



**CHAIR
NON-ALIGNED MOVEMENT
GENEVA CHAPTER**



**CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON
THEIR DESTRUCTION (BWC)**

**NINTH REVIEW CONFERENCE of the STATE PARTIES
to the CONVENTION on the PROHIBITION of the
DEVELOPMENT, PRODUCTION AND STOCKPILING of
BACTERIOLOGICAL (BIOLOGICAL) and TOXIN WEAPONS and THEIR DESTRUCTION**

**General Statement on behalf of the Non-Aligned Movement and Other States Parties to
the BWC by**

**H.E. Ambassador Galib Israfilov
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Nations Office in Geneva**

Geneva, 28 November 2022

Mr. President,

1. I have the honor to speak on behalf of the States Parties of the Non-Aligned Movement (NAM) and other States Parties to the Biological and Toxin Weapon Convention (BTWC).
2. NAM congratulates you, Ambassador Leonardo Bencini, on your election as President of the Ninth Review Conference of the Biological and Toxin Weapon Convention (BTWC).
3. Our Group is confident that with your knowledge, experience and diplomatic skills you will be able to guide our work effectively towards achieving the common objectives of the Ninth Review Conference. The Group stands ready to engage constructively with you and other States Parties to bring this Review Conference to a successful conclusion.

Mr. President,

1. The Group would like to re-emphasize its position as reflected in the final Document during the XVIII Summit of the NAM, which took place on October 25-26, 2019, in Baku, Azerbaijan, the Heads of State or Government of NAM States Parties to the Biological and Toxin Weapon Convention (BTWC), reaffirmed, and, I quote:

“... reaffirmed that the possibility of any use of bacteriological (biological) agents and toxins as weapons should be completely excluded, and the conviction that such use would be repugnant to the conscience of humankind. They recognized the particular importance of strengthening the Convention through the resumption of the multilateral negotiations for a legally binding Protocol dealing with all Articles of the Convention, in a balanced and comprehensive manner, including through verification measures bearing in mind that the lack of such verification regime poses a challenge to the effectiveness of the Convention, and urged the party rejecting negotiations to reconsider its policy. They expressed satisfaction that currently 184 States are Parties to the Convention, and also stressed the importance of universal adherence to the Convention and, in this context, welcomed the recent accession of Namibia to the Convention. They reiterated their call to promote

international cooperation for peaceful purposes, including scientific-technical exchange. They underlined the importance to maintain close coordination among the NAM States Parties to the Convention and highlighted that the BTWC forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner.

The Heads of State and Government of NAM States Parties to BTWC welcomed the active participation by NAM States Parties in the 8th BTWC Review Conference, and the BTWC Meeting of States Parties (MSP) in 2017, 2018, 2019 and 2020, the BTWC Meetings of Experts in 2018, 2019 and 2020 in Switzerland, to advance their positions in this Convention. They welcomed the consensus outcome adopted at the 2017 MSP under the able Chairmanship of India. They reaffirmed the importance of strengthening the full effective and balanced implementation of all articles of the convention and, in this regard, *reiterated* their commitment to work in the inter-sessional period, in particular on Cooperation and Assistance, with a particular focus on strengthening cooperation and assistance under article X, review of developments in the field of S and T related to the convention, strengthening national implementation, assistance, response and preparedness, and institutional strengthening of the convention.

They also welcomed their key role in the adoption of the important decisions related to the implementation of Article X of the BTWC, especially by emphasizing the need for enhancing international cooperation, assistance and exchanges in toxins, biological agents equipment and technology for peaceful purposes, bearing in mind the Action Plan on the implementation of Article X submitted by the NAM States Parties at the Sixth Review Conference, and the additional NAM States Parties' proposal on an institutional mechanism for international cooperation and compliance with Article X presented more recently. They further encouraged the BTWC States Parties to implement the Article X, as set forth in the Final Documents of the seventh and eighth BTWC Review Conferences. They reiterated the importance to strengthen the operationalization of cooperation database which was established by the Seventh Review Conference to ensure that specific, timely and concrete offers of cooperation under Article X are provided by States Parties in the database and to consider the ways to improve reporting on this issue, taking into account the current lack of effectiveness of the referred database and welcomed the VIII Review Conference decision regarding the maintenance of a Sponsorship Programme, funded by voluntary contributions from States Parties, in order to support and increase the participation of developing States Parties in the meetings of the inter-sessional programme in the framework of the BTWC.

The Heads of State and Government of NAM States Parties to the BTWC emphasized the importance of the BTWC role in the international legal architecture related to WMD and in particular in the total prohibition on all biological and toxin weapons. They further emphasized the need for enhancing, without restrictions, international cooperation and assistance and exchanges in toxic biological agents equipment and technology for peaceful purposes without any discrimination, in conformity with the Convention. They reaffirmed that the respective mandates of this Convention and other international organizations should be respected, while utilizing the experiences of the relevant multilateral organizations dealing with human and animal health on issues that are of direct relevance to the Convention, and that no actions should be taken to undermine the convention and/or interfere with its mandate." End of quote.

Mr. President,

2. These elements expressed by our leaders are of utmost importance for our Group and represent subjects or primary concern for our countries in BTWC.

3. The Group would like to reiterate its deep concern about the potential use and/or threat of use of biological agents and toxins as an instrument of war and terror. In this regard, the Group feels that there is a great necessity and urgency for the States Parties of the BTWC to work towards strengthening and improving the effectiveness and implementation of this Convention so that together we can fully address this concern.
4. We strongly believe that the universal adherence to and further strengthening of the Convention will make a significant contribution to advancing further in the field of disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control.

Mr. President,

5. I shall now convey some of the Group's expectations for the Ninth Review Conference, some of which we had underlined during previous meetings, including the Preparatory Committee, as well as NAM working papers.
6. The Group is of the view that the general thrust of the Review Conference should be the review of the operation and implementation of all Articles of the Convention and its preamble, including consideration of the work of the meetings held during the inter-sessional period.
7. The Group of NAM and Other States Parties to the BTWC submitted Working Papers for the Ninth Review Conference in order to promote and build common ground on important issues. The Group notes that other Working Papers were submitted in different issues of the Convention and is prepared to consider proposals in order to build common ground and consensus.
8. Pending a consensus on a comprehensive legal binding instrument on the balanced and non-discriminatory implementation of all provisions of the Convention, The Group reaffirms that the Review Conference of the States Parties, as the forum to make substantive and procedural decisions, constitutes as the only authority for reviewing the operation of the Convention with a view to ensuring that the purposes of the Preamble and provisions of the Convention are being realized.
9. The Group of NAM and Other States Parties to the BTWC attaches great importance to the issue of international cooperation as the first priority of the Group. The Group believes that it is critical that the obligations of States Parties under Article X of the Convention regarding the fullest possible exchange of equipment, materials and information for peaceful purposes and to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful activities, should be implemented in a full, effective and non-discriminatory manner. The global Covid-19 pandemic not only clearly exposed the vulnerability of the international community and the importance of international cooperation but also revealed the lack of proper mechanism for implementation of the Convention, particularly the Article X. The Covid-19 will certainly not be the last global outbreak and the possible future global pandemics demand far better international cooperation and significantly more decisive actions to avoid worst-case scenarios.
10. However, we continue to believe that there is need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of Article X. In this regard, the Group submitted a Working Paper on measures for full, effective and non-discriminatory implementation of Article X.
11. The enhancement of international cooperation for the use of biological agents for peaceful purposes is an essential part of compliance with the Convention and is crucial for the realization of the purpose and objective of the Convention.
12. There should be no hindrance to peaceful activities, such as vaccine development,

which are important for developing countries for meeting their public health needs. There is need for equitable benefits from international cooperation in this area, keeping in mind the need for ensuring appropriate and affordable support for developing countries. We also are of the view that the developing countries need to meet their needs for cost-effective, affordable and quality assured medicines and vaccines including through which may include the consideration of provisions such as compulsory licensing or price controls amongst others.

13. Any measures identified within the framework of the Convention to mitigate biological risks should be implemented in a manner to ensure that legitimate peaceful activities including international cooperation would not be hampered.

Mr. President,

14. While the Group recalls its position on proposals related to compliance assessments, it reiterates that such proposals should not distract the attention of States Parties away from strengthening the Convention in all its aspects including the need for a verification mechanism. Effective international action against biological threats needs to be universal, legally binding, and non-discriminatory. In addition, this cannot be achieved without strengthening national capacity.
15. We also believe that the need to prevent harmful activities should never hamper scientific evolution for peaceful purposes and life-saving achievements like vaccine development. Developing countries, in particular, could benefit from advances in technologies that make vaccine production simpler, faster, cheaper and more efficient. Imposing and/or maintaining unjustified restrictions contrary to the obligations under the Convention on the development of dual-use technology, materials and equipment needed to promote capacity building in the fields of sanitary control, detection, diagnosis and control of infectious diseases, including the production of some vaccines and other biological materials, should be considered a violation of Article X.
16. NAM notes that there have been recent advances demonstrating the increasing sophistication of synthetic biology, together with other enabling technologies, which have benefits, together with the potential for uses contrary to the provisions of the Convention. All states must conduct such activities in a transparent manner, in order to build the confidence of other States Parties.
17. These recent developments once again highlight the need to conclude a legally binding instrument to strengthen the Convention in all its aspects. In the past, useful work has been done in this regard under the BWC in the Ad hoc Group and NAM continues to attach high importance to preserving and eventually resuming that work.
18. NAM stresses that the national implementation under Article IV of the Convention requires commitments towards the implementation of all provisions of the Convention. In this regard, NAM is of the firm view that the full, effective and non-discriminatory implementation of Article X is of high importance.
19. It is imperative that any export control measures adopted by States Parties at a national level should be in full conformity with Convention obligations and create an environment conducive to the full, effective and non-discriminatory implementation of all Convention provisions, and should not in any way adversely affect the rights and obligations of States Parties under the Convention. Non-proliferation efforts through maintaining export controls are best addressed through multilaterally, non-discriminatory negotiated guidelines to preserve the integrity and the delicate balance that exists in the Convention.
20. It is crucial to note that the Convention has established a system with equal rights and obligations based on the principle of equal treatment of all States Parties. Therefore, national implementation measures should not create undue restrictions among States Parties which would hinder the full, effective and non-discriminatory implementation of Article X.

21. NAM reiterates its support for the recommendation of the Eighth Review Conference on Article VII. In this regard, it reaffirms that providing and/or supporting timely assistance in accordance with Article VII is a legal obligation of States Parties. While noting that States Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of diseases, NAM reaffirms that this should not be imposed as a precondition for either provision or receipt of assistance. To this end, a detailed procedure and mechanism for a timely, effective and adequate response needs to be developed. NAM further believes that the lack of a comprehensive Protocol to strengthen implementation of all aspects of the Convention has created a gap in the provision of prompt and effective assistance under Article VII to States Parties to the BWC.
22. NAM welcomes the recent ratification of BTWC by the Republic of Namibia as the 184th State Party to the Convention. In this context, we emphasize the need for States that are not signatories to the Convention to display political will by joining the BWC. We call upon non-parties particularly those with advanced biotechnology to accede to the Convention without further delay.

Mr. President,

23. At this stage I would like to emphasize that the delicate balance reached in the previous Review Conferences outcomes should be maintained. We highlighted that the BTWC forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner. We hope that this delicate balance will be preserved through the entire work of the Ninth Review Conference.
24. The Group of NAM and Other States Parties to the BTWC believe that CBMs are a voluntary provisional tool of transparency in the implementation of the Convention. They cannot be a tool to assess compliance for which the only method is a legally binding mechanism with verification provisions.
25. The Group of NAM and Other States Parties to the BTWC highlights that the Inter-Sessional Period (ISP) is important in the absence of detailed treaty provisions for implementation. We believed that the next ISP should aim at achieving progress in the implementation of the Convention in balanced and consensus-based approach.
26. NAM reiterates its position stated during the Group's opening statement to the Sixth Review Conference that:

"Although the Group of States of the Non-Aligned Movement and other States Parties to the BWC maintains its conviction that the multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement is the only sustainable method of strengthening the Convention, it recognizes however the value of the inter-sessional ad hoc mechanism for promoting the objectives of the Convention."
27. Therefore, the Group notes that until the momentum for negotiating of a legally binding instrument comes, any measures by the States Parties would have the value of merely being as voluntary measures in nature as agreed by the Fifth Review Conference.
28. The Group of NAM recalls that the ISU established to provide the necessary administrative support for the implementation of some aspects of the Convention mandated to it. The Group considers that any decision on the future of the ISU as well as its structure, size and budget, should be commensurate with the tasks assigned to it by this Review Conference, would require further examination. We reemphasize the importance of equitable geographical representation in its recruitment process, along with principles such as rotation and neutrality, particularly as developing countries State Parties also share the burden of the ISU budget.
29. In this regard, the Conference encourages States Parties to nominate candidates with the procedure and deadline to be set by ISU for recruitment of available posts to be rotated

in the ISU. The Chairperson of the MSPs in consultation with States Parties and Regional Groups would prepare a short list of 3 candidates to be decided by the MSPs and submitted to the UNODA.

Mr. President,

30. The Group of NAM and Other States Parties to the BTWC look forward to engage constructively to consider and review proposals along with its principal positions during the Ninth Review Conference on reviewing the Convention's operation with a view to reach a consensual outcome. NAM urges to all States Parties to the BTWC to show the necessary flexibility and political will to strengthen the Convention and to hold of a successful Ninth Review Conference.

I thank you.