Joint NGO Statement
Ninth Review Conference of the Biological Weapons Convention
28 November – 16 December 2022

Mr President, Distinguished Representatives:

Thank you for the opportunity to speak before you today. I am speaking on behalf of 17 organisations and 87 individual experts.

Mr President,

We are at a precarious point in time. The biological risk landscape is becoming more complicated and more challenging. Technical barriers to developing biological weapons continue to erode and new possibilities to use biology to cause harm are expanding. At the same time, the global security environment is changing dramatically. We are outraged at Russia's invasion of its sovereign neighbour. We stand with the government and people of Ukraine, and we urge Russia to stop its brutal aggression.

Russia's allegations about public health labs supported through BWC assistance and international cooperation initiatives, and its attempts to co-opt the General Assembly, the Security Council and the BWC as platforms to legitimise the fabrications have been vigorously discussed and rejected at the Formal Consultative Meeting and in the Security Council. States parties must speak up and condemn allegations that target Article X and peaceful cooperation among BWC members. We agree with those states parties who have raised concerns about the misuse of procedures in a way that undermines our multilateral institutions and disarmament tools.

Despite these challenges, we note that there are proposals that would begin to address these issues from a range of states parties. We welcome these and urge states parties to work together to agree a future work programme that helps address the challenges we all face in specific and effective ways.

There are five priority areas we would like to highlight in our statement: universalisation and national implementation, assistance and international cooperation, unprecedented advances in science and technology, reassurance and transparency initiatives, and institutional strengthening.

Universalisation and National Implementation

2022 marks 50 years since the BWC opened for signature. In this connection, civil society has been pleased, substantively and effectively, to support ongoing parallel efforts in recent years by the BWC ISU and others to promote universalization and implementation of the BWC. We look forward to continuing to provide this complimentary support, as appropriate. We are also encouraged to note the presence of representatives of a number of the remaining non-states parties at this Review Conference. We would like to take this

opportunity, therefore, respectfully to urge them, and all other remaining non-states parties, to join the BWC at the earliest opportunity.

Mr President,

Article IV of the BWC requires all states parties to take any necessary measures to prohibit and prevent biological weapons in accordance with their constitutional processes. As noted in successive Review Conferences, giving effect to the BWC at the national level requires not only adopting appropriate offences and penalties, but also establishing oversight and governance of activities with biological agents and toxins. Preventing their misuse further requires strong physical protection, and effective safety and security protocols in laboratories, facilities, and transport systems.

Significant progress is still needed towards comprehensive national implementation. We urge all states parties to adopt, implement, review and update national laws, regulations and other measures on biosafety, biosecurity and dual-use research. In doing so, we encourage states parties to take into account relevant voluntary standards on biorisk management including the 2022 WHO Global Guidance Framework for Responsible Use of the Life Sciences and the 2019 WOAH Guidelines for Responsible Veterinary Research. We also encourage states parties to report their BWC implementing legislation in their Confidence-Building Measures submissions.

Systematic application of biorisk management is crucial to building a culture of safe, secure and responsible research. As a foundation for biorisk management, we call on states parties to endorse the Tianjin Guidelines and to agree to address practical measures to disseminate this important framework at intersessional meetings. We further urge states parties to ensure adequate resourcing of biosecurity education and awareness-raising in support of the Tianjin Guidelines, biorisk management and the BWC at all levels of government.

Assistance and Cooperation

International cooperation (Article X) and assistance (Article VII) play important roles in strengthening the implementation of the BWC. To further progress international cooperation and assistance, we call on states parties to:

- Establish an agenda to review and discuss progress on international cooperation and assistance efforts.
- Create an ISU Cooperation Officer.
- Continue strengthening, building and coordinating global expert networks to counter potential biological threats along with all states parties.
- Fully operationalise Article VII—including through increased recognition of the importance of international cooperation activities (Article X) in the effective operationalisation of assistance and protection measures (Article VII). An example would be through formalising a process for matching requests and offers for assistance to agreeing on *how* states parties will support nations in response to a

suspected or confirmed deliberate biological event, including clearly identifying roles, responsibilities and available resources.
- Create a BWC committee consisting of experts from states parties; civil society; international, regional and national organisations; and the ISU to assess, monitor and provide guidance on international cooperation and assistance efforts concerning challenges related to high-risk biological threats, such as emergent pandemics or deliberate biological events. This committee would provide recommendations in emergencies to the ISU, WHO, UNSG and states parties on the implementation of effective and comprehensive strategies to counter emerging biological threats relevant to the BWC.

We encourage states parties to make greater use of the Article X International Cooperation database for assistance requests and offers that is administered by the ISU, as appropriate for their national circumstances, and encourage states parties to support the proposal for the establishment of an Article VII Assistance database. We also encourage states parties to cooperate and collaborate with non-governmental entities.

Advances in Science and Technology

Advances in life sciences and next-generation biotechnology continue at an unprecedented pace. These advances and their convergence with other scientific disciplines and emerging technologies have led to exciting applications to improve the wellbeing of humans and the natural world. The accidental or deliberate misuse of scientific innovations and technologies, however, present serious risks to global health and security. Moreover, decreasing cost and widespread access to advanced capabilities continue to lower barriers to utilising many of these technologies and associated pathogens and toxins.

We call on states parties to:

- Establish a scientific review process to systematically monitor and analyse relevant global developments in S&T and report to states parties. The review process would assist in identifying and forecasting S&T advances with potential relevance to the BWC, and in facilitating engagement between scientific and technical experts and the diplomatic community.
- Create an ISU Science Officer with a mandate and associated resources to support the scientific review process.
- Consider S&T advances in the context of monitoring, investigation, and other systems that can increase confidence that biological activities are only being conducted for peaceful purposes.
- Develop and share model approaches to national science policy that enable states parties to effectively raise awareness of the security dimensions of life science research, promote research integrity and the responsible use of science, enhance accountability practices among practitioners, and foster access to emerging capabilities. It is also important to incorporate convergent domains of scientific endeavour, in particular computer and information sciences, on which the life sciences increasingly depend or facilitate.

- Continue to undertake and further develop ongoing information exchange, cooperation and collaboration with the Organisation for the Prohibition of Chemical Weapons, notably its Technical Secretariat and Scientific Advisory Board, to respond to the implications of the growing convergence of the chemical and life sciences
- Explore how BWC and CWC states parties and organisations can work together more effectively to prevent hostile application of mid-spectrum agents, including naturally occurring toxins, bioregulators, and their synthetic analogues, as well as associated delivery systems.

Reassurance and Transparency Initiatives

Mr President,

A dedicated effort to understand the current landscape of needs, opportunities, and technical capabilities related to compliance assessment—such as the proposals made for expert working groups by a number of states parties—could support future discussions or negotiations on formal and informal mechanisms to collect and analyse compliance-related data. Ideally, these mechanisms would cover all biological activities comprehensively, including government- and civil society-sponsored activities, but this is not necessary to generate insight and reassurance. While voluntary activities, including peer review and site visits, cannot substitute for mandatory, universal participation, the increased transparency they yield mitigates ambiguity and concern regarding states parties' compliance. A deeper effort to consider compliance assessment could also evaluate emerging biological capabilities to develop a new compliance assessment toolkit, including novel solutions and potentially historical proposals that were once technically or politically infeasible.

Mr President,

Article V and Confidence-Building Measures are key BWC transparency mechanisms.

Article V consultations enable states parties to address compliance uncertainty and concern under the umbrella of the BWC. At the Formal Consultative Meeting in September 2022, less than half of eligible states parties attended the meeting, and a third of delegations were not very active. We call on states parties to actively engage in any future consultations. Furthermore, we urge states parties to formalise standards and procedures for Article V consultations, and to provide greater public access to the deliberations by, among other things, publishing substantive reports of consultative meetings.

In 2021, more than half of states parties submitted CBMs, a record high, but only one-third published them publicly. We encourage all states parties to submit CBMs annually and to make them publicly available. States parties should consider measures to increase CBM participation and value, including assistance in submitting CBMs, expanding the scope and detail of reported information, and establishing analytic capacity for CBMs to inform states parties on relevant content and trends.

Institutional strengthening

All aspects of the BWC are important pillars to promoting peace and leveraging biology for health, economic, social, and other benefits. States parties must work toward concrete improvements across the full spectrum of treaty obligations, but the desire for comprehensive improvement should not stand as a barrier to progress in particular areas of agreement. While universal participation and comprehensive coverage of treaty provisions should serve as guiding principles, value exists in incremental or modular steps toward those goals and toward increased certainty that states parties are complying with treaty obligations. During the next intersessional period, states parties should identify areas of convergence, further develop policies and tools to address specific goals under the BWC, and investigate practical and tangible steps to increase certainty that biology is being utilised for appropriate purposes.

We endorse proposals for an Experts Working Group to consider specific measures to strengthen the Convention. The world is a vastly different place than it was twenty, ten, or even five years ago, and such an endeavour would establish a foundation for longer-term efforts to address gaps and bolster capacities as well as for future negotiations on more formal regimes to strengthen the treaty.

Mr President,

Institutional strengthening inherently involves strengthening institutional support, and for the BWC, that means the ISU. The Review Conference affords states parties a forum to establish the ISU as a permanent structure, with long-term, sustained funding and other resources to meet current and future treaty needs. We urge states parties to do so.

The Secretary-General's Mechanism (SGM) remains the only international mechanism for investigating alleged uses of biological weapons. We commend states in First Committee for voting down proposals that would have politicised what has been carefully designed to be an independent and technical investigation process. Moreover, we applaud states at the forefront of strengthening training, lab networks and other detailed operational arrangements under the SGM so that the international community has the tools available to confirm whether biological weapons have, or have not, been used, should the question arise.

Mr President,

Biological sciences are evolving rapidly, and five years between Review Conferences is simply too long for BWC states parties to not be able to adjust the programme of work through intersessional decision-making. We continue to encourage states parties to leverage annual meetings to make key decisions in order for the BWC to remain adaptive to emerging risks and capabilities. States parties should also acknowledge gender perspectives in the BWC, in line with peer Conventions.

Finally, we would like to recognise the Working Paper submitted by Kenya and Panama on engaging the next generation of scientists and disarmament experts. As they observe, the world today is home to the largest generation of young people in history, 90 percent of

whom reside in developing countries. We agree wholeheartedly that a world free of biological weapons cannot be achieved without their active and transformative engagement, and we warmly welcome the Youth Declaration for Biosecurity. Young people are the ultimate force for change, at the local, national and international levels, to make the world safer and more secure for all.

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