serious increase in the incidence of tuberculosis was recorded.

2.8. Act of biological terrorism against Slavyanoserbsk district residents of Lugansk People’s Republic

In November 2020, the Ministry of Internal Affairs of the Lugansk People’s Republic revealed the fact of scattering copies of 100-ruble bills at a school in Slavyanoserbsk, on which the causative agent (live bacterium) of Asian tuberculosis was found. The distribution of these fake bills was supposedly carried out with the help of an aerial drone in the morning, approximately at 10-11 a.m.. At this time, school classes were underway, and these bills were quickly found in possession of children who picked them up on the street, which confirms the special cynicism of this crime.

There could have been cases of tuberculosis infection of those who came into contact with the bills. The Slavyanoserbsk district is a war zone where quite emotionally exhausted people live. Any increased incidence would have an enormous negative social effect in the area. Only due to the fact that timely sanitary and anti-epidemic measures were taken, this outcome was avoided.

On November 23, 2020, a microbiological study of the delivered material was carried out on the basis of the Lugansk Republican TB Dispensary. It was carried out using three methods: classical simple bacterioscopy of a smear according to Ziehl-Nilsson staining, molecular genetic method of polymer chain reaction (PCR system) and inoculation of the material on special nutritional media.

As a result of the PCR study, fragments of mycobacterium tuberculosis DNA resistant to rifampicin were detected. Further, two inoculation methods were used: on a liquid nutrient medium (accelerated, growth after 21 days) and on a solid nutrient medium (classical, growth after 3 months).

As a result, the growth of Mycobacterium tuberculosis culture took place in both cases, and 9 colony-forming units were identified on a solid medium. At the same time, the sensitivity of mycobacterium to anti-tuberculosis drugs of the first and second line was determined. Resistance to isoniazid, rifampicin, streptomycin, ofloxacin was revealed, which indicates high virulence of the test material strain, which belongs to the most dangerous category of pre-XDR tuberculosis (pre-extensive drug resistance).

Based on the entirety of microbiological and bacteriological studies, it can be concluded that propaganda leaflets were infected with a live pathogen of a particularly dangerous infection – a highly resistant strain of tuberculosis.

At the same time, the inoculation of false banknotes by natural airborne transmission is impossible with such a large amount of a living pathogen. Such infection is possible only with the accumulation of the pathogen in laboratory settings with the subsequent infection of a paper carrier.

This action was not only maliciously terrorist, but also ideological. In particular, the inscription “Where there is Russia, there is death” was put on scattered bills. In fact, it represented an aggressive act of biological terrorism using tuberculosis pathogens; and clearly demonstrated the readiness of Ukrainian authorities to use any means to create the atmosphere of fear and cause destructive consequences. The target of this bioterrorist act was the civilian population, especially children.

Chapter 3. International legal Assessment of biomedical activities of the United States and Ukraine

Since the collapse of the USSR, the United States has launched a large-scale military biological project in the territory of Ukraine under the leadership of the Pentagon and under the guise of a medical and biological program, which is indicative of the logic of their actions bypassing key agreements within the framework of the BTWC.

Broad powers in the implementation of this project are delegated to contractors of the U.S. Department of Defense. Among them there are such well-known American companies as Black & Veatch Special Projects Corp, Metabiota, CH2M Hill. Their activities in Ukraine also raise a number of questions in the context of the BTWC requirements.

Black & Veatch Special Projects Corp has been working for the Pentagon since 2008 on projects to study potential biological weapons agents.

Metabiota and CH2M Hill are also among the key contractors of the U.S. military in Ukraine. They are entrusted with monitoring ongoing programs, construction of biological facilities and supply of equipment.

Previously, Metabiota was engaged by the Pentagon in managing the epidemiological situation in Ukraine. The participation of this company representatives (M. Gutierri, D. Mustra) in the audit of UP and TAP projects in the territory of Ukraine is recorded in relevant documents, which is confirmed by the schedule of audit activities.

Despite assurances of the United States that biological research in Ukraine is carried out exclusively in the field of civilian healthcare, the Commission received documents confirming the direct interaction of defense departments of the two countries.

The coordinator of military biological projects was the Science and Technology Center in Ukraine (STCU), an international organization formally created to supposedly prevent the spread of knowledge and experience related to weapons of mass destruction.

Only in recent years, Washington has spent more than US$350 million on STCU projects. The customers and sponsors of STCU from the United States include the State Department and the Pentagon. Funding was also arranged through the Environmental Protection Agency and the U.S. Departments of Agriculture, Health and Energy.

In the period from 2014 to 2022, STCU implemented more than 500 research projects in the post-Soviet countries. Customers from the United States were primarily interested in research that has a dual purpose.

Many ongoing projects are aimed at studying potential components of biological weapons formulations (causative agents of plague, tularemia, etc.) and pathogens of economically significant infections (pathogenic avian influenza, African swine fever, etc.), for example, Project 9601 “Transfer of Ukrainian technologies for the production of complex dual-use materials to the European Union”.

P-364, P-444 and P-781 projects, aimed at studying the spread of pathogens of dangerous infections through insect carriers, wild birds, and bats, were financed directly in the interests of the U.S. military.

The information provided confirms the direct participation of contractors of the U.S. Department of Defense in the planning and implementation of projects in the territory of Ukraine in violation of the BTWC.

These facts were directly confirmed in the assessment of the situation by the Security Service of Ukraine and the Government of Ukraine.

In April 2013, an interdepartmental commission consisting of representatives of Security Service of Ukraine (SBU), the Ministry of Health, Ministry of Foreign Affairs, National Academy of Medical Sciences, National Academy of Agrarian Sciences, State Sanitary and Epidemiological Service and State Veterinary and Phytological Service, created as part of execution of the order of Prime Minister of Ukraine dated December 4, 2012 No.763t, made a decision on the need to amend the Agreement signed in 2005 between Ukraine and the United States and to communicate Ukraine’s position to the U.S. side.

The SBU document states as follows: “Based on conclusions of this commission, the above-mentioned initiatives of the U.S. side have a negative impact on the implementation of the Agreement and are unacceptable for Ukraine in the context of its own vision of the concept of building an effective system of epidemiological and epizootological surveillance, adopted on April 1, 2013 by the Resolution of the Cabinet of Ministers of Ukraine No.620 “On approval of the state earmarked program of biological safety for 2015-2020.” It was noted that SBU shares the governmental position of the

Ministry of Agrarian Policy and the State Veterinary and Phytoservice of Ukraine on the inexpediency of continuing DTRA projects in Ukraine.

SBU specialists have repeatedly noted potential risks of the functioning of US-controlled biological laboratories. In the analysis prepared by SBU in the spring of 2013, it was noted: "...Individual steps of foreign representatives can be regarded as actions to undermine the relevant scientific and technical capacity ... Requirements of the U.S. side to create a unified repository of pathogens," as confirmed by the presence of pathogens in the I.I. Mechnikov Anti-Plague Research Institute, "contradict principles of the existing veterinary control system in Ukraine, which provides for constant work with pathogens on the ground ... The implementation of these proposals carries a risk to the relevant research capacity."

At the same time, despite SBU warnings, cooperation in the biological sphere continued, including between defense departments of Ukraine and the United States.

In the analytical report of the Security Service of Ukraine Kherson Department dated June 30, 2016, it was noted that programs of the U.S. Department of Defense Threat Reduction Agency could be used to create or upgrade biological weapons. It was further noted that the continuation of cooperation on the implementation of these programs poses a threat to national interests in the biological sphere.

The body of facts confirms not only the violation of provisions of the BTWC by the United States and violations committed by Ukraine, but also explains the direct interest of the United States in the unconstitutional change of power in Ukraine, which allows them to continue their military biological program without hindrance.

Particular attention should be paid to information about the emergency destruction of documentary evidence of the implementation of biomedical programs in Ukraine, which were allegedly carried out exclusively for "humanitarian purposes" and with the involvement of Ukrainian organizations.

The Commission, throughout its work, has closely monitored public statements by U.S. administration officials regarding their involvement in dangerous military biological activities in the Ukrainian territory. These statements manifest outright lies, contradictory judgments and double-talk.

Seriousness of the situation has been confirmed by statements of Victoria Nuland, Under Secretary of State, during hearings in the U.S. Senate Foreign Relations Committee on March 8, 2022. In particular, replying to a question from Senator Marco Rubio about whether there are biological or chemical weapons in Ukraine, she informed on the presence of biological research facilities in Ukraine and expressed concern about the possibility of their transfer (including materials stored there) under the control of the Armed Forces of the Russian Federation. Such a reaction on the part of U.S. officials also indicates that covert military medical and biological research programs are being carried out in Ukraine, which does not correlate with obligations under the BTWC.

The Commission conducted a concept analysis of activities of the Science and Technology Center in Ukraine (STCU), which revealed its connection with military, civilian and commercial entities of the United States. The Commission strongly emphasizes that the fact of activities of this Center was recognized by the United States in a published Pentagon statement dated June 9, 2022.

Another representative of the U.S. administration, John Bolton, who previously served as national security adviser, published a report in September 2000 entitled "Restructuring America's Defense." The document states that "in order to achieve a position of world leadership, the United States needs to maintain the superiority of its armed forces, while one of the ways of modernization is the creation of biological weapons. At the same time, advanced types of biological weapons capable of targeting certain genotypes will be able to change the role of this type of warfare: instead of a means of deterrence, it will be advantageously used in politics."

John Kirby, Coordinator for Strategic Communications at the U.S. National Security Council, in his comments of February 1, 2023, once again called Russia's accusations "ridiculous" and "unfounded", without giving any arguments to the contrary: "There were no weapons, there were no laboratories for the development of biological weapons", "The United States did not conduct military biological research and development in Ukraine." Then, in a direct quote John Kirby admits that "in laboratories located in the territory of Ukraine, American and Ukrainian scientists conducted research to prevent a pandemic," specifying that they were exclusively scientific in nature.

Kenneth Ward, head of the U.S. delegation to the 9th BTWC Review Conference in 2022, refused to respond to Russia's accusations on the issue of violations of the Convention, arguing that "Moscow has never been interested in hearing US answers to specific questions about biological laboratories in Ukraine; therefore, we intend to refrain from any further clarification."

The Commission's analysis confirms the involvement of U.S. government agencies, officials, as well as non-state actors (commercial contractors) in financing, organizing, and supporting research and development in Ukraine in violation of the BTWC.

3.1. International legal regime related to the prohibition of biological weapons

Today, the world is in the midst of a crisis in the global security system and the degradation of international arms control, disarmament and non-proliferation regimes. In the biological sphere, Western countries prefer to act non-transparently, which raises serious questions and claims in the context of their compliance with relevant international obligations.

The major treaties in the area of the prohibition of biological weapons include:

- The 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (hereinafter referred to as the Geneva Protocol);

- The 1972 United Nations Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their destruction (BTWC).

The Geneva Protocol was the first effective attempt by the international community to outlaw the use of biological weapons as warfare. This represents its main political and legal significance, which remains relevant to date. This treaty was signed on June 17, 1925 by representatives of 38 states in Geneva and entered into force on February 8, 1928. Currently its members include 146 countries. The United States signed the Geneva Protocol in 1925, but ratified it only in 1975. While becoming parties to the Geneva Protocol, 37 countries, including the United States, made a reservation that they retain the right to retaliate if the opposing side (and in some cases an ally of this side) violates terms of the protocol ("retaliatory strike"). Moreover, many states are simultaneously parties to the BTWC, which, in principle, prohibits any possession of biological weapons. It should be understood that retaining the right to retaliate implies the actual availability of these biological weapons, which can serve as indirect evidence of their existence.

Similarly, Ukraine made two reservations to the Geneva Protocol in 2003, which read as follows:

1) the Protocol shall be binding only on States which have ratified or acceded to the Protocol;

2) The Protocol shall cease to be binding on any State and allies thereof, who fail to comply with the prohibitions of the Protocol.

A disadvantage of the Geneva Protocol is the absence of a ban on development, production, storage and stockpiling of biological weapons. It does not enshrine control and verification procedures, prohibitions stipulated by it are limited only to the immediate period of war between states and do not affect internal conflicts.

These shortcomings have been largely addressed with the adoption of the BTWC. The Convention was approved by the UN General Assembly in 1971, opened for signature on April 10, 1972, and entered into force in 1975. This instrument has indefinite term. Depositories of the BTWC are Russia, the United States and the United Kingdom. As of March 2023, 185 states have ratified the Convention.

In accordance with Article I of the BTWC, States Parties undertake never in any circumstances to develop, produce, stockpile or otherwise acquire or retain biological weapons. At the 4th Review Conference of 1996, an understanding was reached that the use of biological weapons is also a violation of the Convention (there is no explicit prohibition on their use in the text of the BTWC).

The BTWC is the first international legally binding treaty under which States Parties have committed themselves to completely abandon the development of an entire type of weapons of mass destruction.

At the same time, the main shortcomings of the BTWC include the following:

- there is no clear definition of the concept of "biological weapons", which is qualified through the concept of quantity and purpose: "microbiological or other biological agents or toxins, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes";

- specific types and quantities of biological agents justified for prophylactic, protective or other peaceful purposes have not been identified;

- given the current level of biotechnological development, biological activities can be interpreted arbitrarily;

- no mechanism has been established to prevent the emergence of new types of biological weapons as a result of the adoption of dual-use technologies and scientific and technological advances in biology;
- there is no mechanism for monitoring compliance with provisions of the BTWC by States Parties;
- there is no mechanism for international investigation of violations of the BTWC.

During the period of 1995–2001, a draft protocol was developed that contained mandatory declarations of certain biological activities, measures to verify compliance with the BTWC, including site visits and investigations of any alleged violations of the BTWC, as well as measures to improve cooperation and scientific and technical exchanges. Russian experts took an active part in the work, proposing a number of important solutions on qualifiers for additional inspections of biological facilities.

The Commission considers all actions of Washington in 1995–2001 as a diversionary maneuver, because during this period the United States used the period of time simultaneously to form a strategic advantage and conceal military biological projects.

However, after the George W. Bush Administration entered the office, the United States unilaterally blocked the continuation of work on the draft protocol to the BTWC during the 24th session of the Ad Hoc Group of Experts in July 2001.

From then and to date, the United States has consistently opposed any attempt to resume work on a legally binding protocol with an effective mechanism for verifying compliance with the BTWC.

In 2001, the United States, referring to national security interests, withdrew from multilateral negotiations on the development of a legally binding control mechanism of the BTWC. In December 2009, at the annual meeting of the States Parties to the BTWC, Americans officially confirmed their refusal to resume discussion of this issue.

Due to the large-scale propaganda support of its biological activities, the U.S. political leadership managed to reduce the level of criticism from the American public related to Washington's refusal to develop a legally binding control mechanism of the BTWC.

Carrying out a large-scale research program of a military applied nature, including outside the national territory, and expanding unilateral control over the biological capacity of other countries, the United States is objectively not interested in strengthening the BTWC and creating an international mechanism for verifying compliance with its provisions. All such attempts provoke a negative reaction in Washington and meet with serious opposition.

If the USSR joined the BTWC with open and honest intentions to prohibit and prevent the proliferation of biological weapons, and the United States was forced to accept the USSR position, taking into account the nuclear parity; and moreover Russia has adhered to its obligations throughout the years, the United States on the contrary not only has continued to implement its offensive military biological program under the guise of "protective" goals, but launched a large-scale military-biological project immediately after the collapse of the USSR.

The United States is making every effort to preserve the BTWC in its current form, since this allows them to demonstrate their alleged commitment to the prohibition of BW, and on the other hand, to freely implement a military biological program.

At the 9th BTWC Review Conference (November 28 – December 16, 2022), the United States reaffirmed its unwillingness to conclude any legally binding agreements within the framework of the BTWC, in particular in the form of a verification protocol to the Convention.

3.2. Efforts of the Russian Federation to strengthen the BTWC regime

The Russian Federation considers the BTWC to be an important international treaty prohibiting an entire class of weapons of mass destruction. Compliance with international obligations on the prohibition of biological weapons is one of priorities of the public policy of the Russian Federation. In this regard, Russia is making appropriate efforts, both at the international and national levels, to ensure compliance with obligations under the Convention and to enhance its effectiveness.

Russian representatives actively participate in the work aimed at strengthening the BTWC regime in the format of annual intersessional meetings of experts and meetings of States Parties to the Convention, advocating the development and

adoption of a legally binding mechanism for verification and compliance with the BTWC.

Our country has consistently advocated the resumption of negotiations on the development of a legally binding verification protocol to the BTWC. At present, the Russian Federation has put forward the following initiatives at the Convention platform: the formation of mobile biomedical units; the establishment of a scientific advisory committee to analyze scientific and technological achievements; the development of a procedure for conducting investigations into alleged violations of the Convention; and the adoption of an additional form of annual notifications within the framework of confidence-building measures.

During the 9th BTWC Review Conference, the United States and its allies categorically opposed the overwhelming majority of Russian initiatives. At the same time, while not objecting to the establishment of the Scientific Advisory Committee in general, they stressed the unacceptability of modalities proposed by Russian experts for the possible functioning of such a structure. Thus, deliberate actions of the United States and its strategy to prevent the implementation of any effective control mechanisms to ensure the fundamental principle of banning BW in the world are constantly traced at relevant international platforms.

3.3. National legislation of Ukraine and the United States in the area of military biological research and development and compliance thereof with BTWC

Section 1520a of the United States Code of Laws prohibits the Pentagon to test chemical or biological substances on humans. Such tests are allowed only with the consent of their participants; for peaceful purposes (medicine, pharmaceuticals, manufacturing, etc.); as well as in the interests of protection against chemical or biological weapons and law enforcement, including the fight against mass unrest.

The United States, under public pressure, has taken tests on humans out of the national territory, and the UP-8 Project, which provides for experiments on volunteers, serves as the direct proof of this approach. The decision of the ethics committee of June 12, 2019 within the framework of this project manifests the conduct of studies with an unknown risk to life and health of participants. If the research program under this project involves only a standard procedure for blood sampling, the question arises: what kind of life-threatening tests are we talking about? Moreover, motives for an approach, prescribed in the document, that "...minor incidents involving volunteers should be reported to the U.S. Bioethics Committee 72 hours after an incident, and serious incidents, including death of subjects within 24 hours."

In 2014, the Obama Administration imposed a temporary ban on funding research in the United States related to deadly viruses and pathogens; however in December 2017 this measure was revoked.

U.S. policy on Dual Use Research of Concern (DURC) is still limited to only "15 agents and toxins and 7 categories of experiments" that are under federal control and oversight. Given the emerging innovations in the field of biotechnology, including advances in the field of synthetic biology, the existence of such an outdated list allows the United States to virtually uncontrollably carry out dual-use research, including the use of synthetic biology technologies.

In Ukraine, the field of biological research is regulated by the law "On the State System of Biological Safety in the Creation, Testing, Transportation and Use of Genetically Modified Organisms" of 2007, the decision of the National Security and Defense Council (NSDC) of Ukraine "On Biological Safety of Ukraine" of 2009, resolutions of the Cabinet of Ministers of Ukraine "On approval of the procedure for exercising state control over international transfers of dual-use goods" dated 2004 and "On approval of the procedure for issuing permits for state testing of genetically modified organisms in an open system" dated 2009, as well as the Biological Safety and Biological Security Strategy adopted in 2021. There is a Commission on Biological Safety and Biological Security under the National Security and Defense Council of Ukraine, whose mandate includes assessing and forecasting threats of a biological nature, summarizing international experience on this topic, drafting proposals for improving the biological security system, and others.

Nevertheless, the Ukrainian legislative framework also contains practically no direct indications of a ban on the development, production and storage of biological and toxin weapons. Only the decision of the Cabinet of Ministers of Ukraine "On approval of the procedure for exercising state control over international transfers of dual-use goods" mentions the prohibition of export and import into the territory of Ukraine of goods that can be used to create biological (bacteriological) weapons.

Attempts made at different times to establish a legislative barrier to the development of biological weapons, the implementation of the Pentagon's biological programs and the functioning of biological laboratories in the territory of Ukraine were promptly blocked by the so-called "Maidan authorities."

In particular, in January 2014, a draft law "On the prohibition of the placement by foreign states, supranational entities, organizations or individuals of viral and biological laboratories of the 3rd and 4th (highest) levels of biological safety on the territory of Ukraine" was submitted to the Verkhovnaya Rada of Ukraine which, among other things, provided for the closure of foreign laboratories and limited the production and storage of deadly pathogens in the country. The steps taken by constitutionally elected at that period President of Ukraine Viktor Yanukovych to protect national biological sovereignty and, inter alia, abandon U.S. military biological projects in the territory of Ukraine explain the active support of U.S. officials for the anti-constitutional coup and all subsequent actions taken by the new Prime Minister of Ukraine Arseniy Yatsenyuk. One of the first decisions of the Government of Ukraine under the leadership of Arseniy Yatsenyuk was the early termination of the state targeted program of biological safety and biological security for 2015–2020. A similar program for 2018–2023, submitted in 2016 to the Cabinet of Ministers of Ukraine, was never approved.

After the unconstitutional coup in 2014, as a result of the actions of the Acting Minister of Health, US citizen Ulyana Suprun, which were devastating for the Ukrainian healthcare system, and her lobbying of interests of U.S. pharmaceutical companies, a catastrophic epidemiological situation for many infectious diseases developed in Ukraine. The United States actually received the right to manage the epidemiological situation in Ukraine in its own interests.

Therefore, the United States took all necessary measures in order to avoid enshrining any provisions in the Ukrainian legislation to ensure compliance with provisions of Article I of the BTWC, and to allow the United States to freely carry out biological projects of a military-applied nature in Ukraine in the context of its non-compliance with provisions of Article IV of the BTWC.

Moreover, as noted earlier, in 2005, the U.S. Department of Defense and the Ministry of Health of Ukraine signed an Agreement "On cooperation in the field of preventing the spread of pathogens, technologies and knowledge that can be used in the development of biological weapons," which allowed the United States to freely and uncontrollably implement its military biological project, including experiments on humans.

The above mentioned Agreement is the legal basis for the implementation of US-funded projects in the territory of Ukraine. On September 20, 2018, by the Order of the Cabinet of Ministers of Ukraine No.650-r, the Ministry of Defense of Ukraine was designated as an additional executive body for the implementation of this Agreement.

In accordance with Article 3 of the Agreement, the U.S. Department of Defense may provide support to the Ministry of Health of Ukraine in the field of joint biological research, identification of threats from biological agents and working out responses to them in relation to dangerous pathogens located at facilities in the territory of Ukraine.

Article 4 of the Agreement prescribes to store pathogens only in those laboratories that are assisted by the U.S. Department of Defense and approved in writing as a list of central laboratories. At the same time, the U.S. Department of Defense undertakes to provide molecular diagnostics, communication, as well as equipment for transporting pathogens.

At the same time, requirements of Article 4 of the Agreement also prescribe Ukraine to send strains of dangerous pathogens to laboratories located in the United States upon receipt of a corresponding request. Taking into account the fact that criteria for such requests may be such properties of microorganisms as increased virulence, pathogenicity, antibiotic resistance, the wording stipulated by Article 4 creates legal prerequisites for violating requirements of Article I of the BTWC regarding the collection and accumulation of dangerous pathogens with high damaging properties, in volumes that do not correspond to preventive, peaceful or other protective purposes.

Article 5 of the Agreement stipulates that representatives of the U.S. Department of Defense or its contractors can participate in all activities related to the implementation of the Agreement, even if this goes beyond the framework of the basic treaty of 1993 between Ukraine and the United States regarding assistance to Ukraine in the elimination of strategic nuclear weapons, as well as to prevent the proliferation of weapons of mass destruction.

According to Article 7 of the Agreement, dissemination of results of work under the Agreement, as well as information on its implementation, may be limited and confidential. At the same time, in accordance with paragraph "c" of Article 7, in case of establishing of such a restrictive secrecy grading by the U.S. Department of Defense, information must be withdrawn from open sources by the Government of Ukraine, and free access to it must be stopped. Separately, the requirement to minimize the number of specialists with access to this information is emphasized.

Such lack of transparency and deliberate secrecy grading of research potentially prohibited under international agreements on biological weapons create conditions for unhindered violation of obligations under the BTWC.

In accordance with the Framework Treaty of 1993, the United States, its personnel, contractors and contractors' personnel are exempt from the obligation to pay any taxes or similar fees that are levied in the territory of Ukraine in connection with activities under this agreement.

On February 20, 2018, an official request was sent through the U.S. Embassy in Ukraine addressed to Sergey L. Litovka, the head of the Central Sanitary and Epidemiological Department of the Ministry of Defense of Ukraine, with a request to provide a list of institutions and laboratories of the Ukrainian Ministry of Defense that will participate in the implementation of biological projects funded by the Pentagon.

While in the period from 2005 to 2018 this agreement was aimed at the maximum cover of the Ministry of Health of Ukraine; however, since 2018 direct evidence appeared that the Ministry of Defense of Ukraine has become the real beneficiary and final recipient of funds, and that the project on both sides has a direct military biological orientation.

It was the U.S. Department of Defense, in cooperation with the Ukrainian government authorities, that was entrusted with the function of setting tasks within the framework of projects in the territory of Ukraine and determining lists of the required equipment.

For its part, the Ministry of Defense of Ukraine is obliged to provide timely access to laboratories in Ukrainian territory for representatives of the U.S. Department of Defense and its contractors in order to carry out project work, as well as to provide access to these facilities to foreign scientists.

Not so long ago, the U.S. non-governmental organization Judicial Watch decided to conduct its own investigation in the context of incessant news about U.S. involvement in military biological projects in Ukraine, which were partially supervised by Hunter Biden. To do this, journalists initiated a request to the DTRA.

On November 10, 2022, this non-governmental organization published a 345-page report on DTRA's activities in Ukraine. At the same time, the U.S. Department of Defense thoroughly edited the materials, completely closing about 80 percent of the information in the report.

Analysis of the materials allows us to conclude that five Ukrainian research centers (Institute of Experimental and Clinical Veterinary Medicine, Institute of Veterinary Medicine, I.I. Mechnikov Anti-Plague Research Institute, Lvov Research Institute of Epidemiology and Hygiene, State Scientific Control Institute of Biotechnology and Strains of Microorganisms), three Pentagon contractors that have been working in Ukraine directly involved (Black & Veatch, CH2M (Jacobs), Battelle), were directly involved in DTRA military biological projects, as well as determined the personal data of thirty laboratory employees and seven managers from the U.S. Department of Defense. The materials contain facts of cooperation between the United States and Ukraine in the field of biological and laboratory research, as well as their financing; facts of the introduction of the American PACS pathogen control system in Ukrainian laboratories; reports on the transfer of "U.S. government property" to Ukraine from DTRA. According to published documents, in 2019, funding for the U.S. Ukraine Biolabs Program amounted to more than US$11 million.

It should be noted that activities of Pentagon contractors raised many questions even on the part of Ukrainian special services. Specifically, back in 2015, the Kherson department of the Security Service of Ukraine stated in its memorandum as follows: "It is worth mentioning the projects of the DTPA of the U.S. Department of Defense (through Black & Veatch Special Projects Corp) aimed at establishing control over the functioning of microbiological laboratories in Ukraine for the study of pathogens of especially dangerous infectious diseases that can be used to create new types of biological weapons."

Specialists of the Kherson Department of the Security Service of Ukraine also noted that in the context of broad rights and powers guaranteed by the new program, the foreign side will study its own test systems, which will create potential threats to epidemiological and epizootic safety both in individual regions and in the country as a whole.

The SBU memorandum concludes: "...The subordination of the projects of the DTPA Program in Ukraine and the new Program of engagement of the U.S. Department of Defense, i.e. the military department of a foreign country, in biological activities creates prerequisites for the penetration of foreign experts into regional microbiological laboratories and their familiarization with domestic strategic developments. It is also possible to use the data obtained in this case to accuse our country of involvement in the development of biological weapons on its territory..."

The document recommends the establishment of a special regime for monitoring activities of any Pentagon controlled company by special services in order to allegedly ensure the stability of Ukraine's biological safety.

The provision by Ukraine of its territory for activities of research centers and biological laboratories in the interests of the U.S. Department of Defense, including shipments of accumulated biomaterials to the United States, raises serious concerns about the receipt by the United States of genetic information about ethnic groups that are considered by them as the main geopolitical opponents and require additional assessment from the point of view of correlation with provisions of the BTWC.

According to the Order No.11850 of the U.S. President Jerald Ford of 1975, the U.S. Armed Forces are allowed to use "non-lethal" toxin weapons and other types of chemical weapons as a method of warfare. It is clear that the degree of "non-lethality" should in such cases be determined independently by the U.S. Department of Defense. The so-called Patriot Act of 2001 essentially authorizes the development of biological weapons with the consent of the U.S. government.

Especially noteworthy is the U.S. Federal Law "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act" of 2001 (USA PATRIOT ACT); its section 817 (Expansion of the biological weapons statute) stipulates the following:

(b) Whoever knowingly possesses any biological agent, toxin, or delivery system of a type or in a quantity that, under the circumstances, is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purposes, shall be fined under this title, imprisoned not more than 10 years, or both.

(c) Whoever knowingly violates this section shall be fined as provided in this title, imprisoned not more than 10 years, or both, but the prohibition contained in this section shall not apply to any duly authorized United States governmental activity.

Therefore, it follows from provisions of the law that the U.S. government reserves for itself the right to "authorized" development of biological weapons, and all contractors involved in this activity are exempt from criminal liability.

3.4. Assessment of activities of biological laboratories on the territory of Ukraine in the context of fulfillment by the United States and Ukraine of their international obligations

By all means, the assessment of U.S. military biological programs in Ukraine requires taking into account the international legal context outlined above and the obvious US focus on exploiting the lack of mechanisms for implementing international documents.

1. The scale and focus of biological activities carried out in the territory of Ukraine, which have signs of violation of the first part of Article I of the BTWC, clearly characterize the internal document of the I.I. Mechnikov Anti-Plague Research Institute in Odessa, i.e. "Report on the results of the inspection of the collection of microbial strains" dated December 28, 2018.

Earlier, on June 15, 2010, in the presence of John Tefft, the U.S. Ambassador to Ukraine, it was on the basis of the I.I. Mechnikov Anti-Plague Research Institute (Odessa) that a temporary Central Reference Laboratory (CRL) was opened.

On December 27-28, 2018A a scheduled inspection of the Institute was carried out by a group of specialists from the Ministry of Health of Ukraine.

The report noted that the Institute does not possess any documented information on the actual state of strains of cholera, tularemia, brucellosis and anthrax; and there is also no evidence base regarding the need to maintain a large number of test tubes with the same strains of different passages.

At the same time, it follows from the document that the Institute carried out only three research projects within the framework of its main scientific activities in 2018. At the same time, only one of them uses the museum of living cultures (bacterial museum), namely strains of the causative agent of tularemia.

At the same time, the absence of a report on outcomes of research achieved using this facility for 2017 is recorded.

In the absence of complications related to the situation with these diseases in Ukraine in recent years, the assortment and accumulated volumes of biological agents do not confirm their humanitarian purpose for prophylactic, protective or other peaceful purposes within the framework of regular research activities. Despite such a significant amount of accumulated pathogenic biomaterials, there is no convincing evidence of their use in such a way.

The stocks of pathogens appearing in the inspection report of the I.I. Mechnikov Anti-Plague Research Institute were not justified by Ukraine as intended for research for peaceful purposes. According to published materials of the

Consultative Meeting in Geneva in September 2022, Ukrainian experts did not indicate the assortment and number of pathogens.

The nature of use of this collection during the period from 2017 to 2018 at the I.I. Mechnikov Anti-Plague Research Institute in Odessa, as well as a number of other sensitive issues related to activities of this Institute is not disclosed. At the same time, the Institute is designated as a leading scientific and methodological center and an example of the implementation of measures of national control over compliance with safety requirements in biological laboratories. Taking into account violations that were identified during the scheduled inspection of the institute in 2018, including the storage of pathogenic biomaterials in stairwells, the lack of a functioning system for controlling access to pathogenic microorganisms, the effectiveness of such national control is questionable, and creates prerequisites for theft and non-transparent trafficking of pathogens.

Therefore, materials of the Ukrainian side, which do not contain convincing explanations regarding the stocks of pathogens appearing in the inspection report of the I.I. Mechnikov Anti-Plague Research Institute, only confirm the conclusion that there is no need to accumulate pathogenic microorganisms, which would be justified by prophylactic, protective or other peaceful purposes. This indicates a violation by Ukraine of obligations thereof under the first part of Article I of the BTWC.

2. The documents obtained are also indicative of the implementation of projects aimed at studying possibilities of transboundary disease transmission by migratory birds (UP-4) and bats (P-781).

As part of the UP-4 Project, a study was conducted on the possibility of the spread of especially dangerous infections through migratory birds, including highly pathogenic influenza A (H5N1), which has a mortality rate of up to 50 percent for humans, as well as Newcastle disease.

In the P-781 Project, bats were considered as carriers of potential biological weapons agents. Among the priorities is the study of bacterial and viral pathogens that can be transmitted from them to humans, i.e. causative agents of plague, leptospirosis, brucellosis, as well as coronaviruses and filoviruses. It is worth paying attention to the fact that this research was carried out in close proximity to the borders of Russia – in the areas of the Black Sea coast and in the Caucasus.

In addition, on March 9, 2022, in the territory of the Kherson region, Armed Forces of the Russian Federation discovered three unmanned aerial vehicles equipped with 30-liter tanks and equipment for spraying formulations. At the end of April 2023, 10 more of the same type UAV were found in the area of the village of Kakhovka. Earlier, and as confirmed by documents, the Ukrainian side asked the manufacturer of the Bayraktar UAV about the possibility of equipping the Bayraktar Akinci product having the maximum range of up to 300 kilometers with an aerosol spraying system with a capacity of over 20 liters, which it was denied.

The above-mentioned facts constitute a violation of provisions of Article I, Part 2, of the BTWC, which prohibits States Parties to develop, produce, stockpile, otherwise acquire weapons, equipment or means of delivery designed to use of microbial or other biological agents or toxins of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes, for hostile purposes or in armed conflict. The previously mentioned Agreement of 2005 between the U.S. Department of Defense and the Ministry of Health of Ukraine “On Cooperation to Prevent the Spread of Technologies, Pathogens and Information That Can Be Used to Develop Biological Weapons” (hereinafter referred to as the Agreement) confirms and regulates the participation of the U.S. Department of Defense in military biological activities on the territory of Ukraine. Article 4 of the document prescribes to store pathogens only in laboratories assisted by the U.S. military, as well as to send samples of all strains collected in Ukraine to the United States. The results of work under the Agreement, as well as information on its implementation, become private by default in accordance with Article 7. At the same time, representatives of the Pentagon or its contractors, in accordance with Article 5, can take part in all activities related to the implementation of the Agreement. Provisions of this document, combined with facts of military biological work, confirm Ukraine’s failure to comply with requirements of Article IV of the BTWC, which prescribes to take the necessary measures to implement prohibitions specified in Article I of the Convention within the territory or under the jurisdiction of a state.

The established principles of the functioning of US biological laboratories serve as evidence of their extraterritorial model of organization. The above-mentioned Article IV of the BTWC is based on a strictly territorial principle. For these purposes, each State Party to the BTWC shall be accountable for the activities of only those biological laboratories that are on its territory. Consequently, the United States is not accountable for biological laboratories located in Ukraine and other countries, and Ukraine and other countries are not responsible for U.S. laboratories because they are outside their

jurisdiction. From the perspective of the applicable rules of international law, there is a problem of territoriality and extraterritoriality. Such a model of work was artificially created by the United States in order to avoid accusations by the international community of violating the BTWC. Unfortunately, the obsolete version of the BTWC does not take into account modern realities and does not solve the described problem in any way.

The above information about the implementation of military biological activities in Ukraine in violation of Article I of the BTWC and the close cooperation of the U.S. Department of Defense and American private companies with Ukrainian laboratories also testify to the violation by the United States of requirements of Article IV of the BTWC.

In order to increase the transparency of activities in the biological area, the 2nd (1986) and 3rd (1991) BTWC Review Conferences decided to voluntarily submit information by States Parties on their biological activities and facilities within the framework of confidence-building measures (hereinafter referred to as CBMs). Modalities for the submission of relevant annual national notifications have been agreed. In accordance with them, the States Parties to the Convention annually transmit to the BTWC Implementation Support Unit (ISU; acts as the administrative and technical secretariat) information on research centers and laboratories; on the national research and development program in the field of biological security; legislation, regulations and other measures; as well as outbreaks of infectious diseases and similar phenomena caused by toxins. Currently CBMs represent the only mechanism for conditional monitoring of compliance with provisions of the BTWC. The absence of a verification mechanism makes it impossible to verify the accuracy of information provided by its participants, and its politically binding nature allows many countries to avoid providing detailed information.

The following national reporting forms must be completed:

Form A. Exchange of data on research centers and laboratories.

In the reporting for the period from 2015 to 2020 under Form “A”, Ukraine declares the following.

Form A Part 2 (Exchange of information on national research and development programs in the field of biological security): “There are no national research and development programs in the field of biological security in Ukraine.”

Form A part 2 (i) (Announcement of national research and development programs in the field of biological security): “Research and development in the field of biological security is not carried out.”

Form A Part 2 (ii) (National Biosecurity Research and Development Programs): “There is nothing to declare.”

Nevertheless, projects of the UP series (UP-2, UP-4, UP-6 and others) implemented by the Pentagon’s DTPA in the territory of Ukraine have clear signs of research and development in the field of biological security, as they are aimed at studying causative agents of especially dangerous and economically significant infections (anthrax, Crimean-Congo hemorrhagic fever, leptospirosis and others). This fully applies to projects funded by the Science and Technology Center in Ukraine (STCU), such as R-444, R-781 and others.

Form B. Exchange of information on outbreaks of infectious diseases and similar phenomena caused by toxins.

Over the past two years, Ukraine has provided information on outbreaks of infectious diseases (Form B) only for veterinary infections – African swine fever and highly pathogenic avian influenza. For other infectious diseases of humans and animals, including an abnormally high increase in the incidence of measles, tuberculosis, hepatitis, information was not provided.

Form F. Declaring past activities in offensive and/or defensive biological research and development programs.

In the interest of greater transparency and openness, States Parties shall declare whether they have carried out any offensive and/or defensive biological research and development programs since 1 January 1946.

In the report for 2020 under Form F, Ukraine declared as follows:

“The Government of Ukraine has not conducted and is not conducting any offensive and (or) defensive activities within the framework of bacteriological and biological research and development programs. Since January 1, 1946, the Government of Ukraine has no information about such activities of the former USSR in the territory of Ukraine. There is nothing to announce.”

This contradicts a number of STCU founding documents, which state that activities carried out in Ukraine are aimed at "...preventing the diffusion of knowledge and experience related to nuclear, chemical and biological weapons technologies...". Moreover, this does not correlate with statements of U.S. officials, in particular with the statement of the U.S. delegation at the OSCE meeting on May 20, 2022, that the interaction between the United States and Kyiv is aimed at "...reducing biological and veterinary danger, as well as to secure illegal stockpiles of biological weapons left over from the USSR..."

Speaking about historical aspects of the STCU Threat Reduction Program, it should be noted that real goals of the program aimed at reducing the threat posed by the capacity of the former Soviet Union were achieved in 2008, when the U.S. Congress changed the mandate of the Program, and expanded its scope to other regions of the world, beyond the post-Soviet space.

The lack of information in the CBM reporting on ongoing projects, certain biological facilities, as well as the financing of laboratory activities at the expense of the U.S. Department of Defense and its affiliated structures indicates a deliberate concealment and improper fulfillment of Ukraine's political obligation to provide reliable information within the framework of the BTWC confidence-building measures developed "in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and in order to develop international cooperation in peaceful activities in the field of bacteriology (biology)."

3.5. Signs of violations of international humanitarian law by the United States and Ukraine

The facts revealed during the special military operation regarding testing potentially dangerous biological preparations on one of the least protected categories of people, i.e. patients of a regional clinical psychiatric hospital, as well as medical experiments on military personnel, indicate direct violation of international humanitarian law.

In the context of armed conflict, the prohibition of medical or scientific experiments or other medical procedures, that are not required for the health of a person concerned is defined by the International Committee of the Red Cross (hereinafter referred to as ICRC) as a rule of customary international humanitarian law. The ICRC asserts that, in accordance with national practice, this rule applies in both international and non-international armed conflicts. The relevant provisions also follow from the systemic relationship between legal norms codified in the four Geneva Conventions of 1949 and the Additional Protocols of 1977 thereto relating to the protection of victims of international armed conflicts and non-international armed conflicts (Ukraine is a party to these international treaties).

Therefore, taking into account the ongoing armed conflict in Ukraine, tests and experiments on Ukrainian citizens referred to in Chapter 2 of this Report represent a violation of norms of international humanitarian law, including those enshrined in the Geneva Conventions of 1949, and reveal the true military biological goals of such experiments.

Experiments within the framework of the UP-8 Project and experiments on patients of psychiatric clinics serve as evidence of violations of basic rules for conducting scientific research and experiments, as well as guarantees and rights of participants. These rules were established, in particular, by the Nuremberg Code, the first international instrument on ethical and legal principles for conducting biomedical research on humans, which was drafted on the basis of the 1941 Guidelines for Experiments on Humans and after Nuremberg Nazi Doctors' Trials in 1947. Moreover, these principles were further elaborated in the Helsinki Declaration of the World Medical Association of 1964. In particular, these documents codify such principles as voluntary consent of a person to participate in the experiment; information about the relevant research; prevention of unnecessary physical and mental suffering and damage during the experiment; prevention of torture, inhuman or degrading treatment or punishment. Failure to comply with the above principles naturally entails a violation of norms of international human rights treaties.

In the context of applicable rules of the international humanitarian law, it should also be taken into account that, from the point of view of the Rome Statute of the International Criminal Court of 1998 (hereinafter referred to as the ICC), not only weapons that use microbial or other biological agents or toxins are prohibited, but also the conduct of biological experiments itself is qualified as a war crime (article 8). At the same time, the prosecutor and judges of the ICC, in violation of the Rome Statute, are inactive, preferring not to notice this circumstance and not to initiate an investigation into medical experiments that Ukrainian specialists carry out on patients of a regional clinical psychiatric hospital and military personnel.

At the same time, the Parliamentary Commission received information that a container with ampoules was dropped on Ukraine with the help of UAV. It was planned that when upon their destruction, a chemical reaction would occur, which would cause an explosion and fire with the release of toxic substances that are not included in convention lists. With regard to contents of ampoules, a chemical analysis was carried out in laboratory 27 of the Scientific Center of the Russian Ministry

of Defense, accredited by the Organization for the Prohibition of Chemical Weapons (hereinafter referred to as the OPCW). Results of this analysis were sent to the OPCW Technical Secretariat in accordance with the established procedure.

It is also possible to talk about identifying facts of violations of the following international legal instruments:

(a) Convention for the Protection of Human Rights and Fundamental Freedoms and its articles 2 (right to life), 3 (prohibition of torture), 8 (right to respect for private and family life), 14 (prohibition of discrimination) if the basis for the selection of participants in the experiment was their ethnic origin;

(b) International Covenant on Civil and Political Rights and its articles 2 (obligation of the State to respect and to ensure the rights recognized in the present Covenant without distinction of any kind), 6 (right to life), 7 (prohibition of torture), 17 (prohibition of interference with private and family life), 26 (prohibition of discrimination);

(c) International Covenant on Economic, Social and Cultural Rights and its articles 2 (the obligation of the State to take measures to ensure the progressive full realization of the rights recognized in the Covenant without discrimination of any kind) and 12 (the right to the highest attainable standard of physical and mental health);

(d) International Convention on the Elimination of All Forms of Racial Discrimination and its articles 2 (obligation of the State to pursue a policy of eliminating all forms of racial discrimination) and 5 (list of rights regarding which States undertake to prohibit and eliminate racial discrimination);

(e) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its article 16 (prevention of acts of cruel, inhuman or degrading treatment or punishment that do not fall within the definition of torture).

Testing of biopharmaceuticals on patients in psychiatric hospitals is contrary, inter alia, to articles 3 (general principles), 4 (general obligations), 5 (equality and non-discrimination), 10 (right to life), 12 (equality before the law), 15 (freedom from torture and cruel, inhuman or degrading treatment or punishment), 17 (protection of personal integrity), 22 (privacy) and 25 (health) of the Convention on the Rights of Persons with Disabilities, as well as provisions of the UN General Assembly Resolution of December 17, 1991 No. 46/119 “Principles of the protection of persons with mental illness and the improvement of mental health care”.

Therefore, the established facts of damage to the life and health of people in locations of U.S.-controlled biological laboratories in the territory of Ukraine (experiments in a psychiatric hospital), economic damage to agriculture (transmission of African swine fever to pigs and avian influenza) as a result of U.S. military biological activities in Ukrainian territory require that perpetrators be brought to justice.

Chapter 4. Readiness of the biological safety system of the Russian Federation to adequately respond to new biological challenges and threats

Outcomes of the parliamentary investigation and the analysis of facts revealed by the Commission show extremely high risks of committing biological sabotage against Russia under the guise of natural outbreaks of epidemics and epizootics, including those with a delayed effect and difficult to recognize, which, of course, requires, along with classical forms of monitoring and ensuring biological safety in the territory of Russia, fundamentally new solutions and the creation of a system adequate to already formed threats, which in the short term will be crucial in ensuring national security, sovereignty and saving lives of Russian citizens.

4.1. Strategic and legal framework for ensuring biological safety in the Russian Federation

In the Russian Federation, measures have been taken to create a legal framework aimed at ensuring national biological safety and export control regime.

Decree of the President of the Russian Federation No.97 of March 11, 2019 approved Fundamentals of State Policy of the Russian Federation in Ensuring Chemical and Biological Safety for the Period up to 2025 and Beyond (hereinafter referred to as the Fundamentals), which play a key role in determining the general directions for ensuring biological safety in Russia. Decree of the Government of the Russian Federation dated August 28, 2019 No.1906-r approved the Action Plan for their implementation for the period up to 2025 and beyond.

It should be noted that solutions to problems of ensuring chemical and biological safety should largely take into account the specifics of emerging threats and ways to prevent them. For example, ensuring chemical safety in the world is decided on the basis of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), which entered into force on April 29, 1997 and provides for the complete destruction of chemical weapons stockpiles, as well as facilities for their production and storage, and defines the basic principles of their non-proliferation. In accordance with paragraph 1 of Article 8 of the CWC, the Organization for the Prohibition of Chemical Weapons was established.

The international legal regime in the area of non-proliferation of biological weapons is provided by the BTWC, which, as indicated in Chapter 3 of this Report, has a number of significant shortcomings that create prerequisites for improper compliance with obligations by circumventing Convention requirements. In particular, no relevant international intergovernmental organization has been established to monitor compliance with the BTWC by States Parties.

Fundamental differences in the nature of occurring incidents and threats of chemical and biological nature, as well as differences in the measures used to prevent and eliminate their consequences, predetermine the need for a legal delimitation of these areas.

In this connection, the adoption in 2020 of the Federal Law “On Biological Safety in the Russian Federation” and the preparation of a draft law on chemical safety in the Russian Federation seem reasonable and correct.

During drafting of this Federal Law and as a result of emergence of the COVID-19 pandemic in the period 2020–2022, a number of independent regulatory legal acts were adopted aimed at improving the system for ensuring national biological safety.

In 2022, a number of deferred provisions of the Federal Law “On Biological Safety in the Russian Federation” came into force, which were supposed to be implemented at the level of by-laws. In particular, they relate to the rules on the provision of information on scientific research in the area of biological safety; planning of measures for the prevention of infectious diseases in animals; and prevention of conditions for the formation of hospital-induced strains of microorganisms that are resistant to drugs or biological agents. These provisions also provide for the establishment of a list of collections of pathogenic microorganisms and viruses and a list of organizations in which such collections are created and stored, as well as procedure for the creation and use of these collections and rules for their protection. Rules have been established for the import into and export out of the country of pathogenic microorganisms and viruses.

In accordance with Article 13 of Federal Law No. 492-FZ of December 30, 2020 “On Biological Safety in the Russian Federation”, the procedure for conducting biological risk monitoring in the Russian Federation has been approved.

Pursuant to requirements of Federal Law No. 492-FZ of December 30, 2020 “On Biological Safety in the Russian Federation,” Decree of the Government of the Russian Federation No.2145 of November 30, 2021 Rules for the provision of information (data) on ongoing scientific research in the area of biological safety and monitoring of developments in the

area of biological safety, as well as the development of products, including those created using genetic engineering and synthetic biology technologies were approved.

These documents stipulate that as a system that accumulates information and information on ongoing scientific research in the field of biological safety and is used in monitoring developments in the field of biological safety, as well as the development of products, including those created using genetic engineering and synthetic biology technologies, a unified state system of accounting for research and development, and technological works for civil purposes, created in accordance with the Decree of the Government of the Russian Federation of April 12, 2013 No. 327 "On the Unified State Information System for Accounting for Research, Development and Technological Works for Civil Purposes."

At the same time, despite the fact that this unified state system has existed since 2013, it has not received high-quality content and development; is not accompanied by current forecasts and measures to respond to emerging new biological threats. Scientifically based criteria and approaches to the evaluation of new advanced scientific achievements in the field of biology and related scientific disciplines have not been defined. It is also necessary to develop a control mechanism for research and development in the area of biotechnology, synthetic biology and related scientific disciplines by organizations and institutions whose activities are carried out with the involvement of foreign capital, including grant funding.

Therefore, the regulatory framework in the area of countering potential biological threats of the Russian Federation is currently at the stage of formation and systematic improvement.

Certain measures are being taken to strengthen the national biological safety system. Nevertheless, they do not adequately take into account biological risks caused by medical and biological activities of the United States in the post-Soviet space.

It seems feasible to draft and adopt separate strategic planning documents in the field of biological safety and development of biotechnologies, including synthetic biology (along with documents in the field of national chemical safety).

4.2. Framework of state authorities in the area of biological safety

Coordination of activities of federal executive bodies in the area of biological and chemical safety of the Russian Federation is carried out by a specially created Government Commission. The Commission includes representatives of all relevant ministries and departments.

On May 16, 2005, the Government of the Russian Federation adopted a resolution on the delimitation of powers of federal executive bodies in the area of biological safety of the Russian Federation (hereinafter referred to as Resolution No.303 of the Government of the Russian Federation), which stipulates that powers in the area of biological safety are vested in more than twenty federal executive bodies with the coordinating role of the Ministry of Health of the Russian Federation.

Federal Law No. 492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation" defines only the general mandate of state authorities and local self-government bodies. At the same time, analysis of its provisions in comparison with other sectoral acts indicates that delimitation of powers of public authorities in the area of biological safety is ambiguous. Moreover, provisions of the Decree of the Government of the Russian Federation No. 303 are not synchronized with this law in the part relating to their powers. No amendments were made to the Decree of the Government of the Russian Federation No.303 after the adoption of Federal Law No.492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation."

The basic federal legislation does not define the authorized bodies responsible for the implementation of mandate in the area of biological safety. For example, according to Article 5 of Federal Law No. 492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation," public authorities form and maintain a register of products (goods) necessary to ensure biological safety, as well as a register of enterprises that have reserve capacities for their production. However, the authorized body and the procedure for exercising this authority have not yet been determined, which makes it impossible to implement it.

Decree of the President of the Russian Federation No.12 of January 4, 2021 (hereinafter referred to as the Decree of the President of the Russian Federation No.12) approved the Procedure for the actions of public authorities to prevent the threat of emergencies associated with the introduction into and the spread throughout the territory of the Russian Federation of dangerous infectious diseases. According to this document, the Government of the Russian Federation is creating a Coordinating Council for the prevention of threat of emergencies associated with the introduction into and the spread throughout the territory of the Russian Federation of dangerous infectious diseases. At the suggestion of the Russian

consumer protection agency Rospotrebnadzor, an operational headquarters for prevention of such a threat can be established for drafting and approval of action plans to prevent the spread of dangerous infectious diseases in Russia.

In accordance with the Decree of the Government of the Russian Federation No.303, the Ministry of Health of the Russian Federation, together with other federal executive bodies, is obliged to send to the Government of the Russian Federation annually by March 1 a report on the work done to reduce the negative impact of hazardous biological agents on the population, the biosphere and technical facilities with proposals for improving the state system of biological safety of the Russian Federation.

In order to avoid duplication of mandates of federal executive bodies in this area, it is necessary to develop a unified algorithm for their coordinated implementation. In this regard, it is necessary to amend Federal Law No.492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation" in terms of determining authorized bodies responsible for exercising powers in the area of biological safety, delineating the powers of public authorities in the area of ensuring biological safety, as well as bringing provisions of the Decree of the Government of the Russian Federation No.303 in line with the above mentioned Law.

The previous analysis of regulatory legal acts and the structure of activities of public authorities in the area of biological safety indicates the need to consider the possibility of forming a centralized, well-structured multidisciplinary approach under the unified leadership and subordination to the President of the Russian Federation in the mode of special services within the national security system.

4.3. Russian System for monitoring external biological threats

External biological threats (both intentional and unintentional) for Russia today are quite high. The parliamentary investigation showed that, first of all, such a danger comes from neighboring Ukraine, in the territory of which a degradation of the state sanitary and epidemiological service is noticeable. This, in particular, is manifested by outbreaks of vaccine-preventable infections (poliomyelitis, measles), as well as the high prevalence of tuberculosis, HIV infection, sexually transmitted diseases among Ukrainian citizens who have arrived in the Russian Federation.

Under current conditions, there is much tension around the issue of Russia's readiness to repel existing risks in the area of biological safety and prevent new potentially dangerous biological threats to the population.

In accordance with the National Security Strategy of the Russian Federation, the development of a system for monitoring biological risks to prevent and respond to biological threats is one of the tasks for achieving of state policy goals in the area of saving the Russian people of and developing its human potential.

According to Federal Law No.492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation," starting from January 1, 2022, the Ministry of Health of the Russian Federation should have been monitoring biological risks, and starting from July 1, 2022, should have been participating in monitoring developments in the area of biological safety, including the use of genetic engineering technologies, and provide the collected information to the Ministry of Science and Higher Education of the Russian Federation for their aggregation.

Federal Law No.492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation" stipulates that biological risk monitoring data should be entered into the government information system in the area of biological safety (hereinafter referred to as GIS BS).

In accordance with Article 14 of the above mentioned Federal Law, the GIS BS is formed in order to manage biological risks, ensure the exchange of information between federal government bodies, government bodies of the constituent entities of the Russian Federation and local governments in the course of their interaction in the area of biological safety.

The provision on the formation of the GIS BS came into force on January 1, 2022. The Commission believes that in order to ensure the effective functioning of the system being created, taking into account provisions of Federal Law No.492-FZ of December 30, 2020 "On biological safety in the Russian Federation" it is necessary to regulate at the level of by-laws: creating a unified risk management algorithm using this information system; determining a procedure for ensuring exchange of information between federal government bodies, government bodies of the constituent entities of the Russian Federation and local governments in the course of their interaction; creating a unified system for coordinating monitoring of biological risks and processing the results obtained.

The analysis of regulatory legal acts indicates the existence of several types of monitoring of biological safety issues in the absence of a unified centralized system for coordinating their implementation, as well as synchronizing and processing the results obtained, including their further integration into the GIS BS, which, in the opinion of the Commission, is a serious challenge.

In order to prevent and preclude the uncontrolled implementation of hazardous anthropogenic activities using biological technologies, the Russian legislation provides for monitoring of research and development in the area of biological safety, as well as development of products, including those created using genetic engineering and synthetic biology technologies.

In accordance with the Food Security Doctrine of the Russian Federation, approved by Decree of the President of the Russian Federation No.20 of January 21, 2020, in the area of agricultural production, raw materials and food products, it is necessary to implement a set of measures aimed at ensuring the biological safety of the Russian territory, including anti-epizootic measures; preventing the occurrence and spread of animal diseases, including those common to humans and animals; producing veterinary-safe animal products.

Prevention of uncontrolled import into the territory of and use in the Russian Federation of synthetic biological agents, primarily biological control agents, is one of the national interests in the area of food security for the long term.

Taking into account the analysis of regulatory legal acts in the area of veterinary safety, it is necessary to create a unified algorithm for interagency and interregional cooperation in order to prevent the threat of import into and the use in the Russian Federation of synthetic biological agents, primarily biological control agents, as well as the formation of a unified monitoring of pathogens and an epizootic risk management system, primarily in relation to wild animals.

Obviously, if there is a clear understanding of the ecology and habitat of animal species, both carriers and definitive hosts of any pathogen, it is possible to predict further spread of infectious diseases in the country.

4.4. Export of biomaterials and protection of genetic data

In 2017, the President of the Russian Federation, during a meeting of the Council for the Development of Civil Society and Human Rights, said that biomaterial from representatives of various ethnic groups is purposefully and professionally collected in different regions of Russia. According to media reports, two centers have been engaged in the collection of biomaterial of Russians, and the research itself have been carried out in the United States.

On July 19, 2017, the U.S. Air Force published a contract for the purchase of RNA samples – living tissues of Russians of the Caucasian race.

The contract posted on the official portal of U.S. government tenders stipulates that the U.S. Air Force plans to purchase 12 samples of RNA molecules (found in all living cells and are necessary for translating genetic information into proteins) and 27 samples of synovial fluid (an important component of any joint that ensures its mobility) from Russian donors.

A little later, clarifications were made in the public application that all biomaterials (synovial tissue and RNA samples) should be taken exclusively in Russia from representatives of the Caucasian race. It was not allowed to take tissue samples from Ukraine. Apparently, such a reservation was made because U.S. experts had unhindered access to biomaterials of Ukrainian residents in accordance with the previously reviewed discriminatory agreements.

The Principal was the 502nd Squadron of the U.S. Air Force (502d Contracting Squadron), which is part of the Air Training Command. In the explanatory note attached to the public application, it was noted that the samples are intended for the Center for Advanced Molecular Detection (CAMD) and its project to study diseases and injuries of the musculoskeletal system. As follows from open sources, this Center supports basic, clinical and applied biomedical research for the U.S. Armed Forces. In particular, the Center carries out continuous monitoring of viral and bacterial pathogens of the upper respiratory tract among the general population, and also conducts joint research with other military researchers to identify genetic variations that correlate with human diseases.

Therefore, no official information about the previous research conducted by this Center in the area of joint injuries, as well as outcomes of such studies in open sources, could not be found. Obviously, the previously obtained biological samples could be used for other purposes not related to the study of joint injuries.

Given that this activity is carried out by the Department of Defense, and so far results of research have not become public, this directly indicates its military purpose.

It should be noted that the U.S. company ProteoGenex expressed interest in the tender for the supply of biomaterials was interested in the; whereas this company is a contractor of the U.S. Department of Defense and specializes in the collection of human tissues, including RNA, extracted from the donor's blood. This entity has a representative office in the territory of the Russian Federation, which conducts certain studies commissioned by the company. This fact requires extraordinary response measures and an audit of activities of contractors of the U.S. Department of Defense or affiliated structures in the territory of the Russian Federation.

Currently, a criminal case has been initiated and a trial is underway on the fact of collecting biological materials from patients of one of the Russian hospitals and illegally transferring them to a commercial organization that ran the so-called biobank and subsequently sent biomaterials to the United States. Further purposes of their use in the United States are unknown.

In recent years, so-called genetic tests and genealogical studies with DNA tests have become popular, allowing to obtain important genetic information about citizens. The market for direct-to-consumer genetic tests grew dramatically in 2017 – 2018, with genealogy and health testing kits entering the top five most popular products on world-renowned marketplaces. A landmark in the development of national security measures in the area of working with genetic material should be the military biological interest in this kind of research confirmed by the Pentagon. The Pentagon has warned U.S. military personnel that they should refrain from undergoing commercial DNA tests. According to the Pentagon, companies engaged in such testing and processing of obtained genetic data can disclose personal and genetic information, which creates serious risks to their security.

Taking into account emerging risks to public security, it seems necessary for the Government of the Russian Federation to swiftly develop clear regulations and procedures for working with genetic material and controlling its use, including liability for illegal trafficking in biomaterials and genetic information.

The crucial stage in the protection of genetic data in the Russian Federation was the adoption of Federal Law No.643-FZ of December 29, 2022 "On Amendments to the Federal Law "On State Regulation in the Field of Genetic Engineering," regarding creation of a government information system in the area of genetic information named "National Database of Genetic Information." The Russian Federation will be the proprietary of information contained in this system. The Ministry of Science and Higher Education of the Russian Federation has been chosen as the commissioner of this information system, and the National Research Center "Kurchatov Institute" has been identified as its operator. This law comes into force on September 1, 2024.

In 2019, the Decree of the Government of the Russian Federation dated April 22, 2019 No.479 approved the Federal Scientific and Technological Program for the Development of Genetic Technologies for 2019-2027. It is assumed that within the framework of this Program, work on the priority area of scientific and technological development of the Russian Federation, i.e. countering biological threats and bioterrorism, should ensure, inter alia, the establishment of a national system for early detection of epidemiological emergencies and threats to biological safety caused by genetically modified microorganisms and pathogens of dangerous infections created with the use of genetic technologies, and response to them.

In this regard, it seems necessary to systematically harmonize existing monitoring mechanism and information systems being created in the area of biological safety; their orientation to emerging biological threats in order to ensure functioning of a national system for early detection of epidemiological emergencies and threats to biological safety.

In accordance with Federal Law No. 492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation," in order to prevent, neutralize and eliminate biological threats (hazards), authorized federal executive bodies, as well as organizations authorized in accordance with the legislation of the Russian Federation, are obliged to carry out, within their competence, international cooperation in the direction of "safe handling of biological resources, regulation of transboundary movement and control of transboundary movement of genetically modified organisms." At the same time, this Federal Law does not provide for the development of regulatory legal acts that allow for coordinated work in this area, including the procedure for regulating transboundary movement and control over the transboundary movement of genetically modified organisms.

At present, in their activities, authorized government bodies and organizations are guided by provisions of the Model Law on the Safety of Activities Related to Genetically Modified Organisms, adopted at the 27th plenary session of the Interparliamentary Assembly of Member States of the Commonwealth of Independent States (Resolution No.27-9 of November 16, 2006), which are optional (recommendatory) in nature.

It seems feasible to enshrine relevant provisions in the national legislation of the Russian Federation within the

framework of the legal regulation of safe handling of biological resources, as well as the regulation of transboundary movement and control of transboundary movement of genetically modified organisms.

4.5. Export control over the import and export of especially dangerous pathogens: strengthening measures

In the Commission's opinion, in the context of new challenges and threats in the biological sphere, mechanisms for controlling shipments of pathogenic microorganisms abroad, as well as their import into the territory of the Russian Federation, require close attention.

The Russian Federation adopted Federal Law No.183-FZ of 18 July 1999 "On Export Control."

The Federal Service for Technical and Export Control (FSTEC of Russia) has been designated as the responsible executor for the implementation of measures to update the list of microorganisms, toxins, equipment and technologies subject to export control. This list was approved by Decree of the Government of the Russian Federation dated July 16, 2022 No.287 in accordance with Article 8 of Federal Law No.183-FZ of July 18, 1999 "On Export Control."

In contrast to the flawed U.S. policy on dual-use research (described in Chapter 3), the Russian Federation has approved the widest possible list of microorganisms, toxins, equipment and technologies subject to federal control.

Taking into account the emerging risks and threats in the area of biological safety of the Russian Federation, as well as the analysis of international practice in the area of control over the transfer of dangerous biological agents, the FSTEC of Russia regularly works on updating this list. The next amendments to it are planned to be made in the third quarter of 2023.

At the same time, the procedure, including the frequency, for updating this list, taking into account the analysis of causative agents of new infectious diseases, has not yet been established. As previously indicated, there is no mechanism for recording results of monitoring research and development in the area of biological safety, as well as development of products, including those created using genetic engineering and synthetic biology technologies, as well as monitoring biological risks, carried out in accordance with Federal Law No.492-FZ of December 30, 2020 "On Biological Safety in the Russian Federation."

The legislation establishes administrative liability for the implementation of overseas transactions with goods, information, works, services or results of intellectual activity (copyright to them) that can be used for creating weapons of mass destruction, their means of delivery, other types of weapons and military equipment or for preparing and (or) committing terrorist acts and in respect of which export controls have been established, without special permission (license), if such permission (license) is mandatory, or in violation of requirements (conditions, restrictions) established by the permit (license), as well as using a permit (license) obtained illegally, or after submission of documents containing false information.

However, this offense entails only the imposition of an administrative fine on citizens, officials and legal entities in the amount of the value of goods that were subjects of the offense, with or without seizure of objects of an administrative offense.

Criminal liability is provided for the illegal export from the Russian Federation or the transfer to a foreign organization or its representative of raw materials, input materials, equipment, technologies, scientific and technical information, works (services), which, as known to the perpetrator, could be used for creating weapons of mass destruction, their means of delivery and in respect of which export controls have been established.

In the Commission's opinion, such penalty for violation of export control legislation seems to be insufficient, and inconsistent with the nature and degree of public danger of these acts. Obviously, in case of movement of microorganisms, toxins, equipment and technologies, it is usually an issue of disguising these actions for scientific or medical purposes.

According to the Commission, the Government of the Russian Federation, together with the Prosecutor General's Office of the Russian Federation and the Investigative Committee of the Russian Federation, needs to analyze and evaluate law enforcement, improve mechanisms for preventing and suppressing offenses and crimes of this nature.

Particular attention should be paid to the task of strengthening human resources in the area of biological safety and improving the system of training professionals in this area. Attention should be drawn to the positive experience of the I.M. Sechenov First Moscow State Medical University, which was the first in the country to launch a new master's program "Synthetic Biology and Biodesign," unique in its format in this area. It is assumed that this flagship project will contribute

to the solution of strategically important public objectives for development of scientific leadership and technological sovereignty; practical introduction of modern developments; and build-up of the country's intellectual capital. In this regard, it seems necessary to scale up this approach and develop stand-alone federal educational programs for training professionals in the area of synthetic biology, biotechnology and bioengineering.

4.6. Response framework of the Russian Federation to external biological threats

Growing external biological risks require adequate response measures.

According to the Fundamentals, biological threats to Russia's security include modification of the properties and forms of pathogenic biological agents and the properties of their carriers; design and creation of pathogens using synthetic biology technologies; use of biological and other related technologies for the development, production and use of potentially dangerous biological agents as biological weapons for the purpose of committing sabotage and (or) terrorist acts.

In accordance with the Decree of the President of the Russian Federation No. 12, in the event of a biological threat, the Russian consumer protection agency Rospotrebnadzor establishes one of three levels of risk and public authorities begin to implement appropriate measures.

In accordance with the Decree of the President of the Russian Federation No.12, the Decree of the Government of the Russian Federation dated March 27, 2021 No.741-r approved a unified algorithm for interagency and interregional cooperation on preventing the threat of emergencies associated with the introduction into and the spread throughout the territory of the Russian Federation of dangerous infectious diseases. This algorithm provides for the procedure of government actions, including the adoption of administrative, organizational, technical and other measures. These decisions were made against the backdrop of the COVID-19 pandemic.

An action plan ("road map") for the development and strengthening of the federal government sanitary and epidemiological surveillance system for 2021–2028 has been approved. The roadmap provides, inter alia, for the construction of high-level biological protection laboratories; development of models for an objective forecast of the epidemiological situation in the regions of Russia and in the world; compilation of modern algorithms for laboratory support of measures to identify sanitary and epidemiological threats; creation of electronic interactive maps of natural foci of plague and dangerous natural focal infectious diseases in Russia; development of new technologies for obtaining biological therapeutic agents to combat drug resistance of pathogens and relieve toxic conditions; compilation of a national interactive catalog of pathogenic biological agents and biotoxins. A number of activities relate to international cooperation.

In the Russian Federation, projects are being implemented to prevent the introduction into the country of pathogens of dangerous human infectious diseases and economically significant animal diseases. The federal project "Sanitary Shield" is being prepared for implementation; the purpose of the project is to form a stable, strong and adaptive system for prevention, prophylactic, detection of threats to biological safety, sanitary and epidemiological well-being of the population in the Russian Federation and response to such threats.

Today, the emergence of atypical, often unrelated outbreaks of zoonotic infections with high epidemic potential, such as monkeypox, as well as economically significant diseases such as African swine fever and avian influenza, in various regions of the world, unwittingly raises questions about the deliberate nature of such biological threats.

It is noteworthy that the United States not only actively supports laboratory experiments with various types of smallpox, but also replenishes its strategic reserves with vaccines against the smallpox virus, eliminated more than 40 years ago. In particular, in 2018, the U.S. Department of Health and Human Services announced a tender for the purchase of more than 260,000 doses of vaccine against the smallpox virus for the Strategic National Reserve. The contract also stipulated that 1.7 million doses of antiviral therapy for smallpox would need to be purchased to renew existing stocks. At the same time, the description of the contract stated that "the United States government must be prepared for the emergence of a global smallpox epidemic."

In 2022, under the pretext of fighting monkeypox, the United States ordered millions of doses of vaccines. It was stated that by 2025, the U.S. Government plans to purchase about 13 million smallpox vaccines worth about US$ 300 million.

It should be noted, however, that the smallpox virus and the monkeypox virus belong to the same genus of viruses – orthopoxviruses, and the smallpox vaccine also works against monkeypox. According to biologists, the smallpox virus is even easier to disguise as a natural outbreak than SARS-CoV-2.

In the context of the existence of an extensive network of secret U.S. biological laboratories around the world, repeated discovery of test tubes labeled “smallpox” in such laboratories, active replenishment of the US stockpile of smallpox vaccines, as well as conduct of experiments by Western experts to create laboratory synthetic viruses (for example, horsepox); serious and justified concerns arise about the military biological plans of U.S. military experts for the coming years.

In the Commission’s opinion, an audit of the system of development and improvement of new generation vaccines, as well as the level of sufficiency of vaccines for the population, is required.

Federal Law No.492-FZ of December 30, 2020 “On Biological Safety in the Russian Federation” provides for the need to compile a plan for responding to biological threats (hazards), which is understood as the procedure for actions of public authorities in the event of biological threats (hazards), including the adoption of administrative, organizational, technical and other measures in order to ensure preparedness for such threats (hazards) and respond to them, as well as to maintain an acceptable level of biological risk.

The response plan is formed by the Ministry of Health of the Russian Federation together with interested federal executive bodies in order to ensure preventive preparedness to respond to identified biological threats (hazards). At the same time, there is currently no procedure for approving such a plan.

In the Commission’s opinion, this issue requires special comprehensive attention in order to ensure public safety and awareness of citizens about the procedure for dealing with a biological threat.

4.7. International cooperation

The Commission initiated two appeals of chambers of the Federal Assembly of the Russian Federation to parliaments of the world countries, i.e. “On strengthening the BTWC regime” (October 2022) and “In connection with the military biological activities of the United States outside its national territory” (March 2023).

The Commission organized five meetings in preparation for the 9th Review Conference of the Biological and Toxin Weapons Convention (BTWC). A number of meetings were held via videoconference with foreign parliamentarians on strengthening the BTWC regime and U.S. military biological activities.

In connection with the facts revealed during the special military operation, the problem of U.S. military biological activities in Ukraine was singled out as a separate area of Russian foreign policy efforts. In addition to the wide coverage in the public space of the Pentagon’s medical and biological activities carried out in violation of the BTWC in Ukrainian territory, concrete measures were taken at the BTWC platform and through the United Nations.

In June 2022, the Russian Federation, through the mediation of the BTWC Implementation Support Group, attempted, within the framework of bilateral consultation processes with the United States and Ukraine, to obtain comprehensive answers to the questions posed by Russia regarding their implementation of provisions of Articles I and IV of the BTWC (documents of the Russian Federation detailing these issues and the required supporting materials are posted on the BTWC web portal: https://meetings.unoda.org/section/bwc-fcm-2022-documents/ and https://documents.unoda.org/wp-content/uploads/2022/09/WP2-annexes-for-website.pdf). However, Washington and Kyiv have not provided necessary explanations and have not taken immediate measures to remedy the situation.

On August 26 and September 5–9, 2022, at the initiative of the Russian Federation, a formal consultation meeting of the States Parties to the BTWC on Article V was convened in connection with issues regarding the compliance of the United States and Ukraine with their obligations under the BTWC in the context of activities of biological laboratories in Ukrainian territory. The Russian side proceeded from the assumption that the consultative meeting would allow interested delegations, supported by their experts, to thoroughly understand the current situation, exchange assessments, ask professional questions and receive detailed answers. During the meeting, the Russian side made all necessary efforts to present materials and arguments in detail in order to achieve the goals set by the consultative meeting and resolve the situation related to military biological activities in the territory of Ukraine.

However, as a result of the exchange of views between the participating states, the overwhelming majority of claims put forward by Russia remained without a proper response. According to the outcome report of the consultative meeting, no consensus was reached on the issues raised. They remain open and need to be resolved. In a joint statement, a group of countries made such an assessment of the state of affairs in solidarity with Russia.

In this regard, the Russian Federation, in accordance with Article VI of the BTWC, convened open meetings of the UN Security Council on October 27 and November 2, 2022 in New York to consider the Russian complaint and the corresponding draft resolution of the UN Security Council on the establishment of a commission to investigate claims presented in the complaint of the Russian Federation against the United States and Ukraine regarding compliance with obligations under the BTWC in the context of activities of biological laboratories in Ukrainian territory. The Russian side hoped that the commission would be able to clarify all the circumstances of non-compliance by Washington and Kyiv with their obligations under the BTWC in the context of activities of biological laboratories in Ukrainian territory in a short time in order to encourage the United States and Ukraine to correct the ongoing unacceptable situation. It was assumed that the Commission would submit a report to the UN Security Council with recommendations, as well as inform the States Parties to the BTWC about outcomes of the investigation during its 9th Review Conference.

The UN Security Council's consideration of the draft resolution was accompanied by an unsubstantiated campaign on charges of "propaganda and disinformation" and unilateral statements prejudging conclusions of the UN Security Council. Moreover, the fact of holding the consultative meeting had been unreasonably interpreted by some delegations as the conclusion of the consultation process. As a result, the Russian initiative to create an international commission of inquiry was rejected.

Particular attention was paid to expanding support for our approaches and proposals to strengthen the BTWC during the work of the First Committee of the 77th session of the UN General Assembly in October 2022.

Russia focused attention on the facts revealed during the special military operation, testifying to the military biological activities of the United States and Ukraine in violation of the BTWC in Ukrainian territory, at the 9th BTWC Review Conference (Geneva, November 28). The Russian delegation presented materials testifying to violations of obligations under the BTWC within the framework of these activities in Ukrainian territory, addressed direct questions to the United States and Ukraine and called on them to immediately rectify the situation. A corresponding working paper has been submitted by the Russian Federation, which presents to the attention of all states the facts of the military biological activities of Washington and Kyiv in violation of the BTWC. Russia has continued to insist on further consideration of this issue at the BTWC platform.

The Russian Federation confirms that questions to the United States and Ukraine regarding compliance with BTWC obligations in the context of the activities of biological laboratories in Ukrainian territory still remain. Our country intends to continue to make necessary efforts to establish all the facts related to the violation by the United States and Ukraine of their obligations under the BTWC in the context of activities of biological laboratories in Ukrainian territory. In the interests of ensuring national, regional and global biological safety, Russia invariably aims to further strengthen the BTWC regime.

At the Conference on Disarmament (CD), Russia is promoting the initiative to develop an international convention for the suppression of acts of chemical and biological terrorism, which is designed to strengthen the international legal framework for countering WMD terrorism, including with the use of biological agents. We are convinced that such a treaty would fill the gaps in international law that make it impossible to respond promptly and effectively to the growing threats of biological terrorism. We believe that the implementation of the idea would also contribute to the unblocking of the negotiation work within the CD.

Chapter 5. Conclusions of the Commission

Having compiled and analyzed all available documents and information related to the subject matter of the investigation, the Commission came to the following conclusions.

In the context of the achieved level of scientific and technological achievements in genetic engineering, biotechnology, toxicology and synthetic biology, the possibility of their use for creation of biological damaging agents of a new generation increases. At the same time, it is extremely difficult to identify any facts of their use with traditional diagnostic methods. The situation is aggravated by the fact that the production of such biological agents is easily dispersed among different industrial enterprises, disguising it as a manufacturing of products for peaceful purposes.

Possible use of traditional biological warfare agents, such as causative agents of smallpox, anthrax, tularemia and plague, which can be modified to enhance their damaging properties, continues to pose a serious threat. Added to this is the objective difficulty in determining the true cause of outbreaks of infectious diseases, which can be both natural and artificial.

At the same time, non-state actors have increased access to scientific and technological advances in the biological area necessary for dual-use research. This fact is objective and, despite various forms of opposition from the international community, including export control mechanisms, will become increasingly threatening in the future.

The U.S. military biological program aside from not having been curtailed, has rather acquired a large-scale character in recent years with a focus on offensive actions; and is being implemented under the guise of activities permitted by the BTWC, as well as anti-terrorist projects. The United States supports and develops the ability to produce biological weapons and, if necessary, use them. At the same time, there have been changes in Washington's strategic views regarding both the role of biological weapons in the geopolitical confrontation and the ways in which they can be used.

U.S. military biological programs have a long-term nature. At the same time, it has been established that the historical roots of U.S. research and development go back to the period of full-scale exploitation of the criminal developments of militaristic Japan, defeated in World War II, when the United States gave shelter to leaders of Japanese war criminals who conducted inhuman experiments using biological weapons in the Far East, including against citizens of the USSR. In our country, captured Japanese militarists were brought to justice in the framework of the Khabarovsk trial, but in the United States such "experts" were granted safe conditions, and their achievements are actually continued to this day in modern U.S. programs to create biological weapons.

The United States realized that the old concept of using traditional biological damaging agents and their means of delivery was outdated. Its implementation in modern conditions allows a potential adversary not only to easily detect the very fact of use of such weapons, but also to quickly identify the attacker. In Washington, they came to understanding that the secrecy and effectiveness of biological warfare can be ensured by using as biological agents the causative agents of poorly studied natural infections with a high mortality rate, which have a long incubation period and cause symptoms of common diseases.

The United States aims to develop universal genetically engineered biological weapons capable of hitting not only people, but also animals, as well as crops. Use of such warfare involves, inter alia, inflicting large-scale and irreparable economic damage to the enemy. Therefore, under modern conditions of military confrontation, the United States assigns a strategic role to new types of biological weapons.

Its covert and targeted use on the eve of a possible inevitable direct military clash could create a significant advantage for U.S. troops over the opposing side, even possessing other types of weapons of mass destruction. According to U.S. military strategists, consequences of the covert and targeted use of biological damaging agents that can cause epidemics that are extraordinary in their consequences at a set time and in certain territories can be comparable to the "nuclear winter." The possession of such highly effective biological weapons by the United States forms, according to the U.S. military, the real prerequisites for changing the nature of modern armed conflicts.

An important role in the implementation of this "biological" policy of the United States is played by biological facilities under its control in other countries. Washington is systematically building an extensive network of biological laboratories outside its national territory, which make it possible to conduct a wide range of military biological research in various regions of the world under the guise of biomedical projects. Therefore, in fact, a "military biological occupation" of the whole world is taking place, which opens up unlimited access to information for Americans about the state of the medical, microbiological and biological infrastructures of host countries.

Territories of other countries are used by the U.S. Department of Defense as a testing ground for studying pathogens

of infectious diseases in the climatic conditions of their habitat, observing their spread and mutation, and determining prospects for enhancing their damaging properties. Genetic factors influencing the resistance to them of people, animals and plants of a particular geographical zone are revealed. The lack of international control over this kind of activity provides the United States with the opportunity to act in other countries, without restraining itself by norms of morality and law, principles of humanity and ignoring public demands.

Particular importance is attached to determining mechanisms of transmission of pathogens to humans by insects, mammals, wild birds and other animals, as well as identifying their migration routes. Results of these studies provide U.S. military biologists with the opportunity not only to simulate scenarios for the spread of epidemics in the region, but also the ability to manage them. They are also working out "biological routes" of the likely injection of atypical diseases through third countries into the target territory.

An analysis of U.S. strategic documents in the area of defense and security indicates that activities of biological laboratories under their control are focused on ensuring potential military advantages for the U.S. Army and conducting combat operations using pathogenic microorganisms with desired properties created using synthetic biology.

The United States carries out its biological activities, first of all, in those regions of the world where, under the guise of military deterrence of a potential enemy, they study a possible theater of military operations, deploy their own armed forces, creating a wide network of their military bases abroad. At the same time, favorable epidemiological conditions are being created for the conduct of combat operations by the U.S. armed forces. The expansion of the "biological" presence of the United States in other countries allows them to virtually uncontrollably approach borders of their geopolitical opponents, creating bridgeheads for the possible use of biological weapons.

Medical and biological activities of the United States in the post-Soviet space are intensifying. According to U.S. standards, biological laboratories are being upgraded, attempts are being made to take under total control national sanitary-epidemiological and veterinary services. This allows the Pentagon to solve a wide range of tasks: from the targeted collection of pathogens of especially dangerous infectious diseases and the study of reaction of the immune system of local population to the preparation of territories of the former Soviet republics in anti-epidemic terms for the deployment there of large U.S. military contingents.

Pentagon experts take part in the work of all US-controlled reference laboratories. Their activities are confidential. National sector-specific authorities of countries where such laboratories are located are allowed only to participate in research of a secondary nature.

The centralization of national collections of pathogenic microorganisms strains in one repository carried out by U.S. experts allows them not only to gain access to such collections, but also to completely eliminate experiments with existing samples that are not coordinated with them. In addition, it simplifies their possible export to the United States.

U.S. military biologists seek to freely collect biological materials from local citizens, both healthy and infected with pathogens of infectious diseases, and send them through closed channels to specialized research centers of the U.S. Department of Defense for further in-depth study.

Work in this area makes it possible to obtain accurate data on genetic characteristics of the local population as well as their immune system, which makes it possible not only to select the most dangerous pathogens for these people, but also to conduct experiments with them to enhance their damaging properties.

The Pentagon's biomedical programs in some former Soviet republics are also focused on studying possibilities of spreading pathogens of dangerous infections by migratory birds, bats and arthropods, which are considered by U.S. experts as potential natural "means of delivery" of dangerous microorganisms.

If the implementation of the Pentagon's biological plans continues in the post-Soviet space, there is a real risk of increased biological threats, given the free transport and commodity flows within the framework of the Eurasian Economic Community, the Commonwealth of Independent States and the Collective Security Treaty Organization, labor migration, routes of movement of wild animals and birds, air masses, transboundary rivers.

The flawed nature of such a situation, being obvious by itself, becomes even more dangerous given the objective assessment of the new U.S. offensive policy with regards to biological weapons and its categorical refusal to develop a control mechanism within the framework of the BTWC.

In order to avoid accusations of violating the BTWC, the Pentagon uses the practice of transferring some military biological programs to civilian ministries and departments, as well as to private companies. The most sensitive biological research of a military-applied nature has been transferred to the United States to top secret facilities.

Biological projects of a supposedly protective nature implemented by the U.S. military are actually aimed at creating conditions for the development of new directional biological damaging agents for waging invisible concealed biological warfare, bypassing the BTWC. Modified pathogens of especially dangerous infectious diseases characteristic of a particular territory, which have high drug resistance and the ability to overcome the immune defense of people living there, can be used as such biological agents. Their use can be disguised as natural outbreaks of various epidemics, and the scale and negative consequences may not be limited to the region of their occurrence.

Biological weapons, created by U.S. experts on the basis of decoding the human genome, radically change the overall world geopolitical and military environment, which resembles the beginning of the "atomic era" in the 40s and 50s of the last century.

The current situation necessitates immediate development and implementation at the country level of a set of urgent effective measures aimed at strengthening a country's biological safety system and bringing it in line with today's realities.

In terms of assessing military biological activities of the United States and Ukraine, the Commission came to the following conclusions.

1. As the investigation showed, U.S. military biological activities in Ukraine are systemic in nature and comparable to those carried out by the Pentagon in other countries. There is no doubt that such activities are aimed primarily at drawing the country into the orbit of U.S. military dominance, establishing external management of epidemiological risks. The Ukrainian state has actually become a major testing ground for U.S. military biological tests.

2. The United States, formulates goals of its biomedical programs outside its national territory, which are stipulated in agreements with relevant foreign states, including Ukraine, in such a way as to avoid accusations from the international community of violating the BTWC. In the course of the parliamentary investigation, based on the entirety of facts and evidence, it was established that the form, content and methods of the U.S. biomedical programs being implemented in Ukrainian territory do not correspond to the real situation in the area of health care in Ukraine and the declared humanitarian goals, but are aimed at serving Washington's military interests in relation to the region, which directly affects security of the Russian Federation.

3. After the anti-constitutional coup in 2014, as a result of the steps of the Ulyana Suprun, US citizen and Acting Minister of Health of Ukraine, and her lobbying for interests of American pharmaceutical companies, a catastrophic epidemiological situation for many infectious diseases has emerged in Ukraine. The United States effectively received the right to manage the epidemiological situation in Ukraine in its own interests.

4. U.S. biological programs on the territory of Ukraine were carried out by Pentagon employees and contractors and were aimed at collecting strains of infectious diseases, as well as human biological material, which were subsequently sent to the United States. Moreover, large-scale immunobiological studies (antibody analysis) of military personnel and civilians, including people suffering from mental illness, were carried out in US-controlled biological laboratories in Ukraine. These activities have been carried out in violation of international humanitarian law rules (including those enshrined in the Geneva Conventions of 1949); the Convention for the Protection of Human Rights and Fundamental Freedoms; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and punishment; as well as the Nuremberg Code and the Helsinki Declaration of the World Medical Association. The analysis of the 2005 agreement between the U.S. Department of Defense and the Ministry of Health of Ukraine on cooperation to prevent the spread of pathogen technologies and information allows us to conclude that cooperation between Kyiv and Washington in this area was non-transparent and confidential.

5. Importantly, the implementation of U.S. biological programs in the territory of Ukraine has been actually aimed not at strengthening the medical protection of the population and solving relevant issues in the area of healthcare, but rather at the implementation of military-applied tasks, including work with pathogens of dangerous infectious diseases, which are potential agents of biological weapons. In the absence of mass outbreaks of these diseases in Ukraine in recent years, the assortment and accumulated volumes of biological agents cast doubt on their purpose for prophylactic, protective or other peaceful purposes. The biological safety system of Ukraine has been rebuilt by the Americans not so much in the interests

of the country as for their own needs, including work on components of biological weapons and possible means of delivery, including using natural factors.

6. Attention should be drawn to projects with pathogens that are not endemic for the region. Moreover, outbreaks of uncharacteristic diseases were detected in Ukraine; and Kyiv had to urgently purchase new vaccines for protection against such diseases, which were not available in the country. There are also signs of development of bioterrorism methods (scattering banknotes covered with causative agent of multidrug-resistant Asian tuberculosis).

7. The collected evidence reveals the fact of accumulation of a large number of storage units of dangerous and especially dangerous pathogens in biological laboratories in the territory of Ukraine. Attention is also drawn to the fact of the accumulation of a large number of test tubes with the same strains of different passages. This fact serves as yet another evidence that casts doubt on claims of the United States and Ukraine that the accumulated volumes of biological agents and toxins are intended to prevent disease, that is, for prophylactic, protective or other peaceful purposes.

8. An electronic integrated system for monitoring infectious diseases was tested in the territory of Ukraine, covering the national, regional and local levels of biological laboratories and ensuring the collection of information on all dangerous infections. The information being accumulated by this system allows the Pentagon to unilaterally conduct real-time monitoring of progression of infectious diseases in the country; observe the impact of insufficiently explored pathogens on its inhabitants; map the spread of infections and the immunological status of the population. Therefore, the United States creates for itself not only the opportunity to simulate the spread of local and global epidemics in this region, but also the ability to manage them.

9. The Pentagon’s programs in Ukraine have been, in particular, focused on studying possibilities of spreading dangerous infections through migratory birds and bats, which are considered as potential carriers. Thus, the spatial reach of these projects actually included not only the Ukrainian territories bordering the Russian Federation, but also the territory of the Russian Federation itself. Evidence has been gathered indicating attempts by the Ukrainian side to gain access to unmanned aerial vehicles that could be used as delivery vehicles to spray biological agents. In addition, equipment and delivery vehicles were found in the territory of Ukraine that were clearly intended to use such agents and toxins for hostile purposes.

10. The U.S. government, like the government of Ukraine, predictably rejected transparency instruments presented in the set of international confidence-building measures under the BTWC. Taking advantage of the fact that there is no mechanism for verifying compliance with provisions of the BTWC, the development of which Washington has been deliberately blocking since 2001, the United States hides such work from the international community and does not provide information within the framework of the BTWC confidence-building measures under the pretext that they are carried out outside the national territory. The Ukrainian government also concealed research as being carried out in the interests of the United States. As a result, there is a deliberate evasion of confidence-building measures, opposition to the creation of a separate form of reporting on military biological activities abroad and the creation of conditions for covert implementation of military biological programs near Russian borders.

11. By implementing biological programs in the immediate vicinity of borders of the Russian Federation in a natural environment practically common to Ukraine and Russia, collecting samples of biological material that are also similar in populations of Ukraine and the Russian Federation, the United States created a military biological capacity that poses a direct threat to citizens and nature of our country.

12. Activities of US-controlled biological laboratories in Ukraine pose a threat to our country in connection with the possible unintentional leakage of dangerous pathogenic microorganisms stored there, that can cause outbreaks of infectious diseases and even epidemics. The situation is aggravated by the objective difficulty of determining the true reasons for activities of such biological laboratories, which can be both natural and artificial.

13. Taking into account all the entirety of circumstances established in the course of the parliamentary inquiry, the Commission concludes that the U.S. biological program in Ukraine has obvious military objectives.

14. The above circumstances and the nature of the military biological activities carried out in Ukraine testify to the violation by the United States and Ukraine of provisions of the BTWC, as well as rules of international humanitarian law. Only thanks to the special military operation in Ukraine, the United States was forced to urgently curtail the work and export equipment, biological samples, and other evidence confirming the dangerous nature of its military biological activities in Ukraine that did not comply with U.S. international obligations, to other countries and regions. Indeed, the way in which programs were curtailed strongly confirms the comprehension that the United States have attempted to continue to conceal

from the society (apparently in its own country) the true goals and nature of its activities.

15. The evidence and testimonies obtained by the Commission confirm that in the immediate vicinity of borders of the Russian Federation, components of biological weapons were actually created in violation of the BTWC, possible methods and mechanisms for destabilizing the epidemiological situation in the post-Soviet space, including through the commission of biological sabotage, were worked out behind closed doors.

In view of the foregoing, the Commission concludes that the United States, as part of its biological weapons program, maintains and develops the ability to create components of biological weapons and, if necessary, to produce and use them outside national territory. Such a policy in the biological sphere allows Washington and the NATO bloc to approach Russian borders virtually uncontrollably, thereby expanding their military presence and creating possible bridgeheads for the use of biological weapons.

Classified military-applied projects carried out by the United States under the guise of medical and biological activities, if they continue, will create ever-increasing threats to the security of not only the Russian Federation, but also those countries where they are carried out, and consequently, acquire the character of a global threat to humanity, and will increasingly contradict the conscience of mankind in the understanding set forth in the preamble of the BTWC.

Taking into account these conclusions, the Commission expresses serious concern about the military biological activities of the United States, which pose a serious threat to the security of other states and entire regions of the world, and notes that the military biological activities of the United States, which are dangerous to humanity, must be stopped.

Chapter 6. Proposals for strengthening the biological safety system of the Russian Federation and the BTWC regime

Based on results of the parliamentary investigation, the Commission considers it possible to issue a number of recommendations and proposals to strengthen the national security system and the international legal regime for the prohibition of biological weapons.

In connection with identifying new challenges and threats, the Commission considers it feasible for the Government of the Russian Federation to analyze and assess the landscape of regulatory legal acts of the Russian Federation in the area of biological safety in order to harmonize existing monitoring mechanisms and create a unified network for monitoring biological risks.

The Commission proposes that the Government of the Russian Federation consider the following amendments to Federal Law No.492-FZ of December 30, 2020 “On Biological Safety in the Russian Federation”:

- specify mandates of public authorities (it is necessary to revise the Decree of the Government of the Russian Federation of May 16, 2005 No.303 and bring it into line with provisions of the Federal Law);

- make provision for the preparation of an annual Government report on the state of biological safety in the Russian Federation and submission thereof to the President of the Russian Federation and both chambers of the Federal Assembly of the Russian Federation (Article 5);

- establish and specify penalties for non-adoption or non-compliance with mandatory requirements in the area of biological safety (Article 16);

- make provision for the identification and assessment of the long-term effects of infectious diseases and vaccines against them on human health, as well as the development of measures to mitigate these consequences (articles 4, 5 and 9);

- empower the Government of the Russian Federation to establish the procedure for the compilation and maintenance of a register of products (goods) necessary to ensure biological safety of the population and organization of medical care for the population, as well as the procedure for the compilation and maintenance of a register of enterprises that have a reserve capacity for the production of these products (goods) (Article 5);

- standardize activities of organizations involved in the development and scaling up of products used to ensure biological safety in the Russian Federation (Article 9).

The Commission notes that the national biosafety system should be centralized and should have systematic capabilities for the detection, diagnosis, treatment and prophylactic of infectious diseases.

The Commission considers the priorities declared within the framework of the federal project “Sanitary Shield” to be correct. In this regard, the Government of the Russian Federation is invited to consider the establishment of the following mechanisms for the purpose to:

- develop, test and certify vaccines against non-endemic viruses as soon as possible after the threat of an epidemic is recognized, as well as develop methods for rapidly modifying these vaccines to adapt to new pathogens;

- create strategic stocks of broad-spectrum vaccines and medicines for a special period, including antidotes for new highly contagious pathogens. It is no longer possible to rely on the well-known classical list of biological agents;

- improve means of collective and individual protection in order to ensure the biological safety of the population;

- develop a control mechanism for conducting research in the area of biotechnology, synthetic biology and related scientific disciplines by organizations and institutions whose activities are carried out with the involvement of foreign capital, including grant funding.

The Commission also considers it necessary to:

- continue to improve monitoring and forecasting systems aimed at ensuring the country’s biological safety, introduce uniform criteria for assessing and ranking risks associated with the negative impact of dangerous biological factors on the population and environmental objects;

- create an interagency monitoring system in order to observe changes in habitats of animal species and blood-

sucking insects. If it is possible to have a clear understanding of the ecology and habitat of animal species, both carriers and definitive hosts of any pathogen, it is possible to predict the further spread of infectious diseases;

- expand genome sequencing technologies for strains of infectious disease pathogens that circulate in the territory of the Russian Federation and neighboring countries;

- update on the ongoing basis the list of potentially hazardous biological objects and improve rules for the implementation of measures to localize and eliminate biological contamination zones arising from accidents and (or) sabotage;

- develop a mechanism allowing to localize epidemiological risks before epidemics occur, as well as to prevent lockdowns and disruption of normal life; intensify work to reduce Russia's technological dependence on foreign manufacturers of pharmaceutical products and form a domestic segment for the production of medical equipment, protective means, medicines and their stocks. To this end, provide additional measures to support innovative research and development in production of new antimicrobials, vaccines and diagnostics designed to combat established pathogens of infectious diseases in humans, animals and plants.

Particular attention should be paid to strengthening human resources in the field of biological safety and improving the system of training specialized professionals. First of all, it is necessary to focus on training of experts in the area of infectious diseases.

The Ministry of Science and Higher Education of the Russian Federation needs to develop stand-alone federal educational programs for training of professionals in the area of synthetic biology, biotechnology and bioengineering.

The Government of the Russian Federation, together with the Prosecutor General's Office of the Russian Federation and the Investigative Committee of the Russian Federation, should:

- analyze and evaluate law enforcement in the area of export control and export of biological material from the Russian Federation, providing additional mechanisms for preventing and suppressing offenses and crimes related to the illegal movement of biomaterials and biotechnologies across the state border of the Russian Federation;

- explore the issue of establishing criminal liability for repeated violations of export control legislation, as well as, if such actions caused significant harm, regardless of presence or absence of guilty knowledge;

- elaborate the issue of introducing administrative liability for failure to provide information (data) on ongoing scientific research in the area of biological safety in accordance with rules for provision of information by organizations, institutions and individuals, regardless of their departmental affiliation;

- ensure integration of liberated territories (Donetsk People's Republic and Lugansk People's Republic, Kherson Region and Zaporozhye Region) into the national biological safety system.

With regard to the facts of work carried out in laboratories in the territory of Ukraine in violation of the BTWC, the Commission reiterates its position in favor of the urgent need to comprehensively strengthen the international legal regime established by the BTWC.

In order to settle this situation and prevent its recurrence, as well as taking into account the rapid development of biological sciences, possibilities for the dual use of microbiological agents, desire of Western countries, led by the United States, to hide the true direction of their biomedical programs, including those carried out outside the national territory, primarily with the participation of the Pentagon, it is necessary for the States Parties to the BTWC to develop a mechanism for verifying compliance with the Convention.

It is also necessary to define the basic parameters and mechanism for conducting investigations into possible violations of the BTWC provisions under Article VI of the BTWC. In this regard, the Russian Federation in 2021 proposed to establish an open-ended group of governmental experts to jointly agree on technical modalities and specific procedures for carrying out such activities.

There is a need for the formation of institutional mechanisms within the framework of the BTWC for the practical implementation of Articles VI, VII and X. The Russian Federation, based on experience of Russian specialized anti-epidemic teams, including their participation in the elimination of the Ebola virus epidemic in West Africa in 2014-2015, proposed to the States Parties to the BTWC to establish mobile medical and biological units within the framework of the Convention. Such mobile laboratories have already shown their relevance and effectiveness in emergency situations of a sanitary and epidemiological nature. The Russian initiative, when implemented under the BTWC, can have the synergetic effect and contribute to the efficient use of limited resources.

For the purpose of more effective implementation of Article XII of the BTWC, increased attention should be paid to the study of modern and promising scientific and technological achievements that can have both positive and negative impact on the achievement of the BTWC goals. The importance of reviewing new scientific and technological developments of relevance to the BTWC is underlined in the Outcome Documents of the 6th, 7th and 8th BTWC Review Conferences. To put such an approach into practice, it is necessary to establish a separate structure within the BTWC to review scientific and technological developments relevant to the BTWC and to provide appropriate recommendations to States Parties.

In 2016, Russia proposed to establish a scientific advisory committee under the BTWC for this purpose and submitted to the States Parties a detailed draft of the constituent documents, including the terms of reference, composition and parameters of the Committee's functioning. In subsequent years, the draft has been finalized taking into account views expressed by countries and remains on the table as the most elaborated text among similar ones.

Russia will actively promote these proposals within the framework of the Working Group on Strengthening the BTWC established at the 9th BTWC Review Conference based on the Russian initiative. It is mandated to identify, explore and elaborate concrete and effective measures (including legally binding ones) and to make recommendations for strengthening and institutionalizing the BTWC in all its aspects.

Furthermore, given the fundamental nature of the prohibition of biological weapons in the international legal regime of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare dated June 17, 1925, there is a great demand for its further universalization and withdrawal of reservations made by States (as of March 2023, 146 States Parties).

The Commission considers it necessary to supplement confidence-building measures within the framework of the BTWC with information on all biomedical research and development carried out by research units commissioned by or with any participation of ministries of defense or other military and (or) law enforcement agencies of the States Parties outside the national territory, including in cooperation with other states.

Of great importance is the expansion of cooperation with allies and partners in the area of biological safety, primarily with member States of the Collective Security Treaty Organization and member States of the Commonwealth of Independent States.

The Commission further notes that international terrorism poses a serious threat to global biological safety and non-proliferation of biological weapons. In this regard, Russia's efforts should not be limited to strengthening the BTWC regime.

The Commission considers it right to direct international legal efforts of the Russian Federation and other constructive-minded States towards the early launch of multilateral negotiations on the elaboration of an international convention for the suppression of acts of chemical and biological terrorism within the framework of the Conference on Disarmament.

The Commission recalls that for the first time this initiative was announced by the Russian Federation in Geneva on March 1, 2016 at the Conference on Disarmament. The grounds for further promotion of the idea of developing a convention on biological terrorism is the existence of gaps in the international law that do not allow for a prompt and effective response to the threat of biological terrorism. The implementation of the Russian initiative to develop and sign an international convention for the suppression of acts of chemical and biological terrorism was entrusted to the Ministry of Foreign Affairs of Russia, the Ministry of Defense of Russia, the Foreign Intelligence Service of Russia, the Federal Security Service of Russia, the Ministry of Industry and Trade of Russia pursuant to Decree of the Government of the Russian Federation dated August 28, 2019 No.1906-r "On approval of the action plan for the implementation of Fundamentals of State Policy of the Russian Federation in Ensuring Chemical and Biological Safety for the Period up to 2025 and Beyond."

The Commission has recorded support for this initiative in the following documents:

- Declaration on the occasion of the 30th anniversary of the establishment of diplomatic relations between the Russian Federation and the Republic of Kazakhstan (Moscow, November 28, 2022);
- Qingdao Declaration of the Council of Heads of State of the Shanghai Cooperation Organization (Qingdao, June 10, 2018);
- Beijing Declaration of the XIV BRICS Summit (June 23, 2022);
- Joint Statement on the Outcomes of the Meeting of the BRICS Foreign Ministers (May 19, 2022).