Ninth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

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Review of the operation of the Convention as provided for in its Article XII

Compliance by States Parties with all their obligations under the Convention

Background information document submitted by the Implementation Support Unit

Summary

The Preparatory Committee decided to request the Implementation Support Unit (ISU) to prepare a background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties (see BWC/CONF.IX/PC/10, paragraph 35(f)). The ISU duly requested submissions from States Parties, and all submissions provided to the ISU by 30 November 2022 are included in this document. Any further submissions from States Parties will be included in an addendum to this document. The information in this document is reproduced as submitted by States Parties, in some cases with minor editing. Information submitted in official languages other than English has been translated into English.

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Brazil

I. Introduction

1. Brazil is a signatory to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacterial (Biological) and Toxin Weapons and on Their Destruction (BWC). Brazil approved the text of the Convention through the Legislative Decree nº 89, of 12 May 1972, which came into force domestically through the Decree nº 77,374, of 1 April 1976.

2. Since the internalization of the provisions of the BWC, Brazil has been working to improve the domestic implementation of the Convention through legislation and regulation, without prejudice to economic, scientific, technological and innovation development. Brazil has also participated regularly in the BWC meetings, reviews conference, working groups and related activities.

3. The Ministry of Science, Technology and Innovation, the Ministry of Foreign Affairs, the Ministry of Defense, the Ministry of Health and the Ministry of Agriculture, Livestock and Food Supply are the institutions in charge of the domestic implementation of the BWC in Brazil. These institutions are responsible for providing the background information that follows.

II. Institutional structure

A. Ministry of Science, Technology and Innovation

4. The Ministry of Science, Technology and Innovation (MCTI) exercises, through the General Coordination of Sensitive Goods (CGBS), the duties of monitoring the Conventions, regimes and treaties on disarmament and non-proliferation of Weapons of Mass Destruction (WMD), including the BWC.

5. The General Coordination of Sensitive Goods (CGBS) is an administrative unit that is part of the structure of the Special Advisory Office for International Affairs of the Ministry of Science, Technology and Innovation.

6. The CGBS has as its main attribution the coordination and monitoring of the implementation of the transfer control policy of sensitive goods and services directly linked to such goods in the chemical, nuclear, biological and missile areas. It is also in charge of monitoring international conventions, regimes or treaties on disarmament and non-proliferation of Weapons of Mass Destruction (WMD) to which Brazil is a Party, including the BWC regime.

7. In this context, CGBS is responsible for the following attributions:

- Performing the role of Executive Secretary of the Inter-ministerial Commission for Export Control of Sensitive Goods (CIBES), coordinating the work and the means necessary for its operation;
- Performing the attribution of National Authority to the Organization for the Prohibition of Chemical Weapons (OPCW);
- Performing the role of Permanent Executive Secretariat of the Inter-ministerial Commission for the Application of the Provisions of the International Convention for the Prohibition of Chemical Weapons (CIAD/CWC);
- Coordinating, as Contact Point of the Convention for the Prohibition of Biological Weapons (BWC) in Brazil, the activities related to the implementation of the Convention;
- Accompanying, as Focal Point of the Nuclear Suppliers Group (NSG) in Brazil, the Plenary and subordinate meetings (CG, IEM, LEEM) of the Group and prepare information related to its work;

- Monitoring, as a Contact Point for the Missile Technologies Control Regime (MTCR), the Plenary and subordinate meetings (CG, IEM, LEEM) of this regime and prepare information related to its work.

8. To exercise the functions described above, the CGBS is composed of a Coordination of Implementation, Monitoring and Control of Sensitive Goods (COCBS), subdivided into four thematic domains, namely:

- Thematic Domain of Implementation, Monitoring and Control in the Nuclear Area (IACN);
- Thematic Domain of Implementation, Monitoring and Control in the Chemical Area (IACQ);
- Thematic Domain of Implementation, Monitoring and Control in the Biological Area (IACB); and
- Thematic Domain of Implementation, Monitoring and Control in the Missile Area (IACN).

9. The Thematic Domain of Implementation, Monitoring and Control of the Biological Area (IACB) is responsible for the activities and initiatives related to the Biological Weapons Convention (BWC).

B. Ministry of Foreign Affairs

10. The Ministry of Foreign Affairs (MRE) exercises its duties of monitoring the BWC through the Division for Disarmament and Sensitive Technologies (DDS).

11. The DDS is responsible for monitoring, counselling and guiding the Brazilian official position in relation to disarmament affairs; non-proliferation of weapons of mass destruction and their vectors (nuclear, missile, chemical and biological); conventional arms control; security aspects in outer space; and control the transfer of sensitive technologies, including nuclear energy and biological agents and toxins of high risk.

12. The DDS, together with the Special Representation of Brazil to the Conference on Disarmament, has also an important role on coordinating the communication and interaction among the ministries responsible for the domestic implementation of the BWC in Brazil and on guiding the Brazilian delegation to the BWC meetings.

C. Ministry of Defense

13. The Ministry of Defense (MD) exercises its duties of implementing domestically the BWC through the Division of Sensitive Technologies (DVITES) of the Department of Science, Technology and Innovation. Additionally, all the three single Forces – the Brazilian Army, the Brazilian Navy and the Brazilian Air Force – have specific sectors to deal with the themes related to the BWC.

D. Ministry of Health

14. Within the scope of the Ministry of Health, the BWC is addressed as a cross-cutting issue, which invokes the interaction between the Secretariat of Science, Technology, Innovation and Strategic Inputs in Health (SCTIE/MS), the Secretariat of Surveillance in Health (SVS) and the Secretariat of Specialized Health Care (SAES). These three sectors make up the Health Biosafety Commission (CBS), recreated by Ministry of Health Ordinance No. 2,594, of 10 January 2019.

15. The Health Biosafety Commission (CBS) is responsible for coordinating the elaboration and formulation of biosafety guidelines and norms within the scope of the Ministry of Health, and to stimulate the integration of actions of the different entities of the Brazilian Unified Health System (SUS) in matters of biosecurity. Furthermore, CBS collaborates with institutions that aim to develop and strengthen biosafety actions, such as academic institutions, research and development centers, official laboratories, national and international bodies.

16. CBS's main responsibilities are:

- To participate, at the national and international levels, in the elaboration and reformulation of norms in the field of biosafety;
- Carry out the survey and analysis of issues related to biosafety, aiming to identify their impacts and their correlations with human health;
- To propose studies to support the positioning of the Ministry of Health in taking decisions on topics related to biosafety;
- Support representatives of the Ministry of Health in inter-ministerial groups related to the subject, including the National Technical Commission on Biosafety (CTNBio);
- Send to the bodies and entities of this Ministry the final reports and referrals resulting from its activities; and
- To promote public debates on biosafety, through meetings and events open to the community.

E. Ministry of Agriculture, Livestock and Food Supply

17. The Ministry of Agriculture, Livestock and Food Supply (MAPA) exercises its duties of implementing domestically the BWC through the Secretariat of Agricultural and Livestock Defense.

III. Health surveillance and detection of disease outbreaks

18. The implementation of the BWC in the light of biosafety and biosecurity concerns provides for the strengthening of the national capacity for health surveillance and detection of disease outbreaks, at national, regional and international levels. The Brazilian norms are aligned with the International Health Regulations (IHR) in order to prevent, protect, control and respond to the international spread of disease. Measures that promote laboratory safety in the custody of pathogens and toxins, as well as the improvement of national regulations are examples of initiatives in this sense.

19. The Brazilian government, through an effective participation of the Secretariat of Science, Technology, Innovation and Strategic Inputs in Health (SCTIE) of the Ministry of Health, elaborated the new National Biosafety and Biosecurity Policy (PNBB), which will replace the current National Biosafety Policy (PNB).

20. The new National Biosafety and Biosecurity Policy (PNBB) aims at planning and establishing guidelines and criteria to achieve the best biosafety and biosecurity conditions in the country. After its publication, the PNBB will favor the strengthening of national capacities and competences, considering the risks and adverse effects arising from biological agents and materials, as well as related technologies.

21. Regulations in the area of biosafety and biosecurity directly or indirectly promote the implementation of the BWC. The object of the current PNB and of the new PNBB are biological agents and materials that have the potential to cause disease to human beings, and which, therefore, have the potential to be used as biological weapons in case of access by improper and malicious individuals. The PNBB publication complements the national regulatory framework for biosafety and biosecurity, improving national compliance with the scope of the Convention.

22. The PNBB binds itself internationally with the BWC, in addition to the Geneva Protocol, the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the International Health Regulations (IHR) of the World Health Organization.

23. The implementation of the BWC through national actions is expressly supported by the PNBB, as can be seen in one of its principles that advocates “the use of biological agents and materials, as well as related technologies, for peaceful purposes”. In addition, one of its guidelines address the implementation of measures that guarantee compliance with the prohibitions provided for by the BWC within the national territory.

24. Within the scope of the Ministry of Health, biosafety and biosecurity issues are addressed by the Health Biosafety Commission (CBS), which is coordinated by Secretariat of Science, Technology, Innovation and Strategic Inputs in Health (SCTIE). The CBS collaborates with actions related to the BWC, since one of its attributions is to "participate, at the national and international levels, in the elaboration and reformulation of biosafety standards", as provided in the Consolidation Ordinance GM/MS nº 1 of 28 September 2017.

25. In this sense, the periodic review of the “Risk Classification of Biological Agents” and consequent regulation through Ministerial Ordinances is one of CBS precipitous activities that makes up the national biosafety regulations. The “Risk Classification of Biological Agents” is an important part of the Brazilian biosafety regulations, created by the Ordinance GM/MS No. 3,398 of 7 December 2021. This classification ensures the necessary information to guide biosecurity and biosecurity measures in private and public facilities, being an instrument for risk analysis and effective custody of biological pathogens.

26. Biosecurity is defined as a set of principles, actions, measures and technologies for the protection, control and accountability to prevent unauthorized access, loss, theft, misuse, diversion or unauthorized intentional release of biological agents and materials, and its derivatives. With the focus on the use of biological agents and materials for peaceful purposes, there is a worldwide recognized need to guard safely pathogenic biological agents and materials, protecting them from undue and malicious access, which is the focus of biosecurity.

27. Aiming at improving the implementation of the BWC in Brazil, the members of the Health Biosafety Commission (CBS) have already approved the expansion of the attributions of the Commission, in order to better contemplate activities involving biosecurity. Thus, Brazil intends to publish a new national ordinance to update the CBS attributions set out in the current GM/MS Consolidation Ordinance No. 01, of 28 September 2017, improving national biosafety and biosecurity regulations.

28. Another important institution of the Brazilian network of health surveillance is the General Coordination of Public Health Laboratories (CGLAB). This governmental body has the following attributions, among others: to coordinate and supervise the National Epidemiological Surveillance Network and the National Environmental Health Surveillance Network that make up the National System of Public Health Laboratories (SISLAB), in addition to technically collaborating and monitoring the implementation of the System. CGLAB is also responsible for management of quality and biosafety in the laboratory network. In this sense, in 2019 the Ministry of Health, through CGLAB, launched the publication “Building the National Policy on Biosafety and Bioprotection - Strategic Health Actions”, with the objective of establishing guidelines and criteria to achieve the best biosafety and biosecurity conditions.

29. There is a growing attention by Brazilian health institutions on increasing the capacity to respond to incidents involving high risk biological and toxins agents, either in natural, accidental or intentional cases. Inside the Brazilian Unified Health System (SUS), the Public Health Emergency Operations Centers (COE) coordinates the global response of the health system.

IV. Confidence-building measures

30. In a brief retrospect, Confidence-Building Measures (CBM) were established in 1986 at the Second BWC Review Conference. At that year, an annual exchange of information was agreed with the aim of strengthening the authority of the Convention and increasing confidence in the implementation of its “measures” in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, as well as to improve international cooperation in the area of biological activities for peaceful purposes. At the Third BWC Review Conference in 1991, the States Parties agreed upon the forms to be presented to the Implementation Support Unit (ISU). The forms that are currently used were updated in 2011, at the Seventh BWC Review Conference.

31. The General Coordination of Sensitive Goods (CGBS) of the Ministry of Science, Technology and Innovation (MCTI) acts as the Brazilian National Contact Point for the BWC issues, being responsible for the annual preparation and submission of Confidence-Building Measures, after requesting information from other Brazilian institutions and compiling data.

32. Brazil has regularly submitted its CBMs. The CGBS, through its Thematic Domain of Implementation, Monitoring and Control in the Biological Area (IACB), has been promoting debates on how to improve the Brazilian CBMs contributions, by identifying new focal points in other administrative bodies of the government and seeking to inform and raise the awareness in other institutions of the importance of the subject.

33. On 19 February 2019, CGBS organized the "II Workshop on Confidence-Building Measures within the scope of the BWC", held in Brasília, Federal District. The seminar was attended by representatives of the various institutions involved in the domestic implementation of the BWC in Brazil, such as the Ministry of Health, Ministry of Agriculture, Livestock and Food Supply, Ministry of Defense, Ministry of Foreign Affairs, Ministry of Science, Technology and Innovation, National Health Surveillance Agency and the Brazilian Intelligence Agency.

34. The workshop aimed at emphasizing to other institutions the importance of submitting CBMs. In this meeting, the lectures addressed the BWC history and functioning, the CBMs forms, and the history of Brazilian CBMs submissions. As a result, new methodological and content contributions were collected and new focal point of each institution were identified.

V. Capacity-building activities

35. Technical representatives of the Armed Forces (Army, Navy and Air Force) and the central administration of the Ministry of Defense (MD), trained in the skills and knowledge in the areas of biosafety, biosecurity, biotechnology, biology, human, animal health and the environment, compose the Ministry of Defense Biosafety Commission (CBio-MD).

36. This Commission aims to analyze topics related to biosecurity of interest to defense in the context of national security, as described in the Ordinance Nº 90/GM-MD, of 8 October 2020 (available in the Portuguese version at https: //www.in.gov.br/en/web/dou/-/portaria-normativa-n-90/gm-md-de-8-de-outubro-de-2020-283487165).

37. The Armed Forces have a prominent participation in the National Biosafety Council (CNBS), a top advisory body of the Presidency of the Republic, created by the Law Nº 11,105, of 24 March 2005. The CNBS is integrated by 11 Ministries, with the objective of formulating and implementing the current National Biosafety Policy (PNB).

38. The MD and the Armed Forces participate in a Technical Group to prepare the proposal to build the National Laboratory for Maximum Biological Containment (BSL-4).

39. The National Defense Strategy, approved by the Decree nº 6,703, of 18 December 2008, established the nuclear sector as one of the strategic sectors of national defense. By the Ministerial Directive nº 14, of November 9, 2009, the Minister of Defense assigned to the Brazilian Navy the responsibility of integrating and coordinating the definition and development of programs and actions related to the nuclear sector.

40. The work of the Brazilian Navy in the nuclear sector was later extended to other areas of sensitive technologies. As a result, in 2011, the Nuclear, Biological, Chemical and Radiological Defense System was implemented in the Navy (SisDefNBQR-MB). From then on, under the coordination of the General Command of the Marine Corps, the Navy started to rely on a system formed by some organs of the Force that carry out operational, logistical, intelligence, personnel training and science and technology activities related to combating emergencies of a biological, nuclear, chemical and radiological nature.

41. These objectives are implemented in the context of "Naval Operations", "Limited Force Employment Operations" and "Benign Activities", in close coordination with the central body of the National Civil Defense and Protection System and the Brazilian Nuclear Program. As a result, in 2010 the Special Course on "Nuclear, Biological, Chemical and

Radiological Defense" was created, which includes the prohibitions contained in the BWC in its teaching program.

42. Furthermore, in 2014, the Brazilian government created the Center for Nuclear, Biological, Chemical and Radiological Defense of the Brazilian Navy (CDefNBQR-MB), aiming at coordinating and integrating activities related to Nuclear, Biological, Chemical and Radiological Defense. On 24 May 2018, as a result of the lessons learned over seven years, the "Manual for Nuclear, Biological, Chemical and Radiological Defense" was updated, which addresses aspects related to Biological Defense.

43. The Army Biology Institute (IBEx) started, in November 2021, the first class of students from the *stricto sensu* Postgraduate Program: a Master in Biological Defense. Unique in Brazil, the course should provide for the continuous improvement of the specialized skills of the Army's personnel.

44. The Military Institute of Engineering (IME), a specialized unit of the Brazilian Army for teaching and scientific counselling in the area of Nuclear, Biological, Chemical and Radiological Defense, carries out researches on: (a) the modeling, simulation and monitoring of epidemics; (b) the development of models and estimates of the epidemiological evolution and diagnosis of diseases; and (3) the development of geographic information systems to support the activities of collecting, organizing and visualizing epidemic data on geo-referenced maps, for the use in planning military operations and in public health management.

45. The Air Force University participates in the Academic Cooperation Program in National Defense (PROCAD-DEFESA), which is the result of a partnership between the Brazilian Ministry of Defense and the Coordination for the Improvement of Higher Education Personnel, of the Brazilian Ministry of Education. The objectives of this partnership are: to promote cooperation between civil and military institutions for higher education in science and technology; the development of projects aimed at the production of scientific and technological research and the training of qualified human resources to conduct high-level discussions on biosafety and biosecurity; to outline public policies, containment plans, norms and regulations in biosafety and biosecurity; and to propose laws and procedures for planning, managing and operating biological facilities. In the Postgraduate Program in Aeronautical Sciences (master's and doctorate level), which is part of this partnership, there is a branch of research in Management and Governance in Biosafety and Biosecurity.

46. In 2019, the Brazilian Air Force (FAB) updated its Biosafety, Biosecurity and Biological Defense Directive (DAC 7-1). The Air Force also maintains training courses in a regular bases focusing in a military and civilian audience, with a view of mitigating the misuse of chemical and biological agents. Some examples of these courses are presented below:

- Courses organized by the Institute of Aerospace Medicine Brigadeiro Roberto Teixeira (IMAE):
    - Health Training Course in Chemical, Biological, Radiological and Nuclear Defense: a 43-hour theoretical and practical course, training 24 professionals per year since 2018;
    - Training Course in Chemical, Biological, Radiological and Nuclear Defense: a 42-hour theoretical and practical course, training 20 professionals per year since 2018; and
    - Aeromedical Evacuation Course: a theoretical and practical course of 40 hours, training 32 professionals per year since 2018.

47. After an intensive work on a series of proficiency tests, the Chemical Analysis Laboratory of the Institute for the Chemical, Biological, Radiological and Nuclear Defense of the Brazilian Army was nominated as a designated laboratory by the Organization for the Prohibition of Chemical Weapons (OPCW) to the analysis of authentic environmental samples. The Brazilian laboratory is the second facility in the Southern Hemisphere and the first in Latin America to obtain this designation. This achievement reinforces the goal of the Brazilian government of cooperating in Chemical, Biological, Radiological and Nuclear

Defense issues, sharing knowledge and technology with other nations and complying with international agreements to which Brazil is a signatory.

VI. Sensitive goods identification course

48. The Inter-ministerial Commission for Export Control of Sensitive Goods (CIBES), in 2007, decided to create an Inter-ministerial Working Group (WG) with the purpose of creating and implementing a training program, nationwide, in the area of sensitive goods. The "Sensitive Goods Identification Course" was then developed based on the Strategic Commodity Identification Training (CIT) course, developed by the United States Department of Energy (DoE/USA).

49. The first editions of the course were and carried out in Brazil in 2007 and 2008, through the international cooperation called the International Nonproliferation Export Control Program. Since then, the course is offered in regular bases.

50. The general objective of the training program is to improve the skills and competences of public agents involved in the application of national mechanisms for control and inspection of transfers (exports and imports) of sensitive goods and technologies. It also aims to disseminate information about the controls established in specific legislation in Brazil.

51. The public agents involved in the training activities are taught on how to identify goods that can be used in the development and manufacture of weapons of mass destruction, thus increasing the country's capacity to identify and prevent illegal activities involving unauthorized transfers of these assets.

52. In 2009, the Brazilian government, through the General Coordination of Sensitive Goods (CGBS) of the Ministry of Science, Technology and Innovation, conducted the first course with national instructors only. The course was held at the Port of Santos, the largest port in Latin America, resulting in a high concentration of tax auditors and federal police agents. So far, 27 courses of this kind have been held, totaling 974 trained participants.

VII. COVID-19 Pandemic response

53. From February 2019 to April 2022, during actions to combat the COVID-19 pandemic caused by the new coronavirus (SARS-CoV-2), the following initiatives were carried out by the Brazilian government, mainly through the Ministry of Defense:

- The "Operation Return to the Beloved Homeland Brazil", a joint and interagency operation coordinated by the Ministry of Defense, which had the participation of the Armed Forces, the Ministry of Foreign Affairs, the Ministry of Health, the National Health Surveillance Agency (ANVISA) and other actors. In February 2019, an aircraft with biological defense teams repatriated 34 Brazilians that were isolated in the Chinese province of Wuhan, considered the then epicenter of the COVID-19 pandemic. The returnees were kept in quarantine for 14 days at the Official Military Transit Hotel of the Anápolis Air Force Base, in the state of Goiás. In this quarantine area, they received assistance, clinical support and decontamination of belongings by the chemical and biological defense team. Also in 2019, the FAB promoted other repatriation missions without the use of the quarantine unit. Ministry of Defense and Army troops carried out the decontamination of material of returnees, vehicles, facilities and aircraft, in addition to the containment of biological contamination.
- The Center for Nuclear, Biological, Chemical and Radiological Defense of the Brazilian Navy prepared the following protocols: disinfection against coronavirus of several military facilities of the Navy, including of teaching facilities, which account for a large military personnel, enabling them to train new teams.
- The Nuclear, Biological, Chemical and Radiological Defense School, from the Almirante Sylvio de Camargo Instruction Center, created a "Special Technical Qualification Internship against COVID-19". The internship contributed to the increase in the critical mass of civilians and military prepared to combat SARS-CoV-

2 throughout the national territory, as well as of other nations that participated in the training. The 78 training activities reached 3,076 people, covering 276 military organizations of the Brazilian Navy, 24 Brazilian governmental institutions other than the Navy and 21 other nations, including Germany, Angola, Argentina, Bolivia, Cape Verde, Canada, Chile, Colombia, Ecuador, United States of America, Guatemala, India, Mozambique, Namibia, Paraguay, Peru, Portugal, São Tomé and Príncipe, Sweden, Thailand and Uruguay.

- The First Chemical, Biological, Radiological and Nuclear Defense Battalion, the Chemical, Biological, Radiological and Nuclear Defense Company of the Special Operations Command and the Specialized Instruction School trained, through internships, civil and military agencies to perform first response to biological threats, in particular to SARS-CoV-2.
- The First Chemical, Biological, Radiological and Nuclear Defense Battalion and the Chemical, Biological, Radiological and Nuclear Defense Company carried out more than 400 decontamination missions in places with high risk of contamination and in other government institutions.
- The Brazilian government created 10 Chemical, Biological, Radiological and Nuclear Defense Platoons, deployed in the main Brazilian cities, in order to carry out immediate responses against Chemical, Biological, Radiological and Nuclear threats;
- With the objective of proposing drugs capable of combating the SARS-CoV-2 virus, the Institute of Military Engineering carried out research in partnership with the Army's Institute of Chemical, Biological, Radiological and Nuclear Defense, and center for science and technology researches of the Brazilian Army;
- The Army Biology Institute acted directly in the fight against the COVID-19 pandemic, performing laboratory diagnosis of virus infection in military personnel and their dependents. In January 2020, with its own structure of laboratories with medium and high levels of biocontainment (BSL-2 and BSL-3, respectively), the Institute began to carry out sample collection and specific molecular diagnosis of COVID-19, using the RT-PCR methodology in real time, shortly after the first suspected clinical cases in China were announced.
- The Army Biology Institute also developed the capability of the rapid sequencing of the complete genome of SARS-Cov-2 in positive samples, which allowed performing genomic surveillance of both SARS-CoV-2 and other biological agents of interest.
- The Army Biology Institute published, in parallel with its activities on laboratory diagnosis during “Operation COVID-19”, an international scientific article, sharing its experiences and relevant data from Brazilian cases, and collaborating with the global effort to combat the pandemic.
- On 20 March 2020, an Operational Group of Marines was activated to act in the "Operation Return to the Beloved Homeland Brazil", with a staff of 45 soldiers. With Chemical, Biological, Radiological and Nuclear Defense capabilities, the Group's activation expanded its planning, logistics and response, with responsibility for carrying out disinfection activities on behalf of governmental bodies, schools, hospitals and military organizations of the Navy. In total, 337 disinfection actions were carried out, of which 301 were for institutions other than the Navy.
- On March 2020, the Brazilian government organized the Operation "Silver Shadow". It was a joint action of 18 governmental agencies, including the Federal Police, the National Civil Aviation Agency, the Mobile Emergency Service of Recife and the National Health Surveillance Agency (ANVISA). The purpose of the initiative was to assist the repatriation of 316 foreign tourists of various nationalities who were on a cruise, after a case of COVID-19 was confirmed on board a transatlantic ship.

VIII. Major international events

54. Concerning the issues addressed in the addendum BWC/CONF.VIII/INF/Add.2 of November 18, 2016 (available at https://meetimgs.unoda.org/section/bwc-revcon-2016-documents/), the Brazilian government, through its Ministry of Defense and the Brazilian Army, performed important activities to prevent biological incidents in the Major International Events hosted by Brazil in the last decade.

- Joint training between the Brazilian Ministry of Defense and the United States Department of Defense's Threat Reduction Agency, aimed at preparing the Brazilian Nuclear, Biological, Chemical and Radiological Defense System for the Rio 2016 Olympic and Paralympic Games.
- The Nuclear, Biological, Chemical and Radiological Defense System carried out a search and monitoring scan for the presence of nuclear, biological, chemical and radiological agents in the facilities, before and during activities in all Major International Events, remaining in a position to perform personnel decontamination, among other emergency response measures. Furthermore, the Brazilian Army played an important role as coordinator, planner and executor of measures to combat biological threats.
- The First Nuclear, Biological, Chemical and Radiological Defense Battalion of Brazil supported the Ministry of Defense of Paraguay during Pope Francis' visit to that country, in 2015. The activity represented a milestone in the historic cooperation between the two countries in combating possible nuclear, biological, chemical and radiological threats on the South American continent.

55. In addition to the initiatives related to the Major International Events, the Brazilian Army participated in other domestic high-profile sporting and political-governmental events that took place in Brazil between 2007 and 2021, by supporting peace missions and national civil defense initiatives, including:

- The implementation of two mobile laboratories for chemical and biological analysis and two for radiological and nuclear analysis, to operate in the national territory;
- Chemical and biological decontamination of equipment and troops that participated in peace missions abroad, under the aegis of the United Nations;
- Nuclear, Biological, Chemical and Radiological scanning, patrolling and support of personnel, equipment and facilities during visits of foreign heads of State to Brazil;
- Aircraft decontamination and medical staff in contact with a patient suspected of Ebola contamination, on two occasions in 2015.

IX. Export control of goods related to the biological area

56. The General Coordination of Sensitive Goods (CGBS) of the Ministry of Science, Technology and Innovation is the executive secretary of the Inter-ministerial Commission for the Control of Exports of Sensitive Goods (CIBES), established by the Law 9,112, of 10 October 1995. The competence of the CIBES is given by Decree No. 4,214, of April 30, 2002.

57. Since 2007, Brazil has its own control list of sensitive goods related to the Biological Area. The CIBES is responsible for publishing and updating the agents stated out in the list. The last update of the Brazilian list of sensitive goods was published by the CIBES Resolution nº 13, of 10 March 2010. The Ministry of Science, Technology and Innovation, through CGBS, is the consenting body for the export of goods listed in the Integrated Foreign Trade System (SISCOMEX).

58. In 2020, the CIBES Resolution nº 28, of 14 October 2020, was published, which updates the General Guidelines for exports and the instructions for carrying out operations for the export of goods related to the Biological Area.

X. Awareness and information

59. Since 2004, the Ministry of Science, Technology and Innovation has created and implemented, together with the Brazilian Intelligence Agency (ABIN), the National Program for State-Company Integration in the Area of Sensitive Goods. The program aims at promoting, together with Brazilian companies and institutions, the clarification of the obligations arising from the implementation of disarmament regimes in the country, as well as for the joint identification of undesirable obstacles to Brazilian scientific and technological development.

60. The focus of the National Program for State-Company Integration in the Area of Sensitive Goods is to carry out extension activities for industries, research centers, universities and governmental bodies whose actions are, in some way, related to sensitive or dual-use goods. With this, the Brazilian government aims at providing guidance on government controls in the transfer of sensitive goods and services; disclosing the lists of sensitive goods; demonstrating the importance of joint work between the State and companies for the execution of business; and enabling the fulfillment of international commitments assumed by Brazil.

61. In the Biological Area, the program began in 2006. So far, 148 visits have been made to laboratories, biotechnology industries, and teaching and research institutions. Program content includes topics such as Biological threats, BWC, UNSC Resolution 1540/2004, National legislation; Checklist; Procedures; Biosafety and Biosecurity; Dual-use research; Proliferation and intelligence networks.

XI. Biosafety and biosecurity

62. The Brazilian government has promoted or participated through its concerned institutions in the following events related to biosafety and biosecurity:

- 3rd Seminar on Biosafety and Biosecurity, organized by the Brazilian Ministry of Defense, held in Brasília-DF, on 19-20 September 2017.
- Seminar on Biosafety in Health, organized by the Brazilian Ministry of Health, held in Brasília - DF, on 26 September 2017.
- The First Inter-institutional Symposium on Biosafety and Biosecurity, organized by the Inter-institutional Working Group on Biosafety and Biosecurity and by the Brazilian Ministry of Health, held in Brasília - DF, at the facilities of the Pan American Health Organization, on 14-15 August 2018.
- Workshop on Biosafety and Biosecurity in the Framework of United Nations Security Council Resolution 1540/2004 and the Convention on the Prohibition of Biological and Toxin Weapons (BWC), organized by the Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS), held in Bogotá, Colombia, on 14-15 November 2019. The Ministry of Science, Technology and Innovation of Brazil held two presentations at this event: "Export Control, Biosafety and Biosecurity: A Brief History of the Brazilian Experience" and "Export Control: The Brazilian Experience".
- The Second Seminar on Biosafety in Health, organized by the Brazilian Ministry of Health, held in Brasília - DF, on 22 November 2019.
- International Seminar on high biological containment laboratories, held in Brasília - DF, from 9 to 11 March 2021.

63. In 2020, the Brazilian government, through the Resolution CREDEN - GSI/PR nº 7, of 20 August 2020 established the “Technical Working Group to prepare the National Biosafety and Biosecurity Policy” (WG-PNBB), in the area of Biosafety and Biosecurity.

64. The WG-PNBB for the elaboration of the National Biosafety and Biosecurity Policy was composed of representatives of the following governmental institutions:

- Office for Institutional Security of the Presidency of the Republic;

- Civil House of the Presidency of the Republic;
- Ministry of Justice and Public Security;
- Ministry of Defense (Coordinator);
- Ministry of Foreign Affairs;
- Ministry of Agriculture, Livestock and Food Supply;
- Ministry of Health;
- Ministry of Science, Technology and Innovations;
- Ministry of the Environment and
- Ministry of Education.

65. At the end of the work, the Technical Working Group issued a draft version of the National Policy on Biosafety and Biosecurity to the Brazilian Chamber of Foreign Affairs and National Defense, a deliberative governmental body in charge of formulating national policies on this issue.

66. The National Biosafety and Biosecurity Policy (PNBB), still under review, aims at planning, establishing guidelines and criteria to achieve the best biosafety and biosecurity conditions in the country, in order to strengthen national capacities and competences, considering the risks and adverse effects arising from biological agents and materials, as well as related technologies.

XII. Biosafety law relating to GMOs

67. The Federal Law nº 11,105, of 24 March 2005, establishes safety standards and inspection mechanisms for activities involving genetically modified organisms (GMOs) and their derivatives. This legal instrument also creates the National Biosafety Council and restructures the National Biosafety Technical Commission – CTNBio.

68. CTNBio is a multidisciplinary collegiate body whose purpose is to provide advisory technical support and advice to the Brazilian central government in the formulation, updating and implementation of the National Biosafety Policy related to GMOs. This governmental body is also responsible for the establishment of technical safety standards and providing technical opinions regarding the protection of human health, living organisms and the environment, for activities involving the construction, experimentation, cultivation, handling, transport, commercialization, consumption, storage, release and disposal of GMOs and derivatives. The Ministry of Science, Technology and Innovation performs the function of Executive Secretariat of CTNBio. The GMO Law is now an important instrument for the implementation of the BWC in Brazil.

XIII. Background information on the implementation of Article VII

Article VII

> *"Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention."*

69. In 2018, the Brazilian government created the "Operation Welcome", an initiative for providing emergency assistance to refugees and migrants, such as medical assistance and immunization, in case of health emergencies and other incidents related to the BWC.

70. Since then, the Brazilian Armed Forces have organized humanitarian and health missions in response to the large migratory flow from the Bolivarian Republic of Venezuela, due to the current political, economic and social crisis, a situation that was worsened by the COVID-19 pandemic.

71. The Brazilian Air Force disposes of air means of transportation (specialized transport aircrafts and helicopters) certified for aeromedical removal of critical ill patients, which are available for assisting victims in case of chemical and biological incidents in Brazil and neighbor countries.

72. The Brazilian Army develop its capabilities in Nuclear, Biological, Chemical and Radiological Defense through exchanges with Armies of other countries, mainly with the Armies of the United States of America, Spain and Portugal.

73. The Brazilian Ministry of Health has regularly provided humanitarian assistance to low-income countries through the donation of medicines and other health supplies. Since 2019, this kind of cooperation has increased with the following countries: Haiti, Lebanon, Peru, Paraguay, Uruguay and Ukraine.

XIV. Background information on the implementation of Article X

Article X

> *"1. The State Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also co-operate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease, or for other peaceful purposes.*
>
> *2. This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention."*

74. Brazil has one of the most advanced legislation in the world concerning the sharing of equipment, materials and technical-scientific information for the use of biological agents and toxins for peaceful purposes. It is the Federal Law nº 13.123, of 20 May 2015, which provides for the access to genetic heritage, protection and access to associated traditional knowledge and benefit sharing for conservation and sustainable use of Brazilian biodiversity.

75. The aforementioned legal instrument prohibits access to genetic heritage and associated traditional knowledge for practices harmful to the environment, cultural reproduction and human health, as well as the development of biological and chemical weapons. In the same vein, the Decree nº 8,772, of 11 May 2016, which regulates the Federal Law nº 13.123, provides for sanctions for sending samples of genetic heritage abroad without prior registration or in disagreement with it, for the development of biological or chemical weapons.

76. Additionally, the new National Biosafety and Biosecurity Policy (PNBB), which will replace the current National Biosafety Policy (PNB), also establishes objectives that reinforce the implementation of the CPAB in Brazil in the particular aspects related to the provisions of the Article X, as follow:

i. Promote the safe use of technologies related to biological agents and materials.

ii. Strengthen activities related to planning, response to emergency situations and events related to biological safety and physical protection of facilities, in the area of biosafety and biosecurity.

iii. Make economic and social development compatible with the safe use of biological agents and materials in the production of inputs as well as in human, animal and plant health services.

iv. Promote the preparation of contingency plans and the execution of integrated actions to prevent, mitigate, contain and address eventual leaks and unauthorized releases of biological agents and materials.

v. Support the process of qualification and certification in biosafety and biosecurity applicable to institutions and professionals working in these areas, especially to high and maximum containment facilities.

vi. Promote cooperation between scientific, technological and innovation institutions related to biological agents and materials and users of related technologies.

vii. Reinforce the country's position in favor of disarmament and non-proliferation of biological and toxin weapons.

XV. Final considerations

77. The Brazilian historic experience in planning public health emergency preparedness and response to domestic incidents allowed the country to develop capacities at the tactical, managerial and strategic levels to respond to global epidemics. Therefore, the efforts of Brazil to increase the resilience of the national health system and to develop specialized skills for tackling risks and managing crisis provides for the domestic implementation of all the provisions of the BWC.

78. For the preparation of this report, the contributing Brazilian institutions took into consideration activities that directly or indirectly provides for the national implementation of the BWC in Brazil. With the future publication of the National Biosafety and Biosecurity Policy (PNBB), which will replace the current National Biosafety Policy (PNB), the Brazilian government envisages the improvement of the systematization, structuring and strengthening of national biosafety and biosecurity capacities, including the development of a code of conduct for academics, researchers, scientists and workers in the area of Life Sciences. These initiatives shall build another layer of guarantees in the country for the use of biological agents and materials only for peaceful purposes.

79. The period considered for most part of the aforementioned activities starts in 2016, year of the holding of the Eighth Review Conference, and goes on until July 2022. To access the Brazilian legislation on sensitive goods mentioned in this report, a spreadsheet with all the norms in force is attached to this document, in their original terms and references in Portuguese.

Annex

Sensitive Goods - Legislation (version updated on 06/22/2022)

Legislation	Publication date	Summary	Link	Rectification
Law No. 9,112, of October 10, 1995.	11/10/1995	Provides for the export of sensitive goods and directly linked services.	https://www.planalto.gov.br/ccivil_03/leis/l9112.htm	Rectified on 10/18/1995.
Law No. 11,254, of December 27, 2005.	28/12/2005	Establishes administrative and criminal sanctions in case of carrying out activities prohibited by the International Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on the Destruction of Chemical Weapons Existing in the World (CPAQ).	http://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2005/Lei/L11254.htm#:~:text=LEI%20N%C2%BA%2011.254%2C%20DE%2027,existent%20no %20world%20(CPAQ).	
Legislative Decree No. 89, of December 5, 1972.	06/12/1972	Approves the text of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin-Based Weapons and their Destruction, concluded in London, Washington and Moscow on April 10, 1972.	https://www2.camara.leg.br/legin/fed/decleg/1970-1979/decretolegislativo-89-5-dezembro-1972-346300-exposicaodemotivos-1-pl.html	
Decree No. 77,374, of April 1, 1976.	02/04/1976	Enacts the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin-Based Weapons and their Destruction.	https://www2.camara.leg.br/legin/fed/decret/1970-1979/decreto-77374-1-abril-1976-426054-publicacaooriginal-1-pe.html#:~:text=Promulga%20a %20Conven%C3%A7%C3%A3o%20about%20a,from%20Toxins%20and%20your%20Destroys%C3%A7%C3%A3o.	Rectified on 04/13/1976.
Legislative Decree No. 9, of February 29, 1996.	06/03/1996	Approves the text of the International Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on the Destruction of Existing Chemical Weapons in the World, signed in Paris on January 13, 1993.	https://www2.camara.leg.br/legin/fed/decleg/1996/decretolegislativo-9-29-fevereiro-1996-356373-publicacaooriginal-1-pl.html	
Decree No. 1,861, of April 12, 1996.	15/04/1996	Regulates the export of sensitive goods and directly related services, as provided for in Law No. 9,112, of October 10, 1995.	http://www.planalto.gov.br/ccivil_03/decreto/1996/d1861.htm	
Decree No. 2074, of November 14, 1996.	18/11/1996	Creates the inter-ministerial commission for the application of CPAQ provisions and lists the obligations and duties arising from it (same composition as CIBES).	https://www.planalto.gov.br/ccivil_03/decreto/1996/d2074.htm	

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Decree No. 2,977, of March 1, 1999.	02/03/1999	Enacts the International Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on the Destruction of Existing Chemical Weapons in the World.	http://www.planalto.gov.br/ccivil_03/decreto/D2977.htm#:~:text=DECRETO%20No%202.977%2C%20DE,13%20de%20janeiro%20de%201993.
Decree 4,214, of April 30, 2002.	02/05/2002	Defines the competence of the Interministerial Commission for Export Control of Sensitive Goods, dealt with in Law No. 9,112, of October 10, 1995, and makes other provisions	https://www.planalto.gov.br/ccivil_03/decreto/2002/d4214.htm
Decree 7,722, of April 20, 2012.	23/04/2012	Provides for the implementation in the National Territory of Resolutions No. 1540 (2004) and No. 1977 (2011), adopted by the United Nations Security Council on April 28, 2004 and on April 20, 2011, which provide for the fight against proliferation of weapons of mass destruction and the validity of the 1540 Committee.	https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/decreto/d7722.htm
CIBES Resolution No. 13, of March 10, 2010.	18/03/2010	Approves the update of the List of Assets Related to the Biological Area and Directly Linked Services.	http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=18/03/2010&jornal=1&pagina=5&totalArquivos=88
MCTI Ordinance No. 436, of June 14, 2012.	15/06/2012	Extends controls pertaining to the Ministry of Science, Technology and Innovation to the import processes of chemical substances listed in the CPAQ.	http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=15/06/2012&jornal=1&pagina=11&totalArquivos=19
CIBES Resolution No. 19 of August 16, 2012.	20/12/2012	The CIBES member bodies, as well as its advisory body, are responsible for notifying the CIBES Executive Secretariat of any suspicions of illicit transfer of Sensitive Goods involving Brazil.	http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=20/12/2012&jornal=1&pagina=63&totalArquivos=324
MCTI Ordinance No. 1405, of December 29, 2014.	07/01/2015	Publishes CIBES Resolution No. 23, of November 18, 2014, referring to the list of Nuclear Equipment, Material and Technology, and of Dual-Use Equipment and Material and Related Technology, of Application in the Nuclear Area.	http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=07/01/2015&jornal=1&pagina=3&totalArquivos=64
CIBES Resolution No. 26, of October 14, 2020.	28/12/2020	Approves the internal regulations of the Interministerial Commission for Export Control of Sensitive Goods (CIBES).	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=28/12/2020&jornal=515&pagina=14&totalArquivos=533
CIBES Resolution No.	29/12/2020	Approves the update of the General Guidelines for the Export of Goods	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?da

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28, of October 14, 2020.		Related to the Biological Area and Directly Related Services and the Instructions for Carrying Out these Operations.	ta=29/12/2020&jornal=515&pagina=701&totalArquivos=857	
CIBES Resolution No. 29, of October 14, 2020.	31/12/2020	Approves the update of the Sensitive Goods List, referring to chemical substances listed and specified in the International Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on the Destruction of Existing Chemical Weapons in the World (CPAQ).	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=31/12/2020&jornal=515&pagina=24&totalArquivos=807	
CIBES Resolution No. 30, of October 14, 2020.	31/12/2020	Approves the List of Goods referring to equipment for the production of dual-use chemical substances, technologies and related software, including the appropriate explanations and definitions.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=31/12/2020&jornal=515&pagina=30&totalArquivos=807	
CIBES Resolution No. 32, of October 14, 2020.	09/02/2021	Approves the update of the General Guidelines for Exporting Goods Related to Missiles and Directly Linked Services and the Instructions for Conducting Export Operations of Missile-Related Goods and Directly Linked Services.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=09/02/2021&jornal=515&pagina=8&totalArquivos=56	
CIBES Resolution No. 33, of December 9, 2020.	27/01/2021	Approves the Instructions for Issuing Declaration of Use/End User in Imports of Goods Related to the Chemical Area and Directly Related Services.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=27/01/2021&jornal=515&pagina=15&totalArquivos=108 *Publication correction: https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=29/01/2021&jornal=515&pagina=10&totalArquivos=152	*Correctation of publication in DOU No. 20, of January 29, 2021, Section 1, page 10.
CIBES Resolution No. 34, of December 9, 2020.	27/01/2021	Approves the Guidelines and Instructions for Issuing Declaration of Use/End User on Imports of Goods Related to Missiles and Directly Linked Services.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=27/01/2021&jornal=515&pagina=15&totalArquivos=108 *Publication correction. https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=29/01/2021&jornal=515&pagina=10&totalArquivos=152	*Correctation of publication in DOU No. 20, of January 29, 2021, Section 1, page 10.
CIBES Resolution No. 35, of December 9, 2020.	27/01/2021	Approves the Instructions for Issuing Declaration of Use/End User in Imports of Goods Related	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=27/01/2021&jornal=515&pagina=16&totalArquivos=108	*Correctation of publication in DOU No. 20, of January 29, 2021, Section 1, page 10.

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		to the Nuclear Area and Directly Linked Services.	*Publication correction. https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=29/01/2021&jornal=515&pagina=10&totalArquivos=152
CIAD/CPAQ Resolution No. 2, of October 14, 2020.	08/02/2021	Approves the internal regulations of the Interministerial Commission for the Application of the Provisions of the International Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on the Destruction of Chemical Weapons Existing in the World (CIAD/CPAQ).	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=08/02/2021&jornal=515&pagina=16
CIBES Resolution No. 36, of October 15, 2021.	05/01/2022	Approves the General Guidelines for the Export of Equipment for the Production of Dual-Use Chemical Substances, Related Technologies and Software, and the Instructions for Carrying Out these Export Operations.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=05/01/2022&jornal=515&pagina=6
CIBES Resolution No. 37, of December 14, 2021.	08/03/2022	Approves the update of the List of Assets Related to Missiles and Directly Linked Services.	https://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?data=08/03/2022&jornal=515&pagina=179

Canada

80. Canada views the request emanating from the Preparatory Committee as embracing not only national observance of legally binding obligations established by the Biological and Toxin Weapons Convention (BTWC), but also the political commitments resulting from undertakings by States Parties as reflected in the Final Documents of past Review Conferences (i.e. obligations relating to the submission of annual declarations under the agreed Confidence Building Measures (CBMs)). This Canadian submission does not replicate all of the information that we have provided under the CBMs, and should be seen as complementary to those submissions.

A. Article I

81. Canada is in full compliance with its obligations under Article I. Furthermore, in keeping with the political commitment of the CBMs, we have reported on the nature of the former Canadian biological weapons programme as it existed historically and as terminated long before the entry into force of the BTWC. We continue to encourage other States Parties to report at an appropriate level of detail.

B. Article II

82. Canada is in full compliance with its obligations under Article II, and once again refers States Parties to the text of Canada's replies under the CBMs for other related information.

C. Article III

83. Since the BTWC entered into force in 1975, Canada has fully complied with its obligations under Article III. Over time, Canadian measures to implement its obligations have

evolved with a view to preventing any transfer of materials, equipment or technical expertise that might contribute to a biological weapons program. This we have done through legislative and regulatory measures, *inter alia*, the *Export and Import Permits Act* and related regulations establishing a national licensing regime for controlled dual-use biological equipment, materials, and related software and technology, with concomitant penalties for violations thereof. Canada is also a member of the Australia Group export control regime (AG); all goods on the AG Common Control List are part of Canada's national *Export Control List*, and as such are subject to the aforementioned licensing regime. Canada remains committed to adopting additional appropriate measures with a view to preventing the transfer of any material, equipment or expertise that could contribute to the proliferation of biological weapons.

84. To ensure that Canadian companies meet their obligations, Canada conducts awareness-raising activities routinely in the export controls field, providing informational briefings to companies engaged in the export of all controlled goods and technology, including biological materials, equipment, software and technology. Such outreach activities take place on a one-to-one basis with companies and with industry groups. Canada also supports such activities by conducting outreach to companies and providing presentations on counter-proliferation and enforcement at appropriate domestic and international fora.

85. The *Human Pathogens and Toxins Act* (HPTA) is another key piece of legislation that implements Canada's obligations under the BTWC, through the establishment of national requirements for the safe and secure handling of human pathogens and toxins. The key components of the HPTA that support Canada's implementation of Article III include: oversight of imported, domestically acquired and exported human pathogens and toxins; personnel security clearances for access to prescribed human pathogens or toxins; oversight of transfers requirements for recording and maintenance of inventories; a requirement for reporting of inadvertent releases or production, and of laboratory acquired infections; compliance verification and enforcement; and penalties.

86. Canada is also fully committed to assisting BTWC States Parties to more fully implement their Article III obligations. Through its Weapons Threat Reduction Program (WTRP), Canada delivers concrete programming in support of the *Global Partnership Against the Spread of Weapons and Materials of Mass Destruction*, which aims to prevent terrorists, or those that harbour them, from gaining access to weapons or materials of mass destruction. Under this mandate, WTRP efforts support the objectives of Article III by:

- Developing and maintaining effective border controls, law enforcement efforts and international cooperation to detect, deter and interdict in cases of illicit trafficking in biological, chemical, radiological and nuclear items through the delivery of training to customs and law enforcement personnel and development of tools to be used by front-line officers; providing assistance to states lacking sufficient expertise or resources to strengthen their capacity to detect, deter and interdict in cases of illicit trafficking in these items.
- Developing, reviewing and maintaining effective national export and transshipment controls over items on multilateral export control lists, as well as items that are not identified on such lists but which may nevertheless contribute to the development, production or use of nuclear, chemical and biological weapons, with particular consideration of end-user, catch-all and brokering aspects; providing assistance to states lacking the legal and regulatory infrastructure, implementation experience and/or resources to develop their export and transshipment control systems in this regard.

87. Since 2016, the WTRP has supported various Article III-relevant initiatives. This includes a project to strengthen export controls and border security in Latin America and the Caribbean ($5.9M) and a joint collaboration with the United Nations Office on Drugs and Crime (UNODC) and the World Customs Organisation (WCO) to better enable partner countries in South-East Asia and the Caucasus to undertake container profiling and interdict illicit trade, including of chemical, biological, radiological & nuclear (CBRN) weapons and related dual-use materials ($6.25M). The WTRP has also supported the WCO ($1.3 million)

and UNODC ($1.7 million) to deliver Strategic Trade Control Enforcement training in the Black Sea and Caucuses Regions.

D. Article IV

88. Canada has a broad range of laws and processes to implement its obligations under Article IV of the BTWC. It is the Canadian view that the fulfilment of obligations under the Convention is important, and that it is necessary to go even further than adhering to the strict requirements of the Convention in order to exclude use of biological and toxin weapons in terrorist or criminal activity.

89. On 1 December 2015, the HPTA and the *Human Pathogens and Toxins Regulations* (HPTR) entered fully into force. These regulations grant the Public Health Agency of Canada jurisdiction over individuals who are knowingly conducting controlled activities with Risk Groups 2, 3, and 4 human pathogens and toxins, ensuring that they meet appropriate biosafety and biosecurity standards. This federal oversight also provides assurance that individuals with access to a prescribed list of security sensitive human pathogens and toxins have an appropriate security clearance. Additional pieces of legislation, including the *Health of Animals Act* and *Plant Protection Act*, control importation and reporting of animal pathogens and plant pests.

90. Compliance with the applicable portions of the *Canadian Biosafety Standard* (CBS) 2nd Edition (2015) is a key condition of licence issuance under the HPTR. The CBS is the national standard for the safe handling and storing of human and terrestrial animal pathogens and toxins in Canada. The CBS is used by the Public Health Agency of Canada and the Canadian Food Inspection Agency to verify the ongoing compliance of facilities regulated under the HPTR and the *Health of Animals Regulations*. A Third Edition of the CBS, which revises and streamlines certain requirements, will be published soon and come into full effect on April 1, 2023.

91. In addition to domestic actions, Canada actively supports other BTWC States Parties to meet their Article IV obligations. Through the WTRP, Canada is supporting the BTWC Implementation Support Unit to universalize and effectively implement the Convention in Africa. Likewise, the WTRP has also supported Parliamentarians for Global Action to advance the universality and implementation of the Convention in African countries

E. Article V

92. Canada has never invoked Article V. Canada engaged constructively during the Article V consultations in September 2022, serving as vice-chair for the meeting. Canada fully supports Article V, and does not interpret it as being a prerequisite to invoke Article VI of the Convention, should circumstances so warrant. Canada fully supports the political commitments reached at past BTWC Review Conferences concerning the exchange of information under the heading of Confidence Building Measures, Canada has actively participated in every one of these exchanges, with the 2016-2022 CBM submissions being made publicly available.

F. Article VI

93. Canada has not invoked the provisions of Article VI, nor has any other State Party invoked the provisions of Article VI against Canada.

G. Article VII

94. Canada has not been requested to provide assistance under Article VII. Further information on the measures Canada has taken to facilitate the provision of assistance in the event of alleged use can be found in Canada's contribution to the background document on the implementation of Article VII.

95. Canada fully supports the priority to strengthen global mechanisms and capacities for investigating and responding to the deliberate use of biological agents. Canada serves as a formal champion for item 11 (Develop a framework to respond to any use of biological weapons) and as a supporter for item 10 (Readiness to investigate alleged use of biological

weapons) of the Secretary General's Disarmament Agenda. In this context, Canada is committed to working with BTWC States Parties and the United Nations Office for Disarmament Affairs (UNODA) to improve the Secretary-General's Mechanism (UNSGM) for the Investigation of Alleged Use of Chemical and Biological Weapons.

96. In support of the UNSGM, Canada, through its Weapons Threat Reduction Program (WTRP), provided a Recommended Equipment List which is meant to provide the basis for what an investigative team would require for deployment. The WTRP also produced and provided to UNODA a set of policy and specialised documents for the UNSGM to enable a more structured framework in which to enhance and sustain the Mechanism's capability to respond to biological incidents. Canada also provides direct financial support to UNODA to undertake a range of related activities (e.g. promotion of the Mechanism, outreach to Member States and partner organizations, skills training for qualified experts and expert consultants) in an effort to operationalize the Mechanism.

97. The UNSGM alone is insufficient to prevent, detect and investigate the suspected deliberate use of biological weapons. Since the last BTWC Review Conference, Canada has supported a range of activities to strengthen global capacity, including through support to: the World Organisation for Animal Health to improve institutional and national resilience to biological threats of animal origin ($10M); the World Health Organization to strengthen its Health Security Interface Secretariat and capacities to respond to chemical and biological weapons events, including through the development of a multidisciplinary deliberate event readiness and response team ($10M); the BTWC Implementation Support Unit for the development of an inter-agency cooperation framework for enhanced preparedness and coordination by major international organizations with roles in responding to the deliberate use of disease ($850,000); and Flinders University (Australia) for the development of tools for the prevention, detection and response to deliberate incidents ($850,000).

H. Article VIII

98. Canada strongly supports the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, and is in full compliance with all of its obligations under this Treaty.

I. Article IX

99. A State Party to the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction* (CWC), Canada implements fully the Convention's obligations. National implementing legislation is in place (the *Chemical Weapons Convention Implementation Act*), regulations under the *Export and Imports Permit Act* were revised to reflect the Convention, and a National Authority, located within Global Affairs Canada, has been established. Canada was a member of the Executive Council from 2018 to 2020 and again from 2022 to 2024 and participates actively in the work of the Organisation for the Prohibition of Chemical Weapons (OPCW) to effectively implement the Convention, and actively promotes its universalization.

100. Canada is a significant supporter of global chemical weapons destruction efforts and is one of the largest voluntary contributors to the OPCW. Since 2011, the WTRP has provided more than $44 million to the OPCW to support its important destruction, investigative and verification work and to ensure the organisation is able to keep pace with and prepare for new and emerging threats. This includes support for the destruction of chemical weapons in Libya and Syria and to investigate allegations of chemical weapons use in the Syrian conflict ($21 million).

101. Canada's most recent contributions to the OPCW included support: to strengthen the OPCW's investigative and security capabilities ($2 million); for the Trust Fund for Special Missions, research into chemical profiling and forensics and enhanced physical and cyber security of the OPCW itself ($2.3 million); and support for the attribution of chemical weapons use in Syria and to assist States Parties with meeting their CWC obligations (~€1.8 million). Canada is also supporting the construction and equipping of the OPCW's new Centre for Chemistry and Technology ($10 million), which will help to ensure that the organisation remains well-equipped to respond to future chemical weapons threats

J. Article X

102. Canada contributes in many ways, bilaterally and multilaterally, to economic and technological development programs consistent with the Article X provisions of the Convention. These contributions take a wide variety of forms, including: student exchanges; professional exchanges; convening of conferences open to interested professionals; training courses such as in the fields of biosafety with respect to the handling of human and animal pathogens; assistance in the provision, directly or indirectly, of expertise that contributes to the detection, diagnosis and treatment of disease; cooperative research projects; database creation and exchange, for example BIONET and GPHIN; and other activities, some of which are also represented in our CBM returns related to the encouragement of the publication of results and promotion of the use of knowledge (CBM "C")

103. Under the framework of the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, Canada is at the forefront of international efforts to prevent biological terrorism and proliferation. Canada's Weapons Threat Reduction Program (WTRP) supports a wide range of activities designed to strengthen biological security (biosecurity) and biological safety (biosafety), and to enhance the capacity of partner countries to prevent, detect and respond to biological threats, whether naturally-occurring, accidental or deliberately caused (i.e. bioterrorism). Examples of recent WTRP activities include: sustainable biosecurity and biosafety in Africa ($5 million) in support of the Global Partnership's Signature Initiative to Mitigate Biological Threats in Africa; establishment of a regional centre of excellence for biosafety and biosecurity in southern Africa ($4 million); development of a Grand Challenge for Sustainable Laboratories to catalyze innovative new solutions to improve the viability and sustainability of infectious disease diagnostic laboratories in low-resource settings; strengthening UN capacity to investigate allegations of chemical and biological weapons use through the UNSGM ($5 million); and enhancing ASEAN regional capacity building in big data predictive analytics.

104. Canada prepares annual Article X reports, consistent with the Final Declaration of the 8th BTWC Review Conference, in which States Parties were encouraged to submit detailed information on their implementation of Article X. These reports detail projects organized and/or funded by the Government of Canada that relate to, inter alia, improving disease surveillance, detection, diagnosis, containment, and outbreak response and providing training in biosafety, biosecurity, and bioethics. Since 2017, Canada has also submitted an Article X compilation on behalf of Global Partnership members. This includes a compilation prepared for the 9th BTWC Review Conference, which captures all Article X-related assistance delivered by Global Partnership members between 2017-2022. In that period, Canada's Weapons Threat Reduction Program delivered projects valued at more than C$343.8 million (or €247M) in dozens of countries in every region of the world.

105. Canada is making significant contributions through active participation in the Global Health Security Agenda (GHSA) Biosafety and Biosecurity Action Package. Under the GHSA, partner countries and international organizations are engaged in a process to identify new or expanded work areas for the prevention, detection, and response to infectious disease globally, regardless of their origin (i.e. natural, intentional or accidental). Canada works in close collaboration with its GHSA partners and has made a commitment to help build biosafety and biosecurity capacity in the areas of national program development and legislative and regulatory development. To achieve the commitment Canada has developed and piloted an Analytical Approach for the Development of a National Biosafety and Biosecurity System, shared expertise and lessons learned, and is expanding membership by leveraging affiliations with countries that belong to the Global Partnership, BWC, and United Nations Security Council Resolution 1540.

106. Canada is committed to further building its public health infrastructure and strengthening the practice of public health across the nation and globally. Through the Public Health Agency of Canada's National Microbiology Laboratory and Canadian Field Epidemiology Program, Canada is helping create and sustain a national public health workforce that is able to respond quickly to emerging and urgent domestic and international public health events. Canada also supports global public health capacity building through the development and delivery of applied epidemiology and surveillance training, and the provision of technical experts for outbreak response, including mobile laboratory capacity

For example, PHAC mobilized technical experts during the 2014–2016 Western African Ebola virus epidemic (Guinea, Liberia, and Sierra Leone) to support the public health response through the World Health Organization's Global Outbreak Alert and Response Network.

China

I. Overview

107. The Biological Weapons Convention is a major cornerstone of global biosafety governance. Over the past 50 years since it was opened for signature, the Convention has played an important role in preventing biosafety threats and promoting the peaceful use of biotechnology. In the context of a century of changes and the once-in-a-century epidemic of coronavirus disease (COVID-19), global biosafety faces new threats and challenges.

108. Biosafety issues know no borders and all countries must work together to tackle them. In proposing the Global Security Initiative at the opening ceremony of the Boao Forum for Asia annual conference in April 2022, Chinese President Xi Jinping clearly stated the necessity of maintaining coordinated security in traditional and non-traditional fields and the need to jointly address global issues, including biosafety. China stands ready to work with the international community to implement this major initiative and jointly safeguard universal security.

109. Itself a victim of biological weapons, China has consistently stood for the complete prohibition and thorough destruction of all weapons of mass destruction, including biological weapons, and firmly opposes the proliferation of biological weapons and their technologies. China firmly supports the purposes and objectives of the Convention, fully and strictly implements its obligations under the Convention, and actively participates in and supports multilateral processes to enhance the effectiveness of the Convention.

110. China hereby reports to the Ninth Review Conference on its implementation of the Convention since the Eighth Review Conference, as follows:

II. Fulfilment of basic obligations

111. China has never developed, produced, stockpiled or otherwise acquired or retained biological agents, toxins and related weapons, equipment or means of delivery prohibited by the Convention. As an original State party to the Chemical Weapons Convention, China has always fully and strictly fulfilled its obligations under the Convention. China has also ratified the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925 Geneva Protocol).

III. National implementation mechanism

112. In order to ensure the comprehensive and effective implementation of its obligations under the Convention, China has established an interdepartmental coordination mechanism that includes the Ministries of Foreign Affairs, Defence, Science and Technology, Public Security, and Agriculture and Rural Affairs, the National Health Commission and the Chinese Academy of Sciences. In accordance with the request made at the Sixth Review Conference of the States Parties to the Convention, it has designated the Ministry of Foreign Affairs as the national implementation focal point.

IV. National legislation for implementing the Convention

113. China has formulated and strictly enforces relevant laws and regulations. The Biosecurity Law of the People's Republic of China came into force on 15 April 2021, further specifying the obligations of China under international treaties it has concluded or acceded

to, and fully demonstrating its political commitment to the Convention. The Law includes provisions on prohibiting the development, manufacture or other acquisition, stockpiling, possession and use of biological weapons and on the prevention of bioterrorism, and calls for participation in and strengthening of international cooperation in the field of biosafety. China is constantly improving supporting regulations and mechanisms to ensure the full and effective implementation of the Law, and stands ready to work with other interested countries to strengthen exchanges and cooperation in biosafety legislation and policy formulation, risk assessment, emergency response and capacity-building.

114. Amendment III of the Criminal Law of the People's Republic of China criminalizes the illicit manufacture, sale, transportation, storage and delivery, theft, robbery or hijacking of substances such as infectious disease pathogens, as well as the organization or leadership of or participation in any act of terrorism, including biological terrorism, and imposes different criminal penalties depending on the seriousness of the offence. Furthermore, China lawfully prevents and combats all terrorist activities, including bioterrorism, under the Counter-Terrorism Law of the People's Republic of China.

115. Moreover, China has promulgated, revised and implemented a series of laws and regulations related to biosafety, such as the Law of the People's Republic of China on the Prevention and Treatment of Infectious Diseases, the Animal Epidemic Prevention Law of the People's Republic of China and the Frontier Health and Quarantine Law of the People's Republic of China, supplementing the existing legal system.

V. Confidence-building measures

116. As called for at the Review Conferences, China has submitted declarations, as confidence-building measures (CBMs), every year since 1988. The Ministry of Foreign Affairs takes the lead in announcing these CBM submissions, while the Ministries of Defence, Science and Technology, and Agriculture and Rural Affairs, the National Health Commission, the National Medical Products Administration, the Chinese Academy of Sciences and other departments are responsible for collecting and submitting information related to their work. The CBM declaration materials submitted by China cover such areas as emergent infectious diseases, top-level biological laboratories, national implementation legislation, national biodefence projects, biological research achievements and vaccine production facilities.

VI. Non-proliferation export controls

117. China firmly opposes the proliferation of biological weapons and their means of delivery and technologies in any form, and has never in any way assisted, encouraged or induced any country, group of countries or international organization to engage in activities prohibited by the Biological Weapons Convention. China is continuously strengthening its domestic legislation, management and enforcement mechanisms for the control of dual-use biological items and technologies exports.

118. Since the 1990s, China has promulgated and implemented a series of laws and regulations that include the Regulations of the People's Republic of China on Controlling the Export of Dual-purpose Biological Products and Affiliated Equipment and Technologies and the associated list of such products, equipment and technologies subject to export control, as well as measures for the administration of dual-use items, technologies and export licences. In October 2020, China also promulgated and implemented the Export Control Law, containing clear provisions on the export control system, control measures and international cooperation, and unifying the basic institutional framework and rules for export control policies, lists of controlled items, provisional control lists, control lists, and supervision and administration.

119. The Ministry of Commerce, together with the Ministry of Agriculture and Rural Affairs, the National Health Commission and other departments, administers the export of dual-use biological products. To strengthen enforcement of non-proliferation export controls, China established an inter-agency emergency coordination mechanism for non-proliferation

export control in 2004, and is enhancing the capacities of export control law enforcement personnel through such measures as law enforcement training. A team of experts provides support for the formulation of biological inventories, licensing management, supervision and law enforcement, and business consultation. Compliance mechanisms and capacity-building are promoted in the business community through training courses, seminars and handbooks.

120. China attaches great importance to and conscientiously implements United Nations Security Council resolution 1540 (2004), and actively participates in the work of the Security Council Committee established pursuant to that resolution and the comprehensive review process provided for thereunder. China submits its national reports in accordance with that resolution, comprehensively laying out its non-proliferation policy and position, and introducing in detail the measures taken by the Chinese Government, through legislation, law enforcement and international cooperation, to prevent and combat the proliferation activities of non-State entities. With a view to promoting the implementation of the resolution in the Asia-Pacific region and strengthening capacity-building for Asia-Pacific countries in non-proliferation export control, China and the Committee jointly held three training courses for non-proliferation national contact points in the Asia-Pacific region (the "national points of contact for resolution 1540 (2004)") in 2015, 2017 and 2019.

VII. Promotion of peaceful uses

121. As is clearly stipulated in Article X of the Biological Weapons Convention, promoting the peaceful uses of biotechnology and related international cooperation is an important aspect of the implementation of the Convention. China consistently advocates balancing security and development, the two major concerns of the Convention, and helping countries in need to strengthen their capacity-building by means of reinforcing international cooperation and assistance, further promoting the peaceful use of biotechnology and ensuring that all countries can fully enjoy the dividends of biotechnology development.

122. Based on that position, China is committed to promoting peaceful uses and related international cooperation and actively contributes its own proposals. In 2016, China and Pakistan launched an initiative to establish a mechanism for non-proliferation export control and international cooperation under the Convention. Within the framework of the United Nations General Assembly, a resolution proposed by China on promoting international cooperation on peaceful uses in the context of international security (resolution 76/234) was adopted in December 2021 at the seventy-sixth session of the General Assembly. The resolution aims to initiate a dialogue process within the General Assembly framework, safeguard the legitimate rights and interests of all countries in the peaceful use of science and technology, promote the benefits of inclusive sharing of scientific and technological progress and address the security challenges posed by the development of science and technology. China will work with all parties to facilitate the follow-up process under the resolution.

123. Within the framework of the Convention itself, China is deeply involved in the discussion on enhancing the implementation of Article X of the Convention, and actively supports a series of initiatives put forward by the Movement of Non-Aligned Countries in such areas as prioritizing the full, effective and non-discriminatory implementation of Article X, calling upon the developed countries to eliminate restrictions on peaceful uses, drafting a plan of action for the implementation of Article X and establishing an open mechanism within the framework of the Convention to facilitate the implementation of Article X.

124. China is committed to providing the international community with biosafety public goods, supports the establishment of a database on assistance and cooperation in accordance with Article X of the Convention, and has voluntarily listed the international training courses on laboratory biosafety management and technology it provides for all countries, especially developing countries, as one of the international cooperation projects in the database. Since 2017, the Chinese Academy of Sciences, supported by the Wuhan Institute of Virology, has organized five such training courses, in which more than 400 students from nearly 40 countries, including Bangladesh, Brazil, Cambodia, Egypt, Greece, Hungary, Kazakhstan, Kenya, Myanmar, Nigeria, Pakistan, Poland, Serbia, Sri Lanka and Thailand, took part and achieved good results.

125. China attaches great importance to and actively participates in international exchanges and cooperation in the biological field. Details can be found in the national report of China on the implementation of Article X of the Biological Weapons Convention.

VIII. Epidemic prevention, control and response

126. China attaches great importance to infectious disease monitoring work. It has established and is constantly improving a network for direct reporting of infectious disease outbreaks and public health emergencies, set up more than 1,700 national-level sites for monitoring 45 types of infectious diseases and four types of biological vectors, implements category-specific management of diseases designated by law as infectious, and releases monitoring information on such diseases on a regular basis. China also conducts animal disease monitoring and response in accordance with the law. When significant changes in the epidemiological characteristics of major animal diseases are detected or foreign animal diseases or new animal diseases are confirmed, the epidemic response is immediately launched and a comprehensive epidemiological investigation is carried out.

127. COVID-19 is the most widespread global pandemic to strike humanity in nearly a century. In the early stages of the epidemic, China identified the pathogen within a very short period of time and immediately shared information on the entire genome sequence of the novel coronavirus with the world, providing important support for the development of diagnostic reagents, vaccine research and development and drug screening. China puts its people and their lives first, and takes the most comprehensive, rigorous and thorough prevention and control measures in a scientific, precise and dynamic manner to effectively block the chain of virus transmission. It upholds the scientific spirit, embraces the scientific approach and follows scientific laws, coordinating regular, precise prevention and control and emergency response, integrating epidemic prevention and control with economic and social development and striving to achieve maximally effective prevention and control at minimum cost. China is committed to strengthening joint prevention and control at the international level to minimize the risk of transboundary spread of the epidemic.

128. Since the outbreak of COVID-19, China has worked in solidarity with the international community to advance comprehensive international cooperation, launching the world's largest emergency humanitarian operation. China has provided hundreds of billions of masks, protective clothing items, ventilators and other epidemic-fighting supplies to 153 countries and 15 international organizations, shared plans for epidemic prevention and control as well as diagnosis and treatment with 180 countries and more than 10 international and regional organizations, dispatched 38 medical expert groups to 34 countries and stationed Chinese medical teams comprising a total of 1,073 people in 54 countries to stand in the front line against the epidemic. As the first country to share the complete genome sequence of the novel coronavirus, China has regularly provided the World Health Organization (WHO) and the countries concerned with information on the epidemic, and has hosted several WHO international expert groups visiting China to conduct research on epidemic prevention and control and virus traceability, contributing to global epidemic prevention and control.

129. China is committed to bridging the immunization gap and is the largest contributor to the equitable distribution of vaccines. Early in the outbreak, Chinese President Xi Jinping proposed that the novel coronavirus vaccine should become a global public good. To date, China has supplied more than 2.2 billion vaccine doses to more than 120 countries and international organizations. China was the first country to support intellectual property rights exemptions for vaccines, and took the lead in transferring the technology to developing countries. To date, China has carried out production cooperation with 21 countries, and its annual overseas production capacity has reached 1 billion doses. China supports the central coordinating role of WHO, prioritizes the procurement needs of the COVID-19 Vaccine Global Access (COVAX) Facility, and has supplied over 200 million doses of vaccines to the Facility.

IX. Regulating biological research

130. While the rapid development of biotechnology has greatly improved human well-being, biosafety risks and threats cannot be ignored. China supports States parties to the Convention in keeping pace with the times, bearing in mind the vision of universal security and common development of humanity, strengthening their review of biotechnology development within the framework of the Convention, promoting responsible biological research and formulating essential voluntary codes of conduct. This will help unlock the full potential and benefits of biotechnology, while preventing bioterrorism and the misuse and abuse of biotechnology.

131. Based on that position, China initiated the formulation of a code of conduct for bioscientists as early as 2015, and in 2016, China and Pakistan jointly submitted a working paper on the formulation of a model code of conduct for bioscientists. In June 2018, China co-hosted a seminar entitled "Building a Global Biosecurity Community with a Shared Future: Developing a Code of Conduct for Bioscientists" with the Biological Weapons Convention Implementation Support Unit.

132. On the basis of the aforementioned working paper and multilateral discussions, in July 2021 Tianjin University, Johns Hopkins University, the secretariat of the InterAcademy Partnership and scientists from more than 20 countries concluded the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists (hereinafter referred to as the "Tianjin Guidelines"), and they were formally approved by the InterAcademy Partnership. The Tianjin Guidelines received wide attention and praise at the meetings of the Preparatory Committee for the Ninth Review Conference of the States Parties to the Biological Weapons Convention.

133. The conclusion of the Tianjin Guidelines fully demonstrates the determination of the international scientific community to further regulate biological research activities, and also fully demonstrates that a science-based and broadly representative international process can be an effective way to strengthen global biosecurity governance and related international cooperation. China looks forward to the voluntary adoption of the Tianjin Guidelines by all stakeholders, welcomes co-sponsors of the relevant working papers, encourages the endorsement of the Guidelines at the Ninth Review Conference and supports the discussion of follow-up work during the intersessional process.

X. Laboratory biosafety

134. Biological laboratories are an important means of promoting the development of biotechnology and industry and improving the levels of people's health and public sanitation. Since the outbreak of COVID-19, laboratories have played an irreplaceable role in research on relevant diagnosis and treatment methods, as well as the development of vaccines and drugs.

135. China is promoting the construction of a high-level biological laboratory network system at the national level, featuring rational geographical distribution, full functionality, integrated management and high operational efficiency. At present, 60 high-level biological laboratories in the field of population health have been approved for operation. With the increase in the number of laboratories and in the complexity of research activities, the importance of ensuring laboratory safety is becoming more prominent. Drawing on the experience of other countries and reviewing its own practices, China has developed a set of effective regulatory and self-regulatory practices.

136. On the basis of the original administrative regulations, chapter V of the Biosecurity Law sets out clear and specific provisions regarding the biosafety of pathogenic microbe laboratories. China has also promulgated or revised the Regulations on the Biosafety Management of Pathogenic Microbe Laboratories, the Measures for the Administration of Biosafety Approval of Laboratories and Experimental Activities Related to Highly Pathogenic Microbes Capable of Spreading from Person to Person, the Measures for the Examination and Approval of the Biosafety Administration of Highly Pathogenic Animal Pathogenic Microorganism Laboratories, biosafety requirements for animal pathogenic

microorganism laboratory activities and the Administrative Measures for the Storage of Bacterial (Viral) Strains of Animal Pathogenic Microorganisms, among numerous other regulations. In 2020, the National Health Commission of China issued a notice on further strengthening the supervision and management of laboratory biosafety in the normalized prevention and control of the COVID-19 epidemic as well as guidelines for the biosafety of COVID-19 laboratories. These all provide fuller and more comprehensive institutional safeguards for enabling laboratories to function more effectively and ensuring their safety.

137. The National Health Commission, the Ministry of Agriculture and Rural Affairs and other departments of the Chinese Government deploy timely laboratory biosafety inspections each year and organize special biosafety inspections for high-level biological laboratories, thereby eliminating laboratory biosafety risks and hidden dangers and basically achieving full biosafety inspection coverage of high-level laboratories.

138. Since 2016, the National Health Commission has incorporated laboratory biosafety training into its annual workplan, and held training courses for provincial health, disease control and high-level laboratory personnel on such topics as biosafety law dissemination, laboratory biosafety management and the preservation of bacterial and viral species, with over 500 instances of training each year. The Ministry of Agriculture and Rural Affairs organizes annual training courses on laboratory biosafety management of animal pathogenic microorganisms, on transporting bacterial, viral and pathogen samples via civil aviation, and on other areas of laboratory biosafety. Related training was provided to persons in charge of animal husbandry and veterinary departments and laboratory directors in a total of 26,000 instances nationwide in 2021. Since 2016, commissioned by the Chinese Academy of Sciences, the Wuhan Institute of Virology has successfully hosted six sessions of domestic training courses on biosafety management for laboratories and experimental technology, aimed at scientific, technical and administrative personnel of relevant institutes of the Chinese Academy of Sciences engaged in the prevention and control of infectious diseases, as well as of national or local customs, disease control centres, inspection and quarantine authorities and so on. Course content covers such topics as national biosafety laws, regulations and standards, high-level biosafety laboratory management systems, laboratory biosafety risk assessment methods, bacterial and viral species preservation, animal experimentation and laboratory waste disposal.

XI. Strengthening the Convention mechanism

139. China has always maintained that establishing a verification mechanism is the most effective means to ensure compliance and build mutual trust. The concept of “verification to ensure treaty compliance” is a common international understanding, and has been tested in practice within the framework of various treaties in the field of arms control and disarmament for decades. The field of biosecurity should no longer be an exception, nor should it continue to be held back by the objections of individual States parties. China looks forward to a decision by the Ninth Review Conference to establish ad hoc mechanisms such as an open-ended working group to restart the process of negotiating a legally binding verification protocol. At the outset, the parties could first conduct a comprehensive review and reorganization on the basis of the draft that was nearly agreed in 2001, taking into account such issues as the impact of scientific and technological developments on verification in making their assessment.

140. Individual States parties have carried out numerous bio-military activities both within and outside their borders, provoking serious concern in the international community. China calls on the countries concerned to scrupulously fulfil their responsibilities and obligations, comprehensively clarify relevant activities and accept verification. At the same time, it is necessary to make full use of the dispute settlement mechanisms under articles V and VI of the Convention, conduct an objective, fair and effective assessment of issues related to compliance and take joint actions to ensure universal compliance. China supports efforts by States parties to the Convention, on the basis of the outcomes of the Seventh and Eighth Review Conferences, to carry out further discussions in this regard, formulate more effective implementation measures and strengthen the mechanism of the Convention.

141. No matter how the international security situation changes, the political commitment of States parties to the Biological Weapons Convention should not waver, and international efforts to strengthen the universality, authority and effectiveness of the Convention should not be stalled. China looks forward to working with all parties to firmly uphold and strengthen the mechanism of the Convention and promote the substantive outcomes of the Ninth Review Conference.

Colombia

I. Articles I and II

142. Article 81 of the Constitution of Colombia prohibits the manufacture, import and use of weapons of mass destruction (nuclear, biological and chemical weapons) and the introduction into the national territory of nuclear and toxic waste. Therefore, Colombia does not possess, manufacture, use or stockpile biological or toxin weapons (articles I and II of the Convention).

143. A total commitment to peace is a pillar of the foreign policy of Colombia, which has taken a consistent position on disarmament and the non-proliferation of weapons of mass destruction.

144. The Government of Colombia recognizes the importance of the Convention as the first multilateral treaty to prohibit an entire category of weapons of mass destruction.

145. The Government considers that the universalization and effective implementation of the Convention is the most effective means of eliminating the threat of biological weapons. Consequently, since the ratification of the Convention by Colombia in 1983, the Government has strongly supported efforts by the international community to prohibit this type of weapon of mass destruction and has highlighted the importance of effective national implementation of the Convention.

146. For Colombia, it is crucial to promote discussions under the Convention regarding the control of related or dual-use materials. One of the Government's main concerns relates to the control and responsible use of biological material that could be used as a biological weapon precursor.

147. Accordingly, the Government considers that the effective implementation of the Convention requires the adoption of national measures for the regulation of related materials.

II. Article III

148. Colombia remains committed to taking appropriate measures to prevent the transfer of any material, equipment or expertise that could contribute to the proliferation of biological weapons.

149. Article 358 of the Colombian Criminal Code establishes severe penalties for anyone who unlawfully imports, introduces, exports, manufactures, acquires, possesses, supplies, traffics, transports or disposes of a hazardous, radioactive or nuclear substance, waste or residue considered as such under international treaties ratified by Colombia or provisions in force.

150. It is important to strengthen and implement policies for the control of imports, exports and trans-shipments of dangerous goods. Likewise, it is appropriate for States to take national measures for the accounting of biological materials handled in their territory to prevent their possible diversion to hostile actors.

III. Article IV

151. Colombia has a robust regulatory framework for the fulfilment of its obligations under article IV of the Convention.

152. It is important to fulfil Convention obligations to achieve results and national security objectives such as preventing the use of biological and toxin weapons in terrorism and crime.

153. In this regard, the following legislative framework has been developed:

Criminal penalties

154. Colombian criminal law provides for substantial penalties for the following offences:

- Illegal experimentation with biological agents
- Illegal possession, manufacture or trafficking of hazardous materials
- Aggressive use or throwing of hazardous substances or objects
- Manufacture, import, trafficking and possession of weapons of mass destruction
- Unauthorized manufacture, transport, use, storage and sale of hazardous materials
- Introduction into the national territory of nuclear or toxic waste
- Disturbance of nuclear and radiological facilities
- Spreading an epidemic

155. These penalties may be increased when the offence is committed with an accomplice. They also apply when another person is used as an instrument or when the above provisions are violated by omission.

156. Colombia has taken steps to prevent, detect, investigate and punish the financing of terrorism. Biological, chemical and radioactive materials can be imported only with an import licence, which is issued after consideration of whether the applicant meets certain requirements.

157. All materials intended for medical, industrial, agricultural, veterinary, commercial, research, teaching or other use must be approved by the relevant entity, as indicated below:

(a) Vaccines must be approved by the Ministry of Health and Social Security and the National Health Institute;

(b) The import, production and use of biological agents in pesticides and insecticides for agricultural use must be registered with the Colombian Agricultural Institute;

(c) The import, use and handling of pesticides for public health reasons is subject to prior approval from the Ministry of Health and Social Security;

(d) The transboundary movement, transit, handling and use of living modified organisms that may have adverse effects on the environment and biological diversity must be authorized by the Ministry of Health and Social Security, the Ministry of Agriculture and Rural Development or the Ministry of the Environment and Sustainable Development, taking into account the risks to human health, productivity and agricultural production.

Regulations on accounting and physical protection in relation to biological materials

Production and use

Decree No. 1843 of 1991 of the Ministry of Health and Social Security

> Approval of toxicological classification and permission for use. Any natural or legal person who imports or manufactures pesticide products for use in the national territory, regardless of the quantity to be imported or sold, must obtain approval from the Ministry of Health and Social Security, or a delegated authority thereof, of their toxicological classification and permission for use in the country, in accordance with the provisions of chapter X of this Decree (art. 13).

Decree No. 3518 of 2006 of the Ministry of Health and Social Security

> Basic public health monitoring processes (chapter II). Control of infectious and toxic agents and materials, vectors and reservoirs. Consists in measures and procedures for the control or elimination of infectious and toxic agents or materials, vectors and

reservoirs, present in people, animals, plants, inert matter, consumer products or other inanimate objects, which may constitute a public health risk. These measures and procedures include disinfection, decontamination, disinfestation and insect and rat control (art. 45).

Decision No. 000698 of 2011 of the Colombian Agricultural Institute

Registration of producers, contract producers, importers and technical departments for efficacy testing. Any natural person or legal entity that conducts efficacy testing, produces biological inputs under contract or imports biological inputs and/or raw material for sale or direct use must register by meeting several requirements (art. 4).

On importers. In the case of biological agents, the organism's taxonomic identification (genus, species and, if the Colombian Agricultural Institute so requires, a smaller taxon) must be provided, together with technical information on its life cycle, a risk analysis and information related to the production process, including quality control certified by the producer (art. 4.2.2).

Applicants for a licence must provide a description of each step in the process flow (art. 4.1.3).

Technical verification visit. Following submission of the application for registration, the Colombian Agricultural Institute will have 30 working days in which to consider and accept it and to carry out a visit to verify the information required under article 4 of this Decision (art. 5).

Decree No. 1071 of 2015 of the Ministry of Agriculture and Rural Development

Analysis and prior approval of the Colombian Agricultural Institute. The import, manufacture, distribution within the country or export of biological products intended for the prevention, treatment or diagnosis of animal diseases must be analysed and approved by the Colombian Agricultural Institute, in accordance with the relevant regulations issued by the Institute (art. 2.13.3.1.6).

Decree No. 780 of 2016 of the Ministry of Health and Social Security

Import of raw materials that can transmit zoonoses. Raw materials for the manufacture of biological products, reagents for veterinary use and concentrated reagents, animal feed or other products, which may transmit zoonoses or other diseases, may be imported only with the authorization of the Ministry of Health and Social Security in accordance with Act No. 9 of 1979 and its regulations and the standards of the Colombian Agricultural Institute (art. 2.8.5.2.49).

Storage

Decision No. 000698 of 2011 of the Colombian Agricultural Institute

Producers wishing to obtain a licence must submit their procedures for the storage and preservation of raw materials (art. 4.2.1.2.1).

The Ministry of Health and Social Security manual on good storage practices

The manual establishes guidelines and minimum requirements to ensure adequate conditions for the application of good storage practices, in accordance with the established regulations. It applies to all storage of medicines, supplies (medical devices and diagnostic reagents) and biological therapeutics in the warehouse of the Ministry of Health and Social Security, located in the free trade zone of Bogotá.

Transport

Decision No. 8430 of 1993 of the Ministry of Health and Social Security

During the conduct of the research referred to in this chapter, the main researcher will be responsible for overseeing the rapid transport of infectious materials in accordance with the technical standards issued by this Ministry (art. 71 (d)).

Decree No. 1609 of 2002

> National registration card for the transport of dangerous goods. In addition to the legally required documents for motorized freight transport by road and those required under the National Land Transport Code, a national registration card for the transport of hazardous goods must be obtained (art. 6).

Physical protection: production and use

Decision No. 8430 of 1993 of the Ministry of Health and Social Security

> Microorganisms classified in Risk Group IV must be handled in maximum containment microbiological laboratories subject to the authorization and control of the competent health authorities (art. 70).

Decree No. 2323 of 2006 of the Ministry of Health and Social Security

> Sampling services and microscopy stations must adopt and comply with quality standards according to the complexity of the service they provide, under the supervision and monitoring of the local laboratories or health entities to which they functionally belong, so as to ensure quality and biosafety in sample collection, preservation, transport, processing, analysis, reporting and referral procedures (additional provision).
>
> General biosafety and biocontainment guidelines for the national network of laboratories, Ministry of Health and Social Security, 2020.
>
> This document is intended to assist laboratories belonging to the national network of laboratories in establishing biosafety processes and procedures in different areas. It is particularly aimed at laboratories that perform procedures involving isolated pathogens or samples containing them.

Physical protection: transport

Decree No. 1609 of 2002:

> Scope and application. This Decree applies to the land transport and handling of dangerous goods, including all operations and conditions related to the movement of these products, safety in containers and packaging, preparation, shipment, loading, segregation, trans-shipment, transfer, storage in transit, unloading and reception at the final destination. It considers handling and transport under normal conditions and in the event of accidents during transport and storage in transit (art. 2).
>
> Handling of goods. Packaging and containers for transporting Class 6 dangerous goods (toxic and infectious substances), for which the Colombian technical standard is NTC 4702-6 (art. 4 (f)).

Progress in establishing a national authority

158. Institutions have made progress in coordinating efforts to study the relevance and feasibility of establishing a national authority for the effective implementation of the Convention in the country.

159. To accelerate this process, Colombia is participating in the project “Strengthening biological safety and security in Latin America in line with the implementation of Security Council resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery” of the Inter-American Committee against Terrorism of the Organization of American States, a project that is linked to national implementation of the Biological Weapons Convention.

IV. Article V

160. To strengthen national implementation of the Convention, the Government of Colombia has, since 2011, voluntarily submitted regular reports on confidence-building measures, the latest of which was submitted in 2022.

161. These reports contribute to monitoring of national implementation of the Convention, oversight of relevant activities and the promotion of inter-agency cooperation.

162. Several Colombian institutions have operational units trained to deal with emergencies involving hazardous materials. These institutions include the Engineer Brigade of the army, the National Fire Brigade and the Counter-Terrorism and Chemical, Biological, Radiological, Nuclear and Explosive Incidents Branch of the Directorate of Criminal Investigation and INTERPOL of the National Police, which since 2020 has strengthened its capacity to respond to incidents involving the use of nuclear, biological, chemical or radiological agents by creating six units in the country's main ports and airports.

V. Article VI

163. Colombia has not invoked article VI, nor has any other State party invoked it against Colombia.

VI. Article VII

164. Colombia has neither received nor submitted any requests for assistance under article VII.

VII. Article VIII

165. Colombia is a State party to the Convention, which it ratified by Act No. 10 of 4 February 1980 (art. 3) and which entered into force for the country on 19 December 1983.

166. On 24 November 2015, Colombia deposited its instrument of ratification of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

VIII. Article IX

167. Colombia signed the Chemical Weapons Convention on 13 January 1993 and ratified it by Act No. 525 of 1999. The Convention entered into force for the country on 5 May 2000.

IX. Article X

168. In accordance with article X of the Biological Weapons Convention, in October 2017, Colombia and Chile conducted a joint peer review with the goal of exchanging national experiences and cooperating on the implementation of Security Council resolution 1540 (2004).

169. The peer review, the first of its kind in the hemisphere and the third such exercise anywhere in the world, was carried out with the support and participation of the United Nations Office for Disarmament Affairs and the Inter-American Committee against Terrorism of the Organization of American States.

170. This initiative reflects the excellent relationship between the two countries, which share a commitment to legal instruments, international institutions and regimes for disarmament and the non-proliferation of weapons of mass destruction.

171. The findings of the exercise were presented to the Security Council Committee established pursuant to resolution 1540 of 2004 in a note verbale dated 26 February 2018

from the Permanent Missions of Chile and Colombia to the United Nations addressed to the Chair of the Committee (S/AC.44/2018/3).

172. The note verbale shows that the peer review allowed the two Governments to detect differences in their approaches and their capacity to implement the resolution. As a result, both countries were able to more clearly identify their strengths and weaknesses in respect of the threat of weapons of mass destruction, including biological weapons, and to better target their bilateral cooperation.

173. Recognizing the importance of the resolution and its links to processes related to the Convention, Colombia decided to join the project of the Inter-American Committee against Terrorism entitled "Strengthening biological safety and security in Latin America in line with the implementation of Security Council resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery".

Cuba

174. Cuba attaches great importance to the Biological Weapons Convention, as shown by its prompt ratification of the Convention in 1976.

175. Cuba rejects any threat of or potential use of biological agents and toxins as an instrument of war and terror and condemns the development, production, stockpiling or any other form of acquisition or retention of biological agents or toxins for hostile purposes or in armed conflict.

176. Cuba recognizes the considerable significance of international cooperation within the framework of the Convention. The full, effective and non-discriminatory application of Article X, on cooperation for the economic and technological development of all States parties, is a priority for the country.

177. Cuba has denounced the existence of unilateral restrictions and extraterritorial laws applied through the economic, commercial and financial embargo imposed on Cuba by the Government of the United States of America, in violation of Article X. It is unacceptable that the free exchange of equipment, technologies, materials and scientific and technological information for the peaceful use of biological agents and toxins by Cuba and other States parties – which is a right for everyone, without exception – should be limited, restricted or even prohibited.

178. Cuba joins the Movement of Non-Aligned Countries in calling for the establishment of a mechanism or a standing committee on cooperation that would make it possible to resolve disputes over restrictions of this type or denials of equipment, technologies, biological agents and knowledge, especially those related to state-of-the-art diagnostic procedures, vaccines and antimicrobials, within the framework of Article X.

179. Despite enormous obstacles and limitations, the work done by Cuba to tackle the coronavirus disease (COVID-19) pandemic has been internationally recognized. The country has three vaccines approved by the Cuban Regulatory Agency of Medicines and Medical Equipment and Devices. They have been authorized for emergency use in seven States, and Cuba has made donations to countries such as Saint Vincent and the Grenadines, the Syrian Arab Republic, the Bolivarian Republic of Venezuela, Viet Nam and the Sahrawi Arab Democratic Republic.

180. Any attempt to control international cooperation by creating and promoting arbitrary export and transfer control mechanisms is unacceptable. Cuba opposes the establishment of unilateral, discriminatory and selective export and transfer controls outside the framework of the Convention.

181. Cuba has export and import control mechanisms (Ministry of Science, Technology and the Environment Resolution No. 2/2004) in this field that do not cause the harm mentioned above and are not intended to control groups outside the framework of the Convention.

182. Cuba reaffirms the need to adopt a legally binding multilateral protocol, including a verification mechanism, to strengthen the Biological Weapons Convention and ensure its comprehensive and balanced implementation.

183. The mechanisms established in the Convention to guarantee compliance have proved ineffective. The isolated proposals and initiatives or those that have arisen outside the Convention fail to strengthen it in all its aspects and to win the support of all the States parties.

184. COVID-19 has demonstrated the importance of capacity-building, facilitated by international cooperation, in detecting, reporting and responding to outbreaks of infectious diseases or biological weapons attacks, including in the areas of preparedness, response, management and mitigation.

185. Cuba stresses the need to provide unconditional aid and assistance to States affected by incidents of a biological nature, at their request. Encouraging the adoption of measures to foster the exchange of scientific and technological knowledge, the training of personnel, the transfer of materials and equipment and the active promotion of communication between scientists and technical personnel, in accordance with the Convention, is critical.

186. The Henry Reeve International Brigade, which comprises doctors specialized in dealing with disasters and major epidemics, was created on 19 September 2005. To date, more than 50 medical brigades have been deployed to support the fight against COVID-19 in more than 40 countries and territories.

187. Cuba reiterates its willingness to cooperate in capacity-building, fostering of scientific exchange for peaceful purposes, biosafety and biosecurity, and detection and monitoring of infectious diseases.

188. Cuba is of the view that new developments in science and technology should be assessed in the context of the Biological Weapons Convention, taking into account the dual-use nature of such developments. They cannot govern the implementation of the Convention or be used as a pretext to limit the exchange or use of biological agents and toxins for peaceful purposes.

189. States parties have the responsibility to act in full compliance with their obligations under the Convention. In accordance with this premise, Cuba guarantees the strictly peaceful use, for the purposes of prevention, protection and research, of the biological agents and toxins, equipment, technologies and transfers referred to in the Convention. The main aim of national legislation in force in this area is to ensure the protection of human beings and the environment in the peaceful use of biological agents and toxins, including safety in respect of biological materials and related technologies and information.

190. With the publication of Decree-Law No. 10 on national regulatory authorities and Decree No. 17, the implementing regulation of Decree-Law No. 10 in 2020, the Office of Environmental Regulation and Safety, which answers to the Ministry of Science, Technology and the Environment, was immediately made the relevant national authority.

191. In the legal field, the Criminal Code was updated and is now Act No. 151/2022 of 1 September 2022. Acts committed using explosive or lethal weapons or devices, chemical or biological agents or other means or substances have been made specific criminal offences. Under Article 126, crimes involving the use of fire, flammable substances, materials or instruments, explosives, chemical or biological agents or other means that could have serious consequences are punishable by a prison sentence of between 10 and 30 years, life imprisonment or death.

192. In October 2020, the Office of Environmental Regulation and Safety issued licence LH29-L(76)20 for the operation of a modular laboratory with biosafety level 3 at the Pedro Kourí Institute of Tropical Medicine. A comprehensive inspection was recently carried out of this and other laboratories to ensure compliance with operating requirements.

193. Licences were issued to run two molecular biology laboratories for genetically modified organisms as part of the Global Environment Facility international project within the GEF-6 set of programmes entitled Creation of Additional Biosafety Capacities that Lead to a Full Implementation of the Cartagena Protocol on Biosafety in Cuba, for the identification and detection of living modified organisms.

194. Since 1991, Cuba has continuously participated in the exchange of information by submitting reporting forms on confidence-building measures every year.

195. The Convention constitutes a whole and, although it is possible to consider certain aspects separately, it is essential to address all issues in an interconnected, balanced and comprehensive manner. Any isolated initiative should not distract the attention of the States parties from strengthening the Convention in all its aspects.

Finland

196. Finland attaches great importance to effective implementation of the BTWC and is in compliance with all the provisions of the Convention.

A. Article I and II

197. Finland has never developed, produced, stockpiled, otherwise acquired or retained microbial or other biological agents, or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes. Neither has Finland ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to such agents or toxins for hostile purposes or in armed conflict.

B. Article III

198. Finland's national report to the UNSC 1540 Committee (submitted on 28 October 2004 and amended 2005, 2006, 2007, 2011 and 2019) contains information on Finland's efforts to prevent transfers of prohibited agents and equipment. Finland is committed to providing assistance to other States for fulfilling the provisions of the resolution 1540.

C. Article IV

199. Finland's legislation on biological weapons is based on the Biological Weapons Act 257/1975 and Decree 258/1975. Corresponding penal provisions have been included in the Penal Code and in its amendments. The amended Code criminalizes the use, development, preparation, procurement, storage, possession, transport and delivery of biological weapons or related equipment. A comprehensive chapter on terrorist offences was also added to the Penal Code in 2003 and since then this chapter has been amended on the basis of new relevant international obligations. It should be noted that other parts of legislation, e.g. the Firearms Act and the Communicable Diseases Act contain provisions that can also relate to biological weapon and related material. Furthermore, concerning national mechanisms to establish and maintain the security and oversight of pathogenic micro-organisms and toxins, Finland is currently considering the need to revise its related legislation.

D. Article V

200. Finland has participated annually in the information exchange through the Confidence Building Measures (CBM). The 2022 submission has been posted on the Internet site of the United Nations Office at Geneva (https://bwc-ecbm.unog.ch/state/finland). As a Member State of the European Union, Finland is committed to the EU BTWC Action Plan of 2019 concerning creation or enhancement of national mechanisms for the compilation of the required information and for the annual submissions of CBMs including; increasing the number of States Parties participating in the CBM exchange, enhancing the quality of the information submitted, and increasing the number of States Parties submitting their CBM returns electronically.

E. Article VI

201. To reflect the understandings of the 2003 Meeting of States Parties on enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, Finland has updated the list of Finnish expert consultants, qualified experts and analytical laboratories, which may be used by the UN Secretary-General for the purposes of investigations of the

reports of use of chemical and biological weapons. The latest update was submitted in February 2022. As a Member State of the European Union, Finland is also committed to the EU BTWC Action Plan of 2019, which supports strengthening the United Nations Secretary-General's Mechanism for investigation of Alleged Use of Chemical, Biological and Toxin Weapons (UNSGM). Finnish expert consultants, qualified experts and analytical laboratories have participated in the UNSGM onboarding sessions, exercises, and trainings.

F. Article VII

202. See separate background information document submitted by Finland on the Implementation of Article VII.

G. Article VIII and IX

203. Finland is a State Party to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 and to the Chemical Weapons Convention and fully recognizes the obligations under the Geneva Protocol and the objective of effective prohibition of chemical weapons as requested in Articles VIII and IX of the Convention.

H. Article X

204. See separate background information document submitted by Finland on the Implementation of Article VII.

I. Article XI

205. Finland has not tabled any proposals to amend the text of the Convention.

J. Article XII

206. Finland actively participates in Review Conferences and Meetings related to the Convention.

K. Article XIV

207. Finland shares the view of the European Union and the G7 Global Partnership that universal adherence to the Convention is crucial. Finland is therefore actively promoting accession to the BTWC both bilaterally and at EU level (see EU Council Decision 2019/97/CSFP in support of the BTWC).

France

208. France presented in 2014 the lessons learned from a pilot “peer review” exercise, or voluntary transparency exercise, organized in December 2013 in Paris. Several topics related to national implementation were presented: the national system of biosafety and biosecurity; the national export control system; and the awareness raising policy. Those topics were illustrated with two on-site visits (Institut Pasteur and Agence nationale de sécurité sanitaire de l’alimentation, de l’environnement et du travail). A large panel of experts, coming from nine countries actively participated in the review.

209. Transparency exercises contribute to strengthening national implementation of the Convention by States parties. It gives the opportunity to States to improve confidence, share best practices and experiences on national implementation, including the voluntary exchange of information on their national implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, and by taking also into account mandatory as well as voluntary biosafety and biosecurity requirements.

210. It provides the chance to pave the way and to develop international, regional and bilateral cooperation by identifying key areas where assistance in capacity building may be needed, while fully respecting national sovereignty. France is well aware that such a

mechanism cannot serve as a guarantee for full and effective implementation of the Convention. In this sense, voluntary transparency exercises are not aimed at replacing the verification protocol that was not adopted in 2001.

211. Voluntary transparency exercises have a true added value in order to contribute to strengthening national implementation of the Convention by States parties, enhancing confidence among States Parties and improving international cooperation. Recalling the importance of confidence-building measures under the BTWC and taking note of initiatives undertaken by BTWC States parties in that regard, including through the organization of voluntary transparency exercises, France proposes to create an exchange platform for voluntary transparency exercises.

212. This platform will allow to:

(a) Strengthen the implementation of the BTWC, and in particular support national implementation efforts;

(b) Discuss and exchange information and best practices on previous and future voluntary exercises envisaged by the BTWC States parties;

(c) Create a compendium of all transparency exercises conducted so far which will be regularly updated and submitted as a BTWC working paper; and

(d) Identify potential needs for assistance and cooperation, including reusable in the implementation of Article X.

Kyrgyz Republic

213. Kyrgyzstan acceded to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed on 10 April 1972 in Moscow, London and Washington, in 2004 and is taking the following measures to implement it.

214. By Government Decision No. 310 of 8 June 2020, the Ministry of Economic Affairs and Commerce was declared the competent authority for implementation of the Convention.

215. With a view to fulfilling the requirements of international treaties on the non-proliferation of weapons of mass destruction, including the Convention, Kyrgyzstan is taking steps to improve its national export control system and strengthen its system for monitoring and controlling the movement of materials and equipment facilitating the development and preparation of such weapons.

I. Export control legislation

216. Export control is the main mechanism whereby Kyrgyzstan fulfils, at the national level, its international obligations with respect to the non-proliferation of weapons of mass destruction.

217. By Government Decision No. 257 of 27 October 2010, the Ministry of Economic Affairs and Commerce was declared the competent authority for export control.

218. The national export control system is based on international treaties on the non-proliferation of weapons of mass destruction and national legislation on foreign trade and export control.

219. The Constitution provides that the generally recognized principles and rules of international law, along with international treaties that have entered into force in accordance with national legislation, are an integral part of the legal system of Kyrgyzstan.

220. The procedure and conditions for the application of international treaties and the generally recognized principles and rules of international law are determined by legislation.

221. In accordance with export control legislation, the transfer of hazardous biological agents and toxins, equipment and technology must be carried out in conformity with the Convention.

222. The basic instrument governing the legal relations between government agencies of Kyrgyzstan and participants in foreign trade activities with respect to the conduct of export control is the Export Control Act adopted in 2003.

223. The Act also sets out their rights, duties and responsibilities in that regard.

224. Pursuant to the Act, foreign trade transactions involving the import, export or re-export of controlled items are subject to mandatory licensing and identification.

225. In Kyrgyzstan, export control is carried out through the legal regulation of foreign trade activities; it includes:

- Identification of specific types of raw materials and supplies, equipment and technology, scientific and technical information, work and services, dual-use items and intellectual property involved in foreign trade transactions that correspond to the types of items included on the national control list
- Operation of an authorization regime, entailing licensing or another form of State regulation, for foreign trade transactions involving controlled items
- Conduct of customs operations upon the export, import, re-export and transit of controlled items, in accordance with national legislation
- Foreign exchange controls on foreign trade transactions involving controlled items, including monitoring of the prompt and full receipt of foreign exchange earnings in the authorized bank accounts
- Application of sanctions against persons who violate or attempt to violate the procedures established under the Act and other laws and regulations of Kyrgyzstan for foreign trade activities involving controlled items
- Establishment of internal company export control programmes in businesses and organizations carrying out scientific and manufacturing activities relating to national defence and security
- Exchange of information and other forms of cooperation with the competent export control bodies of foreign States and with international organizations
- Updating of the national control list of controlled items and goods (work, services) in line with the generally recognized rules of international law and established practice
- Provision of State guarantees, including in the form of end-user certificates, regarding the use of controlled items imported to Kyrgyzstan

226. In addition, the Act reflects the main competencies of the Government and government agencies in the area of export control and the main export control objectives, methods and mechanisms. It also establishes the main requirements for foreign trade transactions involving controlled items on the national control list.

227. Types of raw materials and supplies, equipment and technology, scientific and technical information, work and services, dual-use items and intellectual property used to produce weapons of mass destruction and their means of delivery and other types of arms and military technology are subject to export control.

228. In fulfilment of the Act and with a view to further developing the legal and regulatory framework for export control, a Commission on Military and Technical Cooperation and Export Control was established pursuant to Presidential Decree No. 265 of 14 August 2003 on measures to further develop military and technical cooperation by Kyrgyzstan with foreign States and introduce a national export control system.

229. The Commission coordinates the work of all government agencies with a role in export control, settling inter-agency disputes regarding the issuance of authorization documents.

230. The Regulations on the Commission were approved by Government Decision No. 330 of 4 May 2004.

231. A number of subsidiary enactments were adopted to implement the Export Control Act, namely:

(a) Regulations on the Commission on Military and Technical Cooperation and Export Control, approved by Government Decision No. 330 of 4 May 2004;

(b) Regulations on export control procedures for controlled items in the Kyrgyz Republic, approved by Government Decision No. 257 of 27 October 2010;

(c) National control list of controlled items, approved by Government Decision No. 197 of 2 April 2014.

II. The Regulations on export control procedures set out:

- The general control procedure, harmonized conditions and requirements for drawing up and issuing export, import and re-export licences and authorizations for the transit or domestic transfer of controlled items on the national control list
- The procedure for issuing end-user certificates
- The competent public authorities with an export control mandate (which carry out a package of measures to verify and analyse documents and information relating to foreign trade transactions involving controlled items in order to determine whether they comply with the international obligations of Kyrgyzstan, its national interests and environmental safety requirements)

232. Compliance with the Regulations is mandatory for all participants in foreign trade activities, including brokering and activities related to the transport of controlled items, and for government agencies with a connection to controlled items, except in the cases provided for by national legislation and the international treaties to which Kyrgyzstan is a party.

233. The Regulations also contain a provision on comprehensive control, which provides for the expansion of control to the transfer of goods not on the national control list but whose ultimate purpose is the production of weapons of mass destruction.

234. In accordance with this provision (art. 15.1), participants in foreign trade activities are prohibited from concluding or taking any part in foreign trade transactions involving goods and technologies, work or services if they know that such items, intellectual property, work or services will be used by foreign States or foreign legal or natural persons for the purpose of producing, manufacturing or using weapons of mass destruction and their means of delivery or committing acts of terrorism.

235. Pursuant to Article 15.2 of the Regulations, participants in foreign trade activities must obtain a licence or authorization in due form from the Ministry of Economic Affairs and Commerce to carry out foreign trade transactions involving goods, technologies, software, intellectual property, work or services not on the national control list when:

- They have been informed by the Ministry of Economic Affairs and Commerce or another government agency of Kyrgyzstan that the relevant items or intellectual property may be used for the purposes described in Article 15.1 of the Regulations
- They have reason to believe that the relevant items or intellectual property may be used for the purposes described in Article 15.1 of the Regulations

236. The Regulations also set forth the duties of participants in foreign trade activities.

237. In accordance with the Regulations, economic entities must set up internal company export control programmes in order to establish within such enterprises and organizations a verification mechanism to ensure the legality of foreign trade transactions and facilitate compliance with licensing procedures.

238. When they conduct foreign trade transactions involving controlled items, they must obtain licences and authorizations from the competent public authorities of Kyrgyzstan.

239. After obtaining a licence to export, import and re-export controlled items and items classified as dangerous goods under national legislation, they must move the controlled items in strict compliance with the established national requirements on the safe transport of dangerous goods.

240. Within 15 working days of the expiry of the validity period, licence and permit holders must submit to the Ministry of Economic Affairs and Commerce a report on compliance with the terms of the licences and permits, attaching the customs declarations or consignment notes if they have moved goods (controlled items) to or from a country that is not a State member of the Eurasian Economic Union.

241. They are also required to retain documents containing information about items subject to export control (contractual documents, invoices, consignment notes, shipping documents, customs declarations, etc., current operational documents and files on contractual counterparties and their representatives) for five years after the conclusion of the foreign trade activities involving controlled items.

242. **The national control list** of controlled items has been harmonized with international non-proliferation regimes.

243. The list is divided into six annexes, according to the items' potential use in producing a weapon of mass destruction.

244. The list of hazardous biological agents and toxins, equipment and technologies that could be used to produce a biological or toxin weapon appears in sublist 1 of the national control list: List of human, animal and plant pathogens, genetically modified microorganisms, toxins, equipment and technologies subject to export control.

245. In accordance with the above-mentioned Regulations on export control procedures for controlled items in the Kyrgyz Republic, controlled items on sublist 1 of the national control list are transferred in accordance with the Convention.

246. The competent authority to issue authorization documents for foreign trade transactions involving goods and technologies on the list is the Ministry of Economic Affairs and Commerce. Licences are issued on the basis of the findings of expert organizations, namely the Ministry of Agriculture and Ministry of Health, regarding the feasibility and advisability of transactions.

III. Regulation

247. In line with Act No. 195 of 19 October 2013, the Licensing System Act, the following are subject to licensing:

- Work with microorganisms in pathogenicity group 2
- Transport of dangerous goods in the territory of Kyrgyzstan
- The right to identify controlled items appearing on the national control list
- Transit of goods across the national territory
- Transfer within the country of goods appearing on the national control list

IV. National Action Plan for the implementation of Security Council resolution 1540 (2004)

248. With a view to more effective compliance with international non-proliferation treaties, including the Convention, Kyrgyzstan is currently according a special role to Security Council resolution 1540 (2004), which it is implementing through the elaboration and fulfilment of a national action plan.

249. Since 2013, Kyrgyzstan has adopted three National Action Plans for the implementation of Security Council resolution 1540 (2004), of which two have been successfully carried out with the cooperation of international and regional organizations.

250. With the assistance of the Organization for Security and Cooperation in Europe (OSCE) Programme Office in Bishkek, the third Action Plan has been developed and was approved at the end of last year by decision of the Cabinet of Ministers (the first was approved on 22 March 2013 by Government Decision No. 144 and the second on 24 July 2017 by Government Decision No. 443).

V. Main outcomes of implementation of the National Action Plan

- The national control list was approved (by Government Decision No. 197 of 2 April 2014).
- Provisions were added to government regulations, to allow for the control of brokering and transport of sensitive goods (by Government Decision No. 15 of 10 January 2014).
- The Act on the Accession of the Kyrgyz Republic to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, was adopted (Act No. 36 of 20 March 2019).
- The competent authority for implementation of the Convention was determined.

251. The third Action Plan was approved by Cabinet of Ministers Decision No. 340 of 24 December 2021.

252. It covers current matters relating to the implementation of Security Council resolution 1540 (2004) as regards the system for accounting for and securing materials related to weapons of mass destruction, border (customs) controls and law enforcement efforts, and control of export and trans-shipment of controlled goods and technologies.

253. To ensure full implementation by Kyrgyzstan of the Convention, the Plan includes the following important objectives:

- Drafting amendments to the Criminal Code and Code of Infractions to establish violations of national legislation on export control and the proliferation of weapons of mass destruction as criminal offences
- Drafting and approving a law on biosafety
- Conducting an analysis of the legislative, regulatory and institutional framework on biosafety and improving the national institutional framework
- Developing regulations on the following subjects:
    - Measures to implement the Convention (Regulations on implementation of the Convention)
    - Regulations on a safety commission to monitor compliance with biosafety requirements in organizations working with microorganisms in pathogenicity groups 1 to 4
    - Rules on the recording, storage and transport of biomaterials and microorganisms in pathogenicity groups 1 to 4
- Developing a training package on biosafety risk assessment
- Developing rules for the handling, manipulation, transport, storage and disposal of biomaterials
- Developing guidelines for biosafety risk assessment, in accordance with international standards
- Conducting training courses and sessions, seminars, demonstrations and practical exercises for the staff of ministries and departments involved in the biosafety aspects of the implementation of Security Council resolution 1540 (2004)

  Work by government agencies to fulfil these objectives is ongoing.

254. A number of consultations were held with representatives of the Biological Weapons Convention Implementation Support Unit.

255. In October 2021, in Geneva, an expert meeting was held to discuss preparation for a peer review exercise on implementation of the Convention. Recommendations on the biosafety bill were presented.

256. In August 2022, with support from the Biological Weapons Convention Implementation Support Unit of the Office for Disarmament Affairs in Geneva and the OSCE Programme Office in Bishkek, a peer review exercise was conducted in Kyrgyzstan in accordance with European Union Council Decision 2019/97 in support of the Biological and Toxin Weapons Convention in the framework of the European Union Strategy against Proliferation of Weapons of Mass Destruction, with the involvement of experts from Kazakhstan, Uzbekistan, Georgia, the United States of America and Mongolia and representatives of the World Health Organization (WHO), OSCE, the World Organization for Animal Health, the Security Council Committee established pursuant to resolution 1540 (2004), the Office for Disarmament Affairs, the International Science and Technology Centre, the European Union Chemical, Biological, Radiological and Nuclear Risk Mitigation Centres of Excellence Initiative and the United Nations Institute for Disarmament Research.

VI. Biosafety

257. A number of ministries, departments and agencies are involved in the national export control system, in addition to the Cabinet of Ministers, which makes the key decisions in this area.

258. Control of the transfer of strategic dual-use goods, including hazardous biological agents, is an integral part of ensuring national and international security.

259. Owing to the lack of a specific law on biosafety in Kyrgyzstan, several government agencies share responsibility for obligations under the Convention.

260. In Kyrgyzstan, many ministries are involved in implementing the Convention at the national level, including the Ministry of Economic Affairs and Commerce, the Ministry of Health, the Ministry of Foreign Affairs, the Ministry of Natural Resources, the Environment and Technical Oversight, the Ministry of Defence, the Ministry of Internal Affairs and the Ministry of Agriculture.

261. The activities of these government agencies are coordinated by the competent authority for implementation of the Convention, the Ministry of Economic Affairs and Commerce.

262. The Ministry of Health is the central executive body for public policy implementation and governance relating to health and health insurance for citizens of Kyrgyzstan and is also WHO National International Health Regulations Focal Point.

263. Kyrgyzstan does not have any research centres and laboratories that meet very high national or international safety standards established for handling, for permitted purposes, biological materials that pose a high individual and community risk or specialize in permitted biological activities directly related to the Convention.

264. Moreover, there are no national biological defence research and development programmes.

265. The following centres are currently operating in Kyrgyzstan:

(a) The Centre for Quarantinable and Especially Dangerous Infections in the Department of Disease Prevention and State Sanitary and Epidemiological Surveillance of the Ministry of Health.

266. This is a biosafety level 2 facility. The Centre's bacteriological laboratory (surface area of 280 m^2) carries out diagnostic and preventive research on people and the environment, including in relation to the quarantinable and especially dangerous infections of plague,

anthrax, brucellosis and cholera. At the Centre, research is conducted on plague, anthrax, brucellosis and cholera.

(b) The Centre for Veterinary Diagnostics and Testing of the Veterinary Service attached to the Ministry of Agriculture.

267. This is a biosafety level 2 facility. The Centre performs diagnostic work using microorganisms in pathogenicity groups 1 to 4 and materials including the blood, cadavers, urine, excrement, hides, food and internal organs of animals, birds, fish and bees.

268. In its conduct of diagnostic veterinary research, biological sampling and veterinary tests and analyses on products and materials of animal or plant origin, in accordance with inter-State standards (GOST), technical rules and guidelines, the Centre applies and uses the regulatory instruments adopted pursuant to decisions No. 80 and No. 317 of the countries of the Eurasian Customs Union and the Eurasian Economic Commission in the area of veterinary science. It also applies the methods recommended by the World Organization for Animal Health.

269. Veterinary laboratories work in accordance with public health and disease control rules and standards and the decisions of the safety commission of the Ministry of Health.

(c) The Centre for the Certification of Veterinary Medicines of the Ministry of Agriculture.

270. This is a biosafety level 2 facility. The Centre maintains the State records of the cultures of microorganisms and other biologically active substances stored at national veterinary institutions and those imported from abroad. It keeps reference samples and standard specimens of veterinary biologics and the national collections of microbial strains used in veterinary science. It also assesses the compliance of veterinary medicines produced in and imported into Kyrgyzstan with the quality, safety and effectiveness requirements of standards, technical rules and laws and regulations.

(d) The A. Duisheev Kyrgyz Research Institute of Veterinary Science.

271. The Institute is a biosafety level 2+ facility and is part of the K.I. Skryabin Kyrgyz National Agrarian University, which is under the authority of the Ministry of Education and Science and the Ministry of Agriculture and Land Reclamation.

272. The main specialities of the Institute are: the development and improvement of biotechnology for the diagnosis, specific prevention and treatment of infectious and parasitic diseases in agricultural animals, birds and honeybees; the identification and classification of pathogens based on in-depth molecular biology research with the use of new methods of enzyme-linked immunosorbent assay (ELISA) and conventional and real-time polymerase chain reaction (PCR) with a view to developing national high-performance vaccines and diagnostic products; and research on foot-and-mouth disease, brucellosis, sheep pox and horse viruses (equine viral arteritis, equine influenza and equine herpesviruses). It handles pathological materials for diagnostic purposes.

(e) The Preventive Medicine Research and Production Association.

273. The organization’s main focus is on academic and industrial medical activities relating to public health issues.

274. These objectives are: the development, scientific justification and monitoring of public health and environmental indicators; the assessment of public health indicators with a view to the elaboration and adoption of evidence-based measures to prevent infectious and non-infectious diseases in the population; research and applied modelling, projection and creation of a geographic information system relating to the epidemiological and health situation in the country; the planning of scientific research and development according to public health and health-care priorities; and quality control of laboratory tests in health care and monitoring of the use of therapeutic and diagnostic immunobiological products.

VII. Biosafety legislation

- Act No. 6 of 9 January 2005 on Health Care
- Act No. 248 of 24 July 2009 on Public Health
- Government Decision No. 201 of 11 April 2016 on public health rules for the organization and conduct of production control for compliance with public health rules and implementation of public health, disease control and preventive measures
- Government Decision No. 163 of 17 March 2020 on measures to counter the threat of the outbreak and spread of coronavirus disease (COVID-19) in the territory of the Kyrgyz Republic
- Government Decision No. 152 of 16 March 2010 on the National Emergency Anti-Epidemic and Anti-Epizootic Commission under the Government
- Government Decision No. 352 of 26 June 2014 on the Coordinating Council on Public Health
- Government Decision No. 297 of 10 June 2011 on strengthening cooperation between ministries and departments to combat quarantinable and especially dangerous infectious and parasitic diseases
- Government Decision No. 580 of 7 October 2014 on approval of the Regulations on procedures for the public health and disease control monitoring of persons, vehicles, goods and cargo moved across the State border
- Safety Commission of the Ministry of Health (Ministry of Health Order No. 713 of 14 August 2017)
- The Veterinary Medicine Act
- Act No. 140 of 6 August 2005 on accession of the Kyrgyz Republic to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity
- Government Decision No. 377 of 18 June 2015 on approval of the priority veterinary health requirements to prevent animal disease
- International Animal Health Code and Manual of the World Organization for Animal Health and the Food and Agriculture Organization of the United Nations

VIII. Liability

275. Pursuant to Article 15 of the Export Control Act, participants in foreign trade activities who violate the Act are held liable in accordance with national legislation.

276. The Criminal Code and Code of Infractions specify a number of offences, penalties, alternative sanctions and jurisdictional elements relating to the unlawful use of biological weapons.

277. The following are provisions on liability under the Criminal Code and the Code of Infractions:

IX. Criminal Code

- Article 231 (Smuggling)

278. Smuggling, meaning the movement across the customs border of the Eurasian Economic Union of a significant volume of goods or other items by circumventing customs controls or concealing the goods or items, making fraudulent use of documents or other means of customs identification, failing to make a declaration or making an inaccurate declaration.

- Article 285 (Smuggling of items subject to special rules for movement across the customs border of the Kyrgyz Republic)

- Article 284 (Conducting of business without a licence)
- Article 298 (Violation of environmental protection rules during operations)
- Article 299 (Violation of the rules for handling environmentally hazardous substances and waste)
- Article 300 (Violation of the safety rules when handling biological agents or toxins)
- Article 301 (Violation of veterinary regulations)

X. Code of Infractions

- Article 434 (Violation of the procedures for carrying out the decisions, instructions, orders or requirements of a competent authority)
- Article 439 (Violation of the procedures for submitting information, data or reports to a competent authority)
- Article 440 (Obstruction of the work of a competent authority)
- Article 285 (Provision of inaccurate information to obtain a licence)
- Article 371 (Non-compliance with the procedures for the application of restrictions when moving goods across the customs border)
- Article 372 (Unlawful movement of goods or vehicles)
- Article 435 (Violation by officials of the requirements of laws and regulations)

XI. Reporting

279. The Ministry of Economic Affairs and Commerce submits an annual report on confidence-building measures to the secretariat of the Convention.

280. The report for 2020 was submitted under reference No. 15-2/3683 on 9 April 2021 through the Ministry of Foreign Affairs.

281. The report for 2021 was submitted to the secretariat of the Convention under No. 26-3/5632 on 11 May 2022.

Mexico

282. in keeping with its commitments to the non-proliferation of weapons of mass destruction and to international disarmament and security, and in connection with the preparatory work for the Ninth Review Conference – specifically, in response to the decision adopted by the Preparatory Committee for the Ninth Review Conference on 20 December 2021 and the request by the Implementation Support Unit for States parties to contribute to the drafting of supporting documents on full compliance by States parties with their obligations under the Convention – the Government of Mexico provides the following information:

I. Compliance with key provisions of the Convention (Articles I–III)

283. The Government of Mexico reaffirms its full commitment to disarmament and the non-proliferation of weapons of mass destruction, weapons which have indiscriminate effects, and their means of delivery.

284. Mexico has been a State party to the Convention since 1974. It has never developed, produced, stockpiled, acquired or retained biological agents or toxins prohibited by the Convention or weapons, equipment or means of delivery intended for the use of such agents or toxins for hostile purposes or in armed conflict.

II. National measures for implementation of the Convention (Article IV)

285. In accordance with the undertaking of Mexico to fully comply with the obligations arising from the Convention, the national legal framework establishes offences relating to the use of weapons of mass destruction for acts of terrorism, the financing and support of such acts and the trafficking of nuclear materials and chemical, biological and conventional weapons. It also includes regulations on disease prevention and control and public health emergency response.

286. As part of its commitment to the non-proliferation of weapons of mass destruction, particularly biological weapons, Mexico fully complies with its obligations under Security Council resolution 1540 (2004).

287. Mexico also has legal provisions that regulate the trade in dual-use materials that could be diverted for the development of biological weapons. It has redoubled its efforts to strengthen controls over the transfer of sensitive products that could be used unlawfully to produce such weapons.

288. In this context, Mexico has joined the most important export control regimes, including (in 2013) the Australia Group, which promotes export controls to regulate international trade in dual-use goods, materials, equipment and technologies that could be diverted for the development of biological and chemical weapons.

III. Confidence-building measures (Article V)

289. Further to commitments given at the Second Review Conference (held in 1986), at which States parties agreed to the annual reporting of confidence-building measures, Mexico has submitted 19 national reports on confidence-building measures since 1990. Mexico has also participated in voluntary transparency exercises.

290. Mexico does not have biosafety level 4 maximum containment units (according to the criteria set forth in Laboratory Biosafety Manual of the World Health Organization) or biological defence programmes. However, as a sign of its commitment to transparency, it reports on the country's biosafety level 3 facilities, which are used solely for diagnostic and research purposes. Mexico supports and has encouraged the adoption of transparency measures as tools for building confidence among the States parties to the Convention.

IV. Biosafety, epidemic monitoring and response

291. Recent public health emergencies of international concern declared by the World Health Organization, such as the influenza A (H1N1), Ebola, Zika, measles and COVID-19 epidemics, clearly demonstrate the need for better prepared public health and humanitarian systems throughout the world.

292. These outbreaks are also a disturbing warning of the dramatic impacts and consequences that might ensue from an intentional release of biological agents or toxins. Such an event, besides causing tragic loss of life, could have devastating economic consequences.

293. Therefore, natural or anthropogenic outbreaks of infectious disease are a threat to international security; they demonstrate the need to strengthen biological prevention, containment and disarmament mechanisms such as the Convention, which, in addition to promoting peaceful uses of biological science and technology, contributes to preventing the global spread of disease.

294. In this context, Mexico has adopted regulations on disease prevention and control and public health emergency response. It also has an epidemiological surveillance system that generates information and strategies for public health decision-making.

295. The country's Institute of Epidemiological Diagnosis and Reference and its national network of public health laboratories together aim to provide products and services such as diagnostics, human resources training, technical competency assessment and technological

research and development. These enable the identification of diseases through diagnostics of proven quality, performed by the national network of public health laboratories, in response to public health needs.

296. The Institute of Epidemiological Diagnosis and Reference is a member of several global laboratory networks for the surveillance of diseases of public health significance. Its methodology allows it to perform some diagnostics on agents of global public health significance.

297. The Institute is currently taking steps to strengthen its capacity by purchasing equipment and materials and providing training and refresher courses for its staff.

298. Thanks to these elements, Mexico has sufficient capacity to generate timely and reliable results to inform decision-making, allowing it to improve morbidity and mortality indicators for diseases under epidemiological surveillance and early alerting to the presence of emerging diseases, thus strengthening the safety of individuals, communities and the environment.

299. Mexico actively participates in various multilateral groups, including the Global Outbreak Alert and Response Network and the Global Health Security Initiative. This initiative is an informal, international partnership among countries and like-minded organizations to strengthen public health preparedness and response globally to threats of chemical, biological and radionuclear terrorism and pandemic influenza.

300. The Ministry of Health participates in the Early Alerting and Reporting subgroup, whose aims are to enhance global early alerting and risk assessment and evaluate the feasibility and appropriateness of integrating chemical, biological, radiological and nuclear and pandemic influenza threat analysis. The innovative Early Alerting and Reporting approach involved both epidemic intelligence experts and providers of web-based biosurveillance systems and culminated in the Epidemic Intelligence from Open Sources initiative – a unique collaboration between various public health stakeholders around the globe. It brings together new and existing initiatives, networks and systems to create a unified, all-hazards, One Health approach to early detection, verification, assessment and communication of public health threats using publicly available information.

301. Using this innovative system, Mexico has strengthened national-level epidemiological surveillance and detection.

V. Article VI

302. In the absence of a mechanism under the Convention to investigate the possible use of biological weapons, Mexico supports the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons, which was established by resolution A/42/37 C (1987) and reaffirmed by the Security Council in resolution 620 (1988).

303. Mexico participates in the Secretary-General's Mechanism by nominating health experts and biosafety level 3 laboratories, which are listed in the Secretary-General's roster.

VI. Assistance (Article VII)

304. Mexico also actively participates in assistance activities to consolidate preparedness and response strategies for biological incidents, diseases with pandemic potential and emerging and re-emerging diseases.

305. Regarding the undertaking of States parties under Article VII of the Convention to provide assistance to any other State party that may request it owing to a biological risk, Mexico has participated in humanitarian support missions conducted by the Emergency Medical Teams of the Pan American Health Organization, specifically by providing medical services and health care in the communities of Jean Bellune and Pestel, Grand'Anse, Haiti.

VII. International cooperation (Article X)

306. See the document on Article X transmitted separately at the request of the Implementation Support Unit.

VIII. Reaffirmation of complementary international obligations (Articles VIII and IX)

307. Mexico has acceded to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925, and is a State party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

308. Mexico fully complies with the obligations arising from these two international instruments and thus recognizes the objective of prohibiting the use of chemical weapons by any actor, anywhere and under any circumstances, in accordance with articles VIII and IX of the Biological Weapons Convention.

IX. Strengthening of the Convention, participation in meetings of States parties and universalization (articles XI, XII and XIV)

309. Mexico reaffirms its willingness to participate in the strengthening of the Convention through the adoption of future measures to build capacity in key areas, and in its universalization.

310. Mexico actively participates in review conferences and other meetings related to the Convention.

311. Finally, Mexico reaffirms its commitment to disarmament and the non-proliferation of weapons of destruction, particularly biological weapons, through the national implementation of the Convention. It also restates its willingness to participate in efforts for the strengthening and universalization of the Convention and in the adoption of future measures to build capacity in key areas, thereby responding to the needs of public health, peace and international security in the twenty-first century.

Norway

312. Norway signed the Convention on 10 April 1972 and ratified it on 1 August 1973.

A. Article I

313. Each State Party to this Convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain: (1) microbial 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; (2) weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

314. Norway has never developed, produced, stockpiled or otherwise acquired or retained microbial or other biological agents or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes, nor has it ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

315. Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after the entry into force of the Convention, all agents, toxins, weapons, equipment and means of delivery specified in

Article 1 of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this Article all necessary safety precautions shall be observed to protect populations and the environment.

316. Norway has never had an offensive biological research, development or production programme or otherwise acquired biological weapons, and, accordingly, has had no need to destroy or divert to peaceful purposes any biological weapons, as required under this Article.

C. Article III

317. Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

318. Norway complies fully with the undertaking not to transfer or in any way assist, encourage or induce any other States or organisations to manufacture or otherwise acquire biological weapons. This is reflected in a number of Acts and Regulations, which are listed below.

319. All Acts and Regulations are available in Norwegian at www.lovdata.no. An English version of many Norwegian acts and regulations is available at https://lovdata.no/info/information_in_english, but these are not official translations, and in many cases they have not been updated to include the latest amendments.

320. The implementing agencies are Norwegian Customs Authorities, the Norwegian Food Safety Authority, the Ministry of Foreign Affairs, and the Norwegian Police Security Service.

(a) Act relating to control of the export of strategic goods, services, technology, etc., (Export Control Act) (LOV-1987-12-18-93, as amended 2021). Under this Act, an export licence is required to export certain goods;

(b) Act relating to the regulation of imports and exports (LOV-1997-06-06-32, as amended 2022);

(c) Act on Customs Duties and Movement of Goods (Customs Act) (LOV-2007-12-21-119, as amended 2022);

(d) Act relating to the control of communicable diseases (LOV-1994-08-05-55, as amended 2015; updated English translation not available). This Act sets out measures to prevent communicable diseases from being brought into the country or spread to other countries (quarantine measures), including measures in respect of persons, animals, means of transport, goods and objects that may conceivably transmit communicable diseases. The Act also contains provisions on measures such as compulsory medical examinations and disinfection, as well as documentation requirements in connection with entry into and departure from Norway and in connection with the import and export of goods;

(e) Act relating to food production and food safety etc. (Food Act) (LOV-2003-12-19-124, as amended 2022; updated English translation not available). Under the Food Act, the Norwegian Food Safety Authority is responsible for ensuring compliance and may make the necessary decisions to ensure the implementation of the Act. This includes prohibiting imports, exports, and trade in plants/animals/food, or ordering the withdrawal of such products from the market, the closure of premises, isolation, killing of animals, destruction, disinfecting, labelling/stamping or other special measures;

(f) The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2022). Section 142 prohibits the acquisition, possession, transport, transfer, production, use, or other illegal involvement with biological weapons and any equipment meant for their production/use or delivery. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training, and incitement to acts of terrorism, and the financing of terrorism. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water, or the ground with a view to endangering life and the environment. Sections 355-357 make it illegal to

expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life;

(g) Regulations to the Act on Customs Duties and Movement of Goods (Customs Regulations) (FOR-2008-12-17-1502, as amended 2016), regulating the powers of the customs authorities to seize, destroy or dispose of any illegally imported substances and impose sanctions in connection with attempted illegal export; and Export Control Regulations (FOR-2013-06-19-718) and Act relating to control of the export of strategic goods, services, and technology;

(h) Regulations relating to the export of defence-related products, dual-use items, technology, and services – Implementing legislation. Laid down by the Ministry of Foreign Affairs on 19 June 2013 (FOR-2013-06-19-718);

(i) Regulations on the notification of, and measures to be taken in the event of, serious events of significance for international public health (the IHR Regulations) (FOR-2007-12-21-1573, as amended 2015);

(j) Regulations on the import, transport and other handling of materials that are infectious to humans (FOR-1996-09-12- 903, as amended 2013);

(k) Regulations amending the regulations on plant health (FOR-2016-03-29-327, as amended 2022), which impose restrictions on the production, transport, packaging, import and export of plants;

(l) Regulations on Animal Health (FOR-2022-04-06-631); the Germinal Products Regulation (FOR-2022-04-06-630), The Terrestrial Animal Traceability regulation (FOR-2022-04-07-637) The Animal Import Regulation (FOR-2022-04-06-633). Regulation (EU) 2016/429. Article 240 regulates entry of disease agents into the EEA. Regulation on health certificates (FOR-2022-04-06-627) and the Regulation (EU) 2021/403 on the movement of terrestrial animals within the EEA (FOR-2022-04-07-636);

(m) Regulations on official control to ensure compliance with the regulations for food, feed, pesticides, animal health and animal welfare (FOR-2020-03-03-704 as amended in FOR-2022-07-09-1360, and FOR-2022-06-02-1010). Regulation concerning official controls- general requirements for official controls - Regulation (EU) 2019/2123, Regulation (EU) 2019/2126, Regulation (EU) 2019/2129 and Regulation (EU) 2019/2130 (FOR-2020-03-09-708).

D. Article IV

321. Each State Party to this Convention shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, within the territory of such State, under its jurisdiction or under its control anywhere.

322. Norway fulfils the requirements set out in Article IV on national implementation through a number of Acts and Regulations, which are directly or indirectly in compliance with the Convention. In addition to the Acts and Regulations mentioned under Article I, this includes:

(a) The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2016). Section 142 prohibits the acquisition, possession, transport, transfer, production, use, or other illegal involvement with biological weapons and any equipment meant for their production, use or delivery. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training and incitement to acts of terrorism, and the financing of terrorism. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water or the ground with a view to endangering life and the environment. Section 355-57 make it illegal to expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life;

(b) Act relating to the Production and Use of Genetically Modified Organisms, etc. (Gene Technology Act) (LOV-1993-04-02-38, as amended 2015). This Act imposes strict controls on the production and use of genetically modified organisms;

(c) Act relating to the application of biotechnology in medicine (LOV-2003-12-05-100, as amended 2015). This Act imposes strict controls on the use of biotechnology;

(d) Act relating to the prevention of fire, explosion and accidents involving hazardous substances and to the tasks of the fire service (LOV-2002-06-14-20, as amended 2015). This Act imposes strict controls on the production and handling of hazardous substances and dangerous goods;

(e) Act relating to aviation (LOV-1993-06-11-101, as amended 2016).

(f) Act relating to harbours and territorial waters (LOV-2009-04-17-19, as amended 2015);

(g) Regulations relating to impact assessment pursuant to the Gene Technology Act (FOR-2005-12-16-1495, as amended 2013);

(h) Regulations relating to the labelling, transport, import and export of genetically modified organisms (FOR-2005-09-02—1009, as amended 2013);

(i) Regulations concerning the declaration and labelling of microbiological products (FOR-1998-01-22- 93, as amended 2013);

(j) Regulations relating to the land transport of dangerous goods (FOR-2009-04-01-384, as amended 2022);

(k) Regulations relating to the air transport of goods (FOR-2003-01-11-41, as amended 2013);

(l) Regulations relating to environmental safety for ships (FOR-2012-05-30-488, as amended 2015);

(m) Regulations relating to the unloading, loading, storage and transport of dangerous goods in municipal coastal areas and harbours (FOR-2009-12-15-1543, as amended 2013);

(n) Regulations relating to the conduct of investigations to identify communicable diseases (FOR-1998-12-22-1432, as amended 2013);

(o) Regulations concerning infectious waste from the health sector and animal health sector (FOR-2005-10-11-1196, as amended 2021).

E. Article V

323. The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

324. In accordance with the relevant decisions of States Parties at the Second, Third, Sixth, Seventh and Eight Review Conferences of the Convention, Norway has annually submitted the declaration forms on Confidence-Building Measures to States Parties through the BWC Implementation Support Unit (ISU) under the UN Office for Disarmament Affairs. The Norwegian declarations on Confidence-Building Measures are available to the public. Norway also participated in the Article V Consultations 5 to 9 September 2022 as requested by the Russian Federation.

F. Article VI

325. Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible

evidence confirming its validity, as well as a request for its consideration by the Security Council.

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

327. Norway has not lodged any complaints with the UN Security Council regarding any breaches of the obligations under the Convention by any other States Parties, nor has any other State Party lodged a complaint under Article VI against Norway.

328. Norway has nominated two Qualified Experts to the United Nations Secretary General's Mechanism (UNSGM) roster. Both are actively participating in different training events within the framework of the UNSGM. Their assistance can be requested by the UNSGM through the Norwegian authorities in accordance with the standard request procedures. Norway has also nominated one Designated Laboratory to the UNSGM roster. This laboratory continuously participates in the proficiency tests that are organized within the framework of the UNSGM. Norway also takes part in the UNSGM Group of Friends that are working to strengthen and operationalize the UNSGM.

G. Article VII

329. Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

330. Norway has not received any requests for assistance under Article VII from other States Parties, nor has it requested assistance under Article VII from any other State Party.

H. Article VIII

331. Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

332. Norway ratified the 1925 Geneva Protocol on 27 July 1932.

333. The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2022). Section 142 prohibits the use of or other illegal involvement with biological weapons. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training, and incitement to acts of terrorism, and the financing of terrorism. Section 141 prohibits the use of biological weapons on or against an aircraft, a ship or installations or facilities on the continental shelf and the release of biological weapons from an aircraft, a ship or installations or facilities on the continental shelf. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water, and the ground with a view to endangering life and the environment. Sections 355-357 make it illegal to expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life.

I. Article IX

334. Each State Party to this Convention affirms the recognised objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

335. Norway ratified the Chemical Weapons Convention on 7 April 1994.

336. Norway and Denmark contributed to the elimination of Syria's chemical weapons programme, in line with UNSCR 2118 and OPCW Executive Council decision EC-M-34/DEC-1, by transporting chemical weapons out of Syria. The Norwegian contribution consisted of a civilian cargo ship, a military escort vessel, a Vessel Protection Team and a CBRN response team. Norway's total costs for the Norwegian operation were NOK 284 million (approx. USD 40 million). In addition, Norway provided NOK 19, 3 million total to OPCW Syria Trust Fund for the Destruction of Chemical Weapons.

J. Article X

337. The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also co-operate in contributing individually or together with other States or international organisations to the further development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease, or for other peaceful purposes.

338. This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

339. Norway has fulfilled its commitments under Article X, both by facilitating and participating in the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes, and by engaging in international cooperation. Norway's most important activities during the intersessional programme are outlined below.

(a) The Norwegian Institute of Public Health has a Department for International Public Health and many international cooperation projects. These range from basic (pure) research projects to capacity-building, development, and networking activities. For more information, see the Institute website: www.fhi.no;

(b) Norwegian universities have extensive international cooperation programmes to meet the Sustainable Development Goals. The Universities of Oslo and Bergen also have a Centre for Global Health and a Centre for International Health, respectively (for more information on these centres, see www.med.uio.no/helsam/english/research/centres/global-health/ and www.uib.no/en/cih;

(c) The Ministry of Foreign Affairs has funded the Global Health Preparedness Programme (GHPP) with NOK 46 million since 2015. GHPP aimed to contribute to the global efforts of strengthening the International Health Regulations (IHR) (2005) core capacities in partner countries and globally. The mode of work for GHPP was peer-to-peer collaboration between Norway and select low- and middle-income countries, Ghana, Malawi, Moldova, and Palestine, and a global component. The overarching goal of GHPP was to improve the capacity to prevent, detect and respond to public health events of national and international concern in the designated partner countries. That vision was grounded in the following three strategic objectives: 1) to support implementation of IHR core capacities in select partner countries. 2) to contribute to global efforts that enhance capacity and procedures to assist all countries in meeting their obligations under IHR. 3) to strengthen institutional capacity of National Institutes of Public Health, in partner countries, and globally. The twinning collaboration approach developed during the project proved successful, and it has inspired other public health institutes to adopt a similar model. Norway continues to support projects to build stronger public health institutions and systems in Ghana, Malawi, Palestine, Ethiopia, Nepal and Uganda;

(d) Since the Eight Review Conference of the BTWC, Norway has supported a number of projects to strengthen the capacity of developing countries to participate in multilateral processes and to implement their commitments related to controlling and eliminating weapons of mass destruction. Norway's support for projects of this kind has

totalled NOK 15,8 million. This funding has been channelled through partners such as the United Nations Institute for Disarmament (UNIDIR), the United Nations Office for Disarmament Affairs (UNODA), the Stockholm International Peace research Institute (SIPRI), the Verification Research, Training and Information Centre (Vertic) and the BTWC Implementation Support Unit;

(e) Over the past 20 years, Norway has played a leading role in international efforts to promote global health, by making considerable financial investments and engaging in political and technical work. The Norwegian Government has over the past five years allocated approximately NOK 4.5-5 billion each year to global health efforts. These efforts have been aligned with the Millennium Development Goals, and are now aligned with the Sustainable Development Goals. Priorities have been maternal and child health, and the fight against AIDS, tuberculosis, malaria and other infectious diseases. GAVI (the Vaccine Alliance), the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the Global Financing Facility in support of Every Woman Every Child are the main channels for the Norwegian Government's global health efforts. In addition, Norway continues to be a significant donor to WHO, UNAIDS, UNFPA, UNITAID and UNICEF;

(f) Norway took a leading role in establishing the Coalition for Epidemic Preparedness Innovation, (CEPI), which aims to promote research and the development of new vaccines to stop outbreaks at an early stage with a view to preventing pandemics and has been one of its main donors since its inception. Norway contributed more than USD 720 million to the Access to Covid-19 Tools Accelerator, to promote equitable access to vaccines, diagnostics, and other tools to fight the Covid-19 pandemic. During the CVID-19 pandemic, Norway has increased its contributions to global health through allocations to ACT-A, and meeting Norway’s “fair share” level. Norway supported all of the ACT-A pillars through additional contributions to implementing agencies under each pillar;

(g) Norway sees export control as a vital means of ensuring that the legitimate trade in biological agents and related equipment can proceed unfettered. Careful regulation of potentially sensitive exports helps to reduce the risk that companies will unwittingly export products for use in BW programmes, thereby incurring severe penalties. This gives companies greater confidence to trade in products that have the potential to be used in the production of BW. Licensing measures have a minimal impact on the total trade in biological agents and dual-use items and equipment. Export licences deter proliferation by increasing the visibility of trade in relevant materials and provide authority to stop a sale if the product concerned is likely to contribute to a BW programme. The licensing measures only affect sales to a small number of countries where there is evidence of an interest in developing or maintaining a BW capacity or of a risk of diversion to terrorist groups. The activities are limited to non-proliferation measures and are not intended to hinder legitimate economic development in other countries;

(h) Norway has established guidelines to limit the risks of proliferation and terrorism involving biological weapons by controlling tangible and intangible transfers that could contribute to BW activities by states or non-state actors, consistent with Article III of the Biological Weapons Convention. In accordance with Article X of the Biological Weapons Convention, these Guidelines are not intended to impede biological trade or international cooperation for peaceful purposes. The guidelines form the basis for controlling transfers of materials, equipment, technology and software that could contribute to BW activities to any destination beyond the Government's national jurisdiction or control.

Qatar

340. Background document concerning the compliance of the State of Qatar with its obligations under the Convention.

341. Qatar remains firmly committed to the fulfilment of all is obligations under the Biological Weapons Convention and, in particular, attaches great importance to the full and effective implementation of the provisions of the Convention. Examples of its compliance with the Convention are given below:

342. Qatar established the National Arms Prohibition Committee under Council of Ministers Decree No. 26 of 2004. The Committee, which is a standing body within the Ministry of Defence, is responsible for the implementation of international disarmament treaties, including those concerning weapons of mass destruction. Qatar fulfils its obligations as a State party to the Convention in that it does not possess or produce any offensive or defensive biological weapons programme and is not undertaking any research activities aimed at developing, stockpiling or possessing any biological or toxic agents.

343. The National Committee's strategic plan for the prohibition of biological weapons incorporates a number of important goals and objectives:

- Promoting enforcement at the national level by monitoring the implementation of domestic legislation and regulations that have a bearing on the Convention and on threats to national and regional security. Qatar enacted Biological Weapons Act No. 4 of 2016 in order to bring the Convention into force, in line with Article 4 of the Convention itself. The Act envisages severe penalties for anyone who violates its provisions.
- Supporting ties with local bodies and with international organizations. In that connection the Doha Regional Centre for CBRN Training, which opened its doors in December 2012 and is the only centre of its kind in the Middle East or Asia, provides training at the national, regional and global levels. Its purpose is to build capacity and to strengthen institutions with a view to fulfilling international obligations linked to security and non-proliferation.

344. The Qatar National Arms Prohibition Committee has worked to disseminate awareness about the dangers of certain weapons via annual conferences and workshops for all sectors of society as well as for secondary-school and university students. The National Arms Prohibition Committee has also instituted annual prizes to encourage secondary-school and university students to undertake research into the treaties intended to prohibit weapons of mass destruction, and it has launched a competition for students at Qatar University to design posters about the dangers of weapons of mass destruction and internationally banned weapons. Examples of some of the posters have been sent to the United Nations Office for Disarmament Affairs in Geneva.

345. An integrated system has been set up that includes the preparation and training of human resources. In implementation of Article 4 of the Convention, the National Arms Prohibition Committee has provided development and training for inspectors in all State sectors so that they can monitor, examine and report on any terrorism-related activities using a rapid and effective communication system that connects the State with the Implementation Support Unit and with international health organizations.

346. A surveillance and monitoring system has been developed with the Ministry of Health. This serves to promote the exchange of information about communicable diseases, including instances that might point to terrorist involvement; to encourage transparent reporting on suspected terrorist activities; and to intensify controls on the export of dual-use biological agents and related equipment and technologies, as follows:

- Qatar has taken various measures to implement articles 1 and 4 of the Convention including legal regulations governing exchange and transfer, and a special symbol for biological materials that figure on the Australia Group list, in accordance with national laws prohibiting biological weapons.
- Under the supervision of the National Arms Prohibition Committee, a licensing system has been developed for the export and import of dual-use biological agents on the control list. Without a licence, no one can import such biological agents or related equipment.

347. As part of preparedness and crisis management, the National Arms Prohibition Committee has formed a team of specialists to respond to biological disasters at the national level with measures intended to prevent biological attacks and to respond to bioterrorism. In addition to this, the authorities have cooperated with the Bioterrorism Prevention Unit of the International Criminal Police Organization (INTERPOL) on the implementation of biosafety programmes, in line with Article 10 of the Convention. The purpose of the initiative is to

exchange experiences regarding the prevention of biological attacks and to establish a national biosafety team that represents all the governmental and quasi-governmental sectors that handle biological agents, in order to respond to cases of catastrophe and assist victims.

348. In implementation of Article 10 of the Convention, medical, biological and academic institutions in the State of Qatar keep abreast of advances in science and technology in areas relevant to the Convention. The State also sponsors and supports research in applied biology, encouraging cooperation and the exchange of information in biological sciences and technology, also by attending scientific conferences and workshops.

349. The State of Qatar is in favour of a continuing focus on cooperation and assistance – particularly vis-à-vis the implementation of Article 10 – in the outcomes of the Ninth Review Conference of the States Parties to the Biological Weapons Convention. Qatar also sees the conference as an opportunity to achieve outcomes that enhance international security at a time when rapid and spectacular progress in the life sciences and biotechnology are accompanied by increasing and unprecedented concerns about the threat of bioterrorism. It is important to work together to ensure that the Convention remains ready to meet the challenges of the future.

Republic of Korea

350. Since the ratification of the Biological Weapons Convention (BWC) in 1987, the Republic of Korea has been committed to fulfilling all of its obligations under the Convention.

351. The Republic of Korea provides the following information to the BWC Implementation Support Unit on its compliance with obligations under key provisions of the Convention.

A. Articles I and II

352. The Republic of Korea is in full compliance with its obligations under Article I. It has never had an offensive biological research, development, or production program or obtained biological weapons through transfer and has never acquired or retained biological weapons.

353. Since the Republic of Korea did not possess any of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention, Article II does not apply.

B. Article III

354. The Republic of Korea complies with the obligation of Article III. Under strict supervision and control, inter alia, the Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Export, and Import of Specific Chemicals and Biological Agents (CBWPA) and the Foreign Trade Act, the Republic of Korea has never transferred to any recipient whatsoever any of the agents, toxins, weapons, equipment, or means of delivery specified in Article I.

C. Article IV

355. The Republic of Korea has implemented a number of legislative instruments to implement the obligations under the Convention and to ensure the treaty's effectiveness.

356. The Republic of Korea thoroughly revised the Chemical Weapons Prohibition Act of 2006 into the Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Export, and Import of Specific Chemicals and Biological Agents (CBWPA) in 2011. The CBWPA provides a comprehensive set of rules and regulations on the prohibition and control of biological agents. In addition, the CBWPA requires the export of biological agents and toxins to abide by the Public Notice of Exportation and Importation of Strategic Items in accordance with the Foreign Trade Act.

357. The Ministry of Defense revised the Biological Weapons Prohibition Directive to facilitate the implementation of the Convention in the military in 2008. According to the

Directives, the Korea Arms Verification Agency conducts yearly inspections of biological research facilities within the military.

358. The Korea Disease Control and Prevision Agency established a permission system for possessing infectious disease pathogens and created more rigorous standards for high-risk pathogen handlers, in terms of academic background, work experience, and mandatory education, by revising the Infectious Disease Control and Prevention Act in December 2019.

359. Moreover, the Korean government established a framework to encourage and maintain close cooperation between government agencies and non-government organizations, focusing on reinforcing the national implementation of the BWC, including the effective and efficient application of the CBWPA. For example, Korea Biotechnology Industry Organization, a non-governmental organization, is collaborating with the Ministry of Trade, Industry, and Energy through seminars and workshops to encourage relevant industries and the academic community to ensure faithful national implementation of the Convention.

D. Article V

360. The Republic of Korea has not invoked Article V, nor has any other State Party invoked Article V in order to engage the Republic of Korea in consultations.

361. The Republic of Korea fully supports the Confidence Building Measures (CBMs). In this regard, it has annually submitted CBMs. Since 2017, it also has been submitting its working paper on the national implementation of Articles IV and X biannually.

E. Articles VI and VII

362. The Republic of Korea has neither invoked Articles VI and VII nor invoked the provision of relevant Articles.

363. The Republic of Korea complies with Articles VI and VII through our support for the UN Secretary-General's investigative mechanism as stated in General Assembly Resolution 42/37 of November 30, 1987.

364. The Republic of Korea stands ready to assist States exposed to inadvertent or deliberate disease outbreaks. We have been contributing to diverse international programs and projects to strengthen our capacity for responding to infectious diseases.

F. Article VIII

365. The Republic of Korea acceded to the Geneva Protocol of 1925 in January 1989. It withdrew a part of its reservation to that Protocol covering biological and toxin weapons in August 2002.

G. Article IX

366. The Republic of Korea ratified the Chemical Weapons Convention in April 1997 and fully implemented the Convention's obligations. The Republic of Korea has been a member of the Executive Council since 1997, being a significant supporter of the efforts of the Organization for the Prohibition of Chemical Weapons.

H. Article X

367. The Republic of Korea believes that international cooperation is critical in supporting the national implementation of the Convention. It contributes bilaterally and multilaterally to programs and projects consistent with Article X of the Convention.

368. For more elaborate information on compliance with Article X, please refer to the separate background information document submitted by the Republic of Korea on its implementation of Article X.

Russia

369. The Russian Federation reaffirms its commitment to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and fully and unswervingly complies with its obligations thereunder. One of the main priorities of Russian State policy is to strengthen the Convention and comply with international obligations regarding the prohibition and non-proliferation of biological and toxin weapons.

370. In accordance with constitutional procedures, the necessary national measures have been taken in the Russian Federation to comply with the Convention. In this context we note the following.

371. The Russian Federation, in accordance with the obligations it has undertaken, does not carry out activities incompatible with the objectives and provisions of Article I of the Convention.

372. The Russian Federation does not develop, produce, stockpile, acquire or retain:

373. Microbial 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;

374. Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

375. In view of the above, there is no subject matter to be dealt with in respect of the Russian Federation in the context of Article II of the Convention.

376. The Russian Federation has never transferred such material to any recipient whatsoever, directly or indirectly, nor has it in any way assisted, encouraged or induced any State, group of States, international organization or non-State entity to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

377. A system of export controls for the movement of biological products in line with international standards and regulations has been established and is in operation in the Russian Federation. This system is constantly being improved as new challenges and threats to humanity emerge. Legislation, regulations and export/import activities ensure full compliance with the obligations of the Russian Federation under Article III of the Convention.

378. In order to defend national interests and ensure compliance with obligations stemming from the Convention, the procedure for export controls on products for biological use is governed by federal laws, government decisions and other legal enactments.

379. A list of microorganisms, toxins, equipment and technologies subject to export control has been approved by presidential decree. Foreign trade involving controlled goods and technologies (including intangible transfers) is subject to appropriate licences issued by the authorized central authorities.

380. Non-observance of the requirements of Russian legislation relating to foreign trade (illegal export or transfer, failure to make a customs declaration or the submission of an invalid declaration, or the illegal provision of services relating to raw materials, other materials, equipment or technologies or of scientific or technical information) is both a criminal and administrative offence.

381. In accordance with its constitutional procedures, the Russian Federation has adopted and implemented the necessary national measures under Article IV of the Convention to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention.

382. A legislative and regulatory framework has been established to ensure compliance with the obligation to prohibit bacteriological (biological) and toxin weapons. The Ministry

of Industry and Trade is the designated national authority to monitor compliance with the Convention.

383. Federal laws, government decisions and other enactments establish safety measures for activities involving various biological agents and toxins and regulate the procedure for issuing authorizations to work with microorganisms and toxins, for accounting for them and for their storage, transport and transfer. A licensing system for activities related to the use of infectious disease pathogens and a State registry for genetic engineering activities have been established. The Criminal Code of the Russian Federation provides that the illegal export from Russia or transfer of raw materials, materials, equipment, technology, scientific and technical information and illegal performance of work (rendering of services) that can be used in the building of weapons of mass destruction, weapons and military hardware is punishable by a fine, compulsory labour and imprisonment for up to 3 years, the violation of the obligations under the Convention is punishable by imprisonment for 5 to 10 years, and the use of agents prohibited by international instruments is punishable by imprisonment for 10 to 20 years. The Criminal and Administrative Codes set out penalties for violation of the established rules on working with pathogenic microorganisms and toxins.

384. Measures to prevent the use of biological agents and toxins for terrorism or other criminal purposes have been adopted and are being improved.

385. The Russian Federation is open to consultation and cooperation with other States parties to the Convention on any problems that may arise regarding the objective and implementation of the provisions of the Convention. Between 2017 and 2022, the Russian Federation, as a depositary of the Convention, received no communications from any States parties expressing concerns about compliance with the obligations under the Convention to be submitted in accordance with the procedures set out in Article V of the Convention agreed upon at the Second and Third Review Conferences.

386. On 29 June 2022, the Russian Federation, in accordance with the provisions of Article V and the final documents of the Second and Third Review Conferences, proposed to convene an advisory meeting of the States parties to the Convention on Article V of the Convention in connection with the existing issues involving the obligations of the United States of America and Ukraine under the Convention in the context of activities in biological laboratories on Ukrainian territory, which took place on 26 August and 5–9 September 2022.

387. The Russian Federation is in full compliance with the recommendations and resolutions of the review conferences of the Convention. Pursuant to the decisions taken at the Second, Third and Seventh Review Conferences, between 2017 and 2022, the Russian Federation, as part of confidence-building measures, annually submitted information on facilities and biological activities to the United Nations by 15 April in accordance with the prescribed forms. We consider that the submission of such information by all States parties to the Convention is one of the main factors in strengthening the Convention.

388. The Russian Federation continues to consider it a priority to strengthen the Convention by resuming work on the adoption of a legally binding Protocol with an effective verification mechanism.

389. In August and September 2021 during the meeting of experts and on 22–25 November 2021 during the Meeting of the States parties to the Convention, Russia presented the following proposals to be included in the final document of the Ninth Review Conference:

- On the establishment of an open-ended working group for all States parties to develop, by consensus, appropriate measures to strengthen the Convention for inclusion in a legally binding instrument (BWC/MSP/2020/MX.5/WP.3)
- On the establishment of a specialized subsidiary body, the Scientific Advisory Committee, to review scientific and technological developments relevant to the Convention (BWC/MSP/2020/MX.2/WP.4)
- On the establishment of mobile biomedical units to implement the following three elements (BWC/MSP/2020/MX.4/WP.2):
    i. Advancement of international cooperation for the prevention of infectious diseases pursuant to Article X of the Convention;

ii. Provision of assistance and safeguards against biological weapons pursuant to Article VII of the Convention;

iii. Investigation of alleged use of biological weapons pursuant to Article VI of the Convention.

- On the establishment of a group of governmental experts for the period 2022–2026 to consider and agree on concrete guidelines and procedures to initiate and conduct investigations under Article VI of the Convention (BWC/MSP/2020/MX.5/WP.2 and BWC/MSP/2020/WP.2)
- On the addition of a form to confidence-building measures under the Convention for reporting military biomedical activities carried out in other States (BWC/MSP/2020/WP.1).

390. The Russian Federation is in full compliance with the requirements of Security Council resolution 1540 (2004). The Russian Federation participates in consultations, workshops and meetings on its implementation.

391. The Russian Federation is prepared to cooperate in carrying out investigations initiated by the Security Council under Article VI of the Convention on the basis of substantiated evidence submitted by States parties of breaches by other States of their obligations under the Convention or the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare signed at Geneva on 17 June 1925 (1925 Geneva Protocol).

392. The Russian Federation, under Article VII of the Convention, undertakes to provide or support assistance to any party to the Convention, if the Security Council decides that such party has been exposed to danger as a result of violation of the Convention.

393. The successful implementation of this Article could be further facilitated by an initiative to form mobile biomedical teams, one of whose functions would be to provide assistance and protection against biological weapons under Article VII of the Convention.

394. The Russian Federation, as a full party to the 1925 Geneva Protocol, maintains no reservations in respect of that instrument and fully meets its requirements.

395. The Russian Federation believes that the Convention and the 1925 Geneva Protocol are complementary international treaties on the prohibition and non-proliferation of biological and toxin weapons.

396. In this connection, the Russian Federation is concerned that some States, among them States parties to the Convention, maintain reservations made at the time of their ratification of the 1925 Geneva Protocol and calls upon all States to withdraw such reservations without delay (Article VIII of the Convention).

397. The Russian Federation complies with its obligations under the Convention and considers Article X of the Convention to be an important factor in joint action by States parties to combat dangerous infectious diseases, whether they occur naturally or result from the intentional use of biological agents and toxins.

398. The Russian Federation has the resources and methods to combat infectious diseases of people, animals and plants. It actively cooperates with many States and international organizations in addressing problems in this field.

399. The scientific and technical activities of the Russian Federation in the field of biology and biotechnology are fully open to the international community, and Russian scientific institutions cooperate actively with scientific and technical centres in other States. Evidence of this cooperation includes the existence of collaborative scientific programmes, the expansion of scientific networks, the openness of Russian scientific and biological laboratories to foreign specialists, and a large number of joint publications with foreign scientists in Russian and foreign scientific journals.

400. To share scientific achievements, the Russian Federation held international seminars and conferences on various aspects of biology and biotechnology in 2017–2021 (e.g., three international conferences on the theme “Global threats to biological security: problems and

solutions" in Sochi). Foreign specialists have received training in biosafety, veterinary epidemiology, and the diagnosis, prevention and control of dangerous infectious diseases.

401. Combating infectious diseases remains a priority of the Russian Federation in terms of international cooperation in intergovernmental forums and organizations, including the World Health Organization, the Food and Agriculture Organization of the United Nations, the World Organization for Animal Health, the Commonwealth of Independent States, the Shanghai Cooperation Organization, the Brazil, Russian Federation, India, China and South Africa (BRICS) group and other organizations. The Russian Federation has participated and continues to participate in the provision of practical assistance to other countries in combating dangerous infectious diseases. Examples of such assistance include the response of Russia to the Ebola outbreak in West Africa and assistance to a number of States in combating the spread of coronavirus disease (COVID-19). Assistance was provided in such areas as support for diagnostic tests, laboratory support, supply of vaccines and test systems, equipment and machinery, and training of specialists. Assistance was provided to the countries of Central Asia and Armenia, Belarus and Moldova, European countries (Bosnia and Herzegovina, Italy and Serbia), the States of the Middle East and Africa (Iran, Lebanon, Syria, Afghanistan, Algeria, Tunisia, Guinea, the Congo, Djibouti, Namibia, Senegal, Sierra Leone and South Africa), South-East Asia and Oceania (Indonesia, Cambodia, Laos, Myanmar and Nauru) and Latin America (Argentina, Brazil and Mexico).

402. Technical support has been provided to States that requested assistance in conducting foreign trade activities with microorganisms, toxins, equipment and technologies included in the lists of controlled goods. Strains of infectious disease pathogens have been exchanged, with due consideration for the requirements of Article III of the Convention and the national procedures applicable to foreign trade operations.

403. The Russian Federation advocates the strengthening of international cooperation and is prepared to provide assistance to other States as they combat dangerous infectious diseases, including through the conclusion of bilateral agreements and in compliance with international instruments.

404. One impediment to full implementation of Article X of the Convention appears to be the restrictions caused by the COVID-19 pandemic and unilateral sanctions measures against some States parties to the Convention, making it virtually impossible to exchange equipment, materials and information on the peaceful use of bacteriological (biological) agents and toxins, creating difficulties for the development of States parties and international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

405. The Russian Federation believes that there is currently no reason to introduce amendments to the text of the Convention (Article XI of the Convention).

406. The Russian Federation considers that the conferences are important international events for the strengthening of the Convention and that they make it possible to assess the status of compliance with obligations stemming from the Convention and to identify further steps to strengthen the Convention and implement its provisions. We believe that the next review conference should be scheduled for 2026 (Article XII of the Convention).

407. The Russian Federation expresses satisfaction that not a single State party to the Convention has given notice of its intention to withdraw for any reason and hopes that this will not happen in the future (Article XIII of the Convention).

408. The Russian Federation calls for the Convention to be ratified by all States and welcomes those that became parties to it in the period 2017–2022. The Russian Federation will continue to assist States parties in successful implementation of the Convention and the decisions of its conferences (Article XIV of the Convention).

409. We call on States that have not yet become parties to the Convention to accede to it as soon as possible.

410. The Russian Federation is in full compliance with its obligations as a depositary of the Convention (Article XV of the Convention).

Republic of Serbia

411. The Republic of Serbia signed the Convention in 1972 and ratified in 1973 (Official Gazette of the Republic of Serbia - International Treaties No. 43/74 of 30 August 1974), fully supporting BWC universalization, strict implementation and further strengthening of the Convention. The Republic of Serbia is firmly committed to fulfilling all of its obligations under BWC.

412. The Republic of Serbia participates in the exchange of information through Confidence Building Measures and regular submission of its national annual reports. In accordance with the obligations, we appointed the National Point of Contact for the BWC.

413. The Parliament of Serbia adopted in 2009 (Official Gazette of the Republic of Serbia – International Treaties No. 42/09 of 2 June 2009) the Law on the withdrawal of the reservation to the 1925 Geneva Protocol, i.e. the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.

414. With the aim to improve the national legislation, the Parliament of the Republic of Serbia adopted in the year 2011 the Law on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (Official Gazette of the Republic of Serbia No 87/11 of 21 November 2011). In this Law we reiterated again our commitments to full implementation of the obligations under the BTCW. In accordance to the Law, the establishing of the National Commission of the Republic of Serbia for the implementation of the Convention is in the process.

415. Following the proposal of the Ministry of Foreign Affairs, the Government of the Republic of Serbia adopted on 23 July 2021 the Strategy against Proliferation of Weapons of Mass Destruction for period from 2021 to 2025.

416. Besides the Law on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction, the following laws, regulatory/legislative instruments, guidelines and recommendations directly or indirectly have a bearing on the biosafety and biosecurity implementation: Law on Health Protection, 2005, as amended in 2010, 2011, 2012, and 2013 (Official Gazette of the Republic of Serbia nos. 107/2005, 72/2009, 88/2010, 99/2010, 57/2011, 119/2012 and 45/2013), Law on Public Health (Official Gazette of the Republic of Serbia no.72/2009), Law on the Protection of the Population from Contagious Diseases (Official Gazette of the Republic of Serbia no 125/2004), Law on Sanitary Surveillance (Official Gazette of the Republic of Serbia no 125/2004), Law on Chemicals (Official Gazette of the Republic of Serbia nos. 36/2009, 88/2010, 92/2011 and 93/2012), Law on Emergency Situations (Official Gazette of the Republic of Serbia nos. 111/09, 92/2011 and 93/2012), Law on Environmental Protection (Official Gazette of the Republic of Serbia nos. 135/2004, 36/2009 and 72/2009), Law on Waste Management (Official Gazette of the Republic of Serbia nos. 36/2009 and 88/2010), Law on Plant Health (Official Gazette of the Republic of Serbia no. 41/2009), Law on Veterinary (Official Gazette of the Republic of Serbia nos. 91/2005 and 30/2010), Law on Biocide products (Official Gazette of the Republic of Serbia nos. 36/2009, 88/2010 and 92/2011), Law on ratification of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, Rotterdam 1998 (Official Gazette of the Republic of Serbia no. 38/2009), Law on Genetically Modified Organisms (GMO) (Official Gazette of the Republic of Serbia no. 41/2009), Regulations on Contained use of Genetically Modified Organisms (Official Gazette of the Federal Republic of Yugoslavia no. 62/2002, 15.11.2002, modified in the Official Gazette of Serbia and Montenegro no. 1/2003 and the Official Gazette of the Republic of Serbia no. 69/2012), Law on Health Protection (A list of about 70 different types of dangerous infections exists, which must be reported to the National Public Health Institute) (Official Gazette of the Republic of Serbia nos. 107/2005, 72/2009, 88/2010,99/2010, 57/2011, 119/2010 and 45/2013), Law on the transportation of dangerous goods and its connected by-law and sub-legal acts (Official Gazette of the Republic of Serbia no 88/2010), Law on State Border Protection (Official Gazette of the Republic of Serbia no. 97/2008), Law on the export and import of dual-use goods (Official Gazette of the Republic of Serbia no 95/2013), National Control List of Dual-Use Goods (Republic of Serbia regularly harmonizes/updates its control list with the latest

EU "LIST OF DUAL-USE ITEMS AND TECHNOLOGY"), Law on the Export and Import of Weapons and Military Equipment (Official Gazette of the Republic of Serbia no. 107/2014), National Control List of Weapons and Military Equipment (Republic of Serbia regularly harmonizes/updates its control list with the EU Military Control List), Rulebook on preventive measures for safe and healthy work during exposure to biological hazards (Official Gazette of the Republic of Serbia no.96/2010 - Annex 3 contains “Classification of biological harmfulness” with lists of bacteria and similar organisms, viruses and fungi which can cause harm to humans), Rules of immunization and methods of protecting by medicines (Official Gazette of the Republic of Serbia nos. 11/2006, 25/2013, 63/2013, 99/2013, 118/2013 and 65/2014), Laboratory Biosafety Manual, 3rd ed., WHO 2004, Law on International Restrictive Measures (adopted on 4 February 2016), Law on Production and Trade in Arms and Military Equipment (Official Gazette of RS No. 36/2018, dated 18.05.2018).

Saudi Arabia

417. The Kingdom of Saudi Arabia was one of the first States to sign the Convention on the Prohibition of Biological Weapons. It signed the Convention two days after it was opened for signature on 12 May 1972, and it ratified the Convention one month later on 24 May 1972. The Convention was approved by Royal Decree No. M/8 of 15 Safar 1392 A.H. (31 March 1972 A.D.).

418. The system for implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction was issued by Council of Ministers Decision No. 98 of 4 Rabi al-Thani 1433 A.H. (28 February 2012 A.D.) and it was approved by Royal Decree No. M/21 of 11 Rabi al-Thani 1433 A.H. (5 March 2012 A.D.). The implementing regulations are currently being studied.

419. The Kingdom of Saudi Arabia is committed to the implementation of international legal norms, compliance with international treaties and collaboration with the international community. With that end in view, it established the National Authority for the Implementation of the Convention on the Prohibition of Chemical Weapons, which was subsequently assigned tasks related to biological weapons and renamed the National Authority for the Implementation of the Conventions on the Prohibition of Chemical and Biological Weapons. It is attached to the Ministry of Foreign Affairs and serves as a national focal point for promoting cooperation and consultations with relevant international organizations and institutions with a view to benefiting from their expertise in building and enhancing its national capacities.

420. The Kingdom of Saudi Arabia supports international action to promote the global implementation of the Convention since it is fully aware of the threat posed by biological weapons to peace and security at the national, regional and international levels. It fulfils its obligations to implement the Convention and submits the requisite annual reports on confidence-building measures to the Biological Weapons Convention Implementation Support Unit.

421. The Kingdom of Saudi Arabia regularly updates its national legislation to ensure its effectiveness and its compatibility with the provisions of international treaties in order to enhance the safeguards that are required to protect its citizens from the dangers inherent in such materials and to raise citizens’ awareness thereof. The National Authority for the Implementation of the Conventions on the Prohibition of Chemical and Biological Weapons has also been assigned the task of monitoring the implementation of the Convention in cooperation with other government agencies and relevant industrial companies, for instance under the National Plan to Respond to Microbial Incidents and the project aimed at producing the implementing regulations applicable to the Biological Weapons Convention.

422. The Kingdom of Saudi Arabia regularly participates with the international community in conferences and workshops on biological security and safety, in cooperation with international organizations, the International Criminal Police Organization (INTERPOL) and States parties. It also organizes introductory and specialized training courses and awareness-

raising workshops on chemical and biological weapons. The workshops are attended by doctors, personnel from various branches of the armed forces and State ministries, engineers and technicians.

South Africa

I. Article IV

423. South Africa attaches importance to the implementation of the Biological and Toxin Weapons Convention and has promulgated legislation that allows for monitoring and control of biological agents and toxins.

424. The Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) is the national implementing legislation that governs all aspects related to the non-proliferation of weapons of mass destruction, including the Biological and Toxin Weapons Convention. The Act prohibits the import, export, re-export, transit (including transshipment), possession, development, manufacture, production, acquisition in any manner, use, operation, stockpiling, maintenance, transport, disposal, sale, and retention of biological weapons. South Africa's National Authority, the South African Council for the Non-Proliferation of Weapon of Mass Destruction (the Council) is established in terms of the above-mentioned Act to control, manage and fulfil the obligations of the Republic regarding non-proliferation, which includes the implementation of the Biological and Toxin Weapons Convention.

425. This Act is supplemented by secondary legislation, which includes the Regulation declaring certain biological agents, toxins and equipment as controlled. These regulations further stipulate the export control requirements.

426. The export control system allows for better monitoring of the possession and transfers of controlled biological goods and technologies. Any person in possession or control of controlled goods have to be registered with the Council and the transfer of controlled biological agents is subject to a licence and notification requirements.

427. The Act covers the control of human, animal, plant pathogens and equipment from a Non-Proliferation perspective. There is other domestic legislation related to the control of biological material, which includes inter alia the National Health Act, 2003 (Act No. 61 of 2003), Animal Health Act, 2002 (Act No. 7 of 2002), and the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

428. Stakeholder engagement is an important aspect of providing a holistic approach to the control of such agents and South Africa has established a Coordinating Committee where all the stakeholders that control biological agents and toxins meet on a regular basis.

429. South Africa has other measures that it has put in place to deter the illicit and unauthorised movement of controlled biological agents and toxins. One of those measures includes a relationship between the Council and the customs and border control authority, the South African Revenue Service, which is enforced through a Memorandum of Understanding, to assist in the implementation of the Non-Proliferation of Weapons of Mass Destruction legislation at South Africa's ports and borders. This allows for the detection and deterrence of the illicit and unauthorised movement of controlled biological agents and toxins. A commodity identification training is also conducted for Customs Officials, on a regular basis, to increase awareness about the legislation and ensure that customs officials are familiar with the controlled items.

II. Confidence building measures

430. South Africa regards the submission of the annual CBM declaration as a political commitment and as a result has consistently participated in the submission of the forms.

Sweden

431. Sweden provides the following report on compliance with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (biological) and Toxin Weapons and on their Destruction, after the request decided by the Preparatory Committee for the Ninth Review Conference.

A. Article I

432. Sweden is in full compliance with its obligations under Article I and has never developed, produced, stockpiled, or otherwise acquired or retained microbial 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; neither weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

433. Sweden has never developed, produced or possessed biological weapons or their means of delivery, and accordingly Article II does not impose any obligations on Sweden.

C. Article III

434. Sweden complies fully with the undertaking not to transfer to any recipient whatsoever, directly or indirectly, and in any way to assist, encourage, or induce any state, group of states or international organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

435. Sweden continues to fulfil its obligations through national legislation and administrative arrangements and guidelines. The following legislation is the principal means of implementation:

i. The Swedish Criminal Code;

ii. Customs Act;

iii. Act on Penalties for Smuggling;

iv. Military Equipment Act;

v. Dual-use Items and Technical Assistance Control Act;

vi. Act on Criminal Responsibility for Terrorist Offences;

vii. Act on Criminal Responsibility for Genocide, Crimes against Humanity and War Crimes;

viii. Act on Transport of Dangerous Goods.

436. Relevant EU-legislation is also important in the implementation of the convention, in particular regulation (EU) 2021/821 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items. Sweden applies the control lists of the Australia Group (AG), which are included in Annex I of the EU Regulation, and coordinates export policies with other AG members in order to ensure that transfers are in accordance with Article III of the Convention.

D. Article IV

437. Sweden has taken the necessary measures to prohibit and prevent activities specified in Article I. Such measures apply to the territory of Sweden and the territory under the jurisdiction or control of Sweden. Relevant legislation includes the Swedish Criminal Code which makes activities prohibited under the Convention into offences under domestic criminal legislation. The legislation also specifies penalties for the offences. In addition, the Act on Criminal Responsibility for Terrorist Offences provides for penalties for an act of terrorism which uses dangerous pathogens or toxins, which could endanger life or cause

serious harm. Other important means of legislation are the Communicable Diseases Act and provisions on infectious risks.

438. The effectiveness of the necessary measures to prohibit and prevent the proscribed activities under the Convention is regularly reviewed.

439. In accordance with paragraph 15 of the Final declaration of the Seventh Review Conference, Sweden has designated a national focal point for coordinating national implementation of the Convention.

E. Article V

440. Sweden supports fully the decisions of States Parties recorded in the final declaration of previous Review Conferences with regard to consultation and cooperation mechanisms. Sweden has not requested a formal Consultative Meeting of State Parties under the provisions of Article V.

441. In accordance with the relevant decisions of States Parties at the Second, Third, Sixth and Seventh Review Conferences of the Convention Sweden has submitted confidence-building measures (CBM) to States Parties, via the Implementation Support Unit (ISU) within the UN Office for Disarmament Affairs each year 2017-2022.

F. Article VI

442. Sweden has not lodged any complaints with the Security Council concerning any other State Party acting in breach of obligations under Article I or II.

443. Under the UNSG's mechanism for the investigation of alleged use of chemical and biological weapons, Sweden, together with international partners, co-organised five laboratory data analysis exercises in 2018-2019 and 2021-2022. Sweden, together with UNODA, also arranged a team leader training course for nominated experts in 2019. Furthermore, Sweden has contributed to scenario building and evaluation planning for an upcoming UNSGM field exercise (Capstone), planned for autumn 2022, as well as evaluation of a prelude virtual table-top exercise in 2020. Sweden continues to nominate experts and laboratories available to the UNSG.

G. Article VII

444. See separate document submitted by Sweden on its implementation of Article VII.

H. Article VIII

445. Sweden ratified the 1925 Geneva Protocol in 1930.

I. Article IX

446. Sweden ratified the Chemical Weapons Convention on 17 June 1993. The Swedish Agency for Non-proliferation and Export Controls is the national authority responsible for the implementation of the CWC in Sweden. Every year the agency provides the Government with a report on the implementation of CWC. Information on the implementation of the CWC in Sweden can also be found at the Agency's website.

J. Article X

447. See separate document submitted by Sweden on its implementation of Article X.

448. Other activities which support compliance with the BTWC.

449. Sweden undertakes a wide range of activities to fulfil its obligation under the Convention. Examples include:

- Support for UN Security Council Resolution 1540, including the submission of reports as required;
- Support for the Proliferation Security Initiative;
- Active participation in the Australia group.

450. Sweden has supported the Council Decision of support for the Convention (with current implementation period extended to 4 February 2023).

Switzerland

451. In line with the requested background information for the Ninth Review Conference of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, in particular the request for background information on compliance by all States Parties with all their obligations under the Convention as contained in document BWC/CONF.IX/PC/2, Switzerland submits the following report to States Parties.

452. Switzerland is in full compliance with its obligations under the Convention, and provides the following information:

A. Articles I and II

453. Switzerland has never developed, produced, stockpiled or otherwise acquired or retained:

(a) Microbial 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;

(b) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.[1]

454. International law, when it enters into force for Switzerland, automatically acquires validity and becomes part of the national legal order. There is therefore no need for any act of incorporation into national law for an international treaty or for customary international law to have domestic validity ("monism"). Switzerland is party to the following relevant treaties:

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC) (RS 0.515.07: Convention du 10 avril 1972 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 https://www.fedlex.admin.ch/eli/cc/1976/1438_1439_1439/fr)
- Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, adopted in Geneva on 17 June 1925 ("Geneva Protocol"), without any reservations (RS 0.515.105: Protocole du 17 juin 1925 concernant la prohibition d'emploi à la guerre de gaz asphyxiants, toxiques ou similaires et de moyens bactériologiques https://www.fedlex.admin.ch/eli/cc/48/375_387_405/fr)

455. The prohibitions contained in Article I of the BWC as well as in the Geneva Protocol of 1925 are prescribed and penalized in particular in the three following Federal Acts:[2]

- The Federal Act on War Material (RS 514.51: Loi fédérale du 13 décembre 1996 sur le materiel de guerre; https://www.fedlex.admin.ch/eli/cc/1998/794_794_794/fr) prohibits the possession, development, production, brokerage, acquisition, transfer, import, export, transit and stockpiling of nuclear, biological or chemical weapons

[1] On the latter point, Switzerland retains the following reservation: "Owing to the fact that the Convention also applies to weapons, equipment or means of delivery designed to use such biological agents or toxins, the delimitation of its scope of application can cause difficulties since there are scarcely any weapons, equipment or means of delivery peculiar to such use; therefore, Switzerland reserves the right to decide for itself what auxiliary means fall within that definition."

[2] Further information on national implementing legislation is provided under Article IV below. Titles and explanations in English are unofficial translations that are provided for information purposes only and have no legal force. To access legal documents, please consult the Swiss compilation of federal law in French (cf. provided URLs), German or Italian.

under Article 7. It also prohibits the instigation of, or assistance to, any person to carry out an act mentioned above. The prohibition also applies to acts carried out abroad, irrespective of the law at the place of commission, if the acts violate international law agreements to which Switzerland is a party, and if the perpetrator is Swiss or is domiciled in Switzerland. Article 34 penalizes offences against these prohibitions.

- The Swiss Criminal Code (RS 311.0: Code pénal suisse du 21 décembre 1937; https://www.fedlex.admin.ch/eli/cc/54/757_781_799/fr) prohibits and penalizes felonies and misdemeanours against public health, including by causing danger by means of genetically modified or pathogenic organisms, the transmission of human diseases, the transmission of an epizootic disease, the propagation of a parasite or micro-organism that constitutes a danger to agriculture or forestry, and the contamination of drinking water (Articles 230bis-236). In the context of international and non-international armed conflicts, the use of biological or chemical weapons, including poisonous or asphyxiating gases, substances and liquids constitutes a war crime under Article 264h.

456. The Military Criminal Code (RS 321.0: Code pénal militaire du 13 juin 1927; https://www.fedlex.admin.ch/eli/cc/43/359_375_369/fr) prohibits and penalizes the transmission of human diseases, the transmission of an epizootic disease, and the contamination of drinking water (Articles 167-169). In the context of international and non-international armed conflicts, the use of biological or chemical weapons, including poisonous or asphyxiating gases, substances and liquids constitutes a war crime under Article 112d.

B. Article III

457. Switzerland has extensive legislation in effect that covers exports of dual-use items and war materials and prohibits transfers of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

458. The majority of the relevant provisions are included in the Federal Act on the Control of Dual-Use Goods, Specific Military Goods and Strategic Goods (Goods Control Act; RS 946.202; https://www.fedlex.admin.ch/eli/cc/1997/1697_1697_1697/fr). The corresponding Ordinance on the Control of Dual-use Goods, Specific Military Goods and Strategic Goods (Goods Control Ordinance; RS 946.202.1; https://www.fedlex.admin.ch/eli/cc/2016/352/fr) contains, in its annexes 2 and 3, the complete control lists of the four international export control regimes.

459. The legislation requires exporters to apply for an export licence for the goods listed in the annexes to the Ordinance. Exports are denied if they might be contributing to WMD or missile programmes or if they violate international agreements or sanctions. They are further denied if there is reason to believe that the export would support terrorist groups or organized crime.

460. In addition to this list of goods, the Swiss authorities can also make use of the catch-all clause contained in Article 3 paragraph 4 of the Goods Control Ordinance. This clause states that exports of goods that are not listed in the annexes of the Ordinance can be denied if the exporter or the Swiss authorities know or have reason to believe that the goods are intended for the development, production or use of nuclear, biological or chemical weapons or of related delivery systems.

461. Individuals or legal entities who apply for an export licence have to provide all the requested information to the authorities and submit the necessary documentation for a comprehensive evaluation and control. The requested documentation listed in Article 8 of the ordinance includes company profiles, order confirmations, sales contracts or invoices, end-use certificates from the end user and import certificates from the country of destination. Applicants must also provide proof of reliable internal controls on compliance with the export control regulations. Switzerland uses all available sources to establish the legitimacy of a potential end-user. In particular, intelligence assessments and information from partners and other members of export control regimes are taken into account. In addition, the risk report and other open-source material is considered. If it cannot be determined, based on the available information, that the end-user conducts legitimate business, an export will be called into question and can subsequently be denied.

462. Pursuant to Article 14 of the Goods Control Act, a prison sentence or a fine of up to 1 million Swiss francs shall be imposed on anyone who fails to comply with the legislation governing transfers of dual-use goods, including re-exporting goods to third countries without the consent of the Swiss export control authorities.

463. Controlled dual-use goods may not be transported through Swiss customs territory if the shipment is not in accordance with the relevant regulations of the country of origin. If there is reason to believe that the transit violates international control measures, the transit is prohibited.

C. Article IV

464. In accordance with Article IV, Switzerland has taken the necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention within its territory and under its jurisdiction respectively.

465. In addition to the conventions and federal legislation mentioned above in relation to Articles I and II, the current status of the further implementation of the Convention into the Swiss legal system is as follows:[3]

- Federal Constitution of the Swiss Confederation (RS 101 Constitution fédérale de la Confédération suisse du 18 avril 1999) https://www.fedlex.admin.ch/eli/cc/1999/ 404/fr
- Federal Act on Measures Ensuring Homeland Security (RS 120 Loi fédérale du 21 mars 1997 instituant des mesures visant au maintien de la sûreté intérieure) https://www.fedlex.admin.ch/eli/cc/1998/1546_1546_1546/fr
- Ordinance on the Intelligence Service (RS 121.1 Ordonnance du 16 août 2017 sur le Service de renseignement) https://www.fedlex.admin.ch/eli/cc/2017/495/fr
- Ordinance on Information and Storage Systems of the Intelligence Service of the Confederation (RS 121.2 Ordonnance du 16 août 2017 sur les systèmes d'information et les systèmes de stockage de données du Service de renseignement de la Confédération) https://www.fedlex.admin.ch/eli/cc/2017/496/fr
- Federal Act on the Prohibition of «al-Qaeda» and «Islamic State» Groups and related Organizations (RS 122 Loi fédérale du 12 décembre 2014 interdisant les groupes « Al-Qaïda » et « État islamique » et les organisations apparentées) https://www.fedlex.admin.ch/eli/cc/2014/764/fr
- Ordinance on the Federal Expert Commission for Biosafety (RS 172.327.8 Ordonnance du 20 novembre 1996 sur la Commission fédérale d'experts pour la sécurité biologique) https://www.fedlex.admin.ch/eli/cc/1997/6_6_6/fr

466. Establishes the roles of the Federal Commission of Experts for Biological Security to ensure the protection of the Swiss population against transmissible diseases, the health of workers, and the protection of animals and plants and their environments.

- Swiss Criminal Code (RS 311.0 Code pénal suisse du 21 décembre 1937) https://www.fedlex.admin.ch/eli/cc/54/757_781_799/fr
- Swiss Code of Criminal Procedure (RS 312.0 Code de procédure pénale suisse du 5 octobre 2007) https://www.fedlex.admin.ch/eli/cc/2010/267/fr
- Ordinance on the Communication of Penal Decisions Taken by Cantonal Authorities (RS 312.3 Ordonnance du 10 novembre 2004 réglant la communication des décisions pénales prises par les autorités cantonales) https://www.fedlex.admin.ch/eli/cc/2004/ 729/fr

[3] Titles and explanations in English are unofficial translations that are provided for information purposes only and have no legal force. To access legal documents, please consult the Swiss federal legislation in French (cf. provided URLs), German or Italian.

- Military Criminal Code (RS 321.0 Code pénal militaire du 13 juin 1927) https://www.fedlex.admin.ch/eli/cc/43/359_375_369/fr
- Federal Act on International Legal Aid in Criminal Cases (RS 351.1 Loi fédérale du 20 mars 1981 sur l'entraide internationale en matière pénale) https://www.fedlex.admin.ch/eli/cc/1982/846_846_846/fr
- Federal Act on Main Offices of Criminal Investigation Departments of the Confederation (RS 360 Loi fédérale du 7 octobre 1994 sur les Offices centraux de police criminelle de la Confédération) https://www.fedlex.admin.ch/eli/cc/1995/ 875_875_875/fr
- Ordinance on the Information System of the Federal Criminal Police (RS 360.2 Ordonnance du 15 octobre 2008 sur le système informatisé de la Police judiciaire fédérale) https://www.fedlex.admin.ch/eli/cc/2008/697/fr
- Ordinance on the National Central Bureau Interpol Bern (RS 366.1 Ordonnance du 21 juin 2013 concernant le Bureau central national Interpol Bern) https://www.fedlex.admin.ch/eli/cc/2013/466/fr
- Ordinance on the Coordinated Medical Service (RS 501.31 Ordonnance du 27 avril 2005 sur le Service sanitaire coordonné) https://www.fedlex.admin.ch/eli/cc/2005/ 345/fr
- Federal Act on the Army and the Military Administration (RS 510.10 Loi fédérale du 3 février 1995 sur l'armée et l'administration militaire) https://www.fedlex.admin.ch/ eli/cc/1995/4093_4093_4093/fr
- Ordinance on Measures Taken by the Army against Human and Animal Epidemics (RS 510.35 Ordonnance du 25 octobre 1955 concernant les mesures à prendre par l'armée contre les épidémies et épizooties) https://www.fedlex.admin.ch/eli/cc/1955/ 863_885_893/fr
- Ordinance on Domestic Disaster Management by the Army (RS 513.75 Ordonnance du 21 novembre 2018 sur l'aide militaire en cas de catastrophe dans le pays) https://www.fedlex.admin.ch/eli/cc/2018/731/fr
- Federal Act on War Material (RS 514.51 Loi fédérale du 13 décembre 1996 sur le materiel de guerre) https://www.fedlex.admin.ch/eli/cc/1998/794_794_794/fr

467. Prohibits the development, production, indirect transfer, acquisition, import, export, transit and stockpiling of nuclear, biological or chemical weapons under Article 7. It prohibits any action committed by any person who has any connection to the acquisition of WMD. This Article also applies to offences committed abroad if they are in violation of international law, which is binding in Switzerland.

- Ordinance on War Material (RS 514.511 Ordonnance du 25 février 1998 sur le matériel de guerre) https://www.fedlex.admin.ch/eli/cc/1998/808_808_808/fr

468. Regulates the initial authorisation and the specific authorisations that are required for the manufacture, the brokerage, the import, the export and the transit of war materials, as well as the conclusion of contracts to transfer incorporeal property, including know-how and the concession of related rights. Applies in Switzerland customs area, to Swiss customs warehouses and Swiss customs enclaves.

- Federal Act on the Protection of the Population and Civil Protection (RS 520.1 Loi fédérale du 20 décembre 2019 sur la protection de la population et sur la protection civile) https://www.fedlex.admin.ch/eli/cc/2020/887/fr
- Ordinance on the Civil Protection (RS 520.12 Ordonnance du 11 novembre 2020 sur la protection de la population) https://www.fedlex.admin.ch/eli/cc/2020/889/fr
- Ordinance on the Federal Staff Civil Protection (RS 520.17 Ordonnance du 2 mars 2018 sur l'État-major fédéral Protection de la population) https://www.fedlex.admin.ch/eli/cc/2018/162/fr

- Federal Act on Customs (RS 631.0 Loi du 18 mars 2005 sur les douanes) https://www.fedlex.admin.ch/eli/cc/2007/249/fr
- Ordinance on Customs (RS 631.01 Ordonnance du 1er novembre 2006 sur les douanes) https://www.fedlex.admin.ch/eli/cc/2007/250/fr
- Ordinance on the Transportation of Hazardous Goods on the Road (RS 741.621 Ordonnance du 29 novembre 2002 relative au transport des marchandises dangereuses par route) https://www.fedlex.admin.ch/eli/cc/2002/685/fr

469. Regulates the transport of dangerous materials by automobiles or other mediums of transport on roads open to those same vehicles.

- Ordinance on Hazardous Goods Representatives for the Transportation of Hazardous Goods on the Road, by Air or by Sea (RS 741.622 Ordonnance du 15 juin 2001 sur les conseillers à la sécurité pour le transport de marchandises dangereuses par route, par rail ou par voie navigable) https://www.fedlex.admin.ch/eli/cc/2001/268/fr

470. Determines the appointment, tasks, training and examination of persons charged with reducing risks to people, property and the environment during transportation of hazardous goods or packaging operations, shipment or loading and unloading associated with this transport.

- Ordinance on the Transportation of Hazardous Goods by Railway and Aerial Railway (RS 742.412 Ordonnance du 31 octobre 2012 sur le transport de marchandises dangereuses par chemin de fer et par installation à câbles) https://www.fedlex.admin.ch/eli/cc/2012/785/fr
- Federal Act on Surveillance of Postal Mail and Telecommunications (RS 780.1 Loi fédérale du 18 mars 2016 sur la surveillance de la correspondance par poste et télécommunication) https://www.fedlex.admin.ch/eli/cc/2018/31/fr
- Ordinance on Surveillance of Postal Mail and Telecommunications (RS 780.11 Ordonnance du 15 novembre 2017 sur la surveillance de la correspondance par poste et télécommunication) https://www.fedlex.admin.ch/eli/cc/2018/32/fr
- Ordinance on the Transplantation of Organs, Tissues and Cells of Animal Origin (RS 810.213 Ordonnance du 16 mars 2007 sur la transplantation d'organes, de tissus et de cellules d'origine animale) https://www.fedlex.admin.ch/eli/cc/2007/283/fr
- Ordinance on Clinical Trials with Therapeutic Products (RS 810.305 Ordonnance du 20 septembre 2013 sur les essais cliniques dans le cadre de la recherche sur l'être humain) https://www.fedlex.admin.ch/eli/cc/2013/643/fr
- Ordinance on Pharmaceuticals (RS 812.212.21 Ordonnance du 21 septembre 2018 sur les médicaments) https://www.fedlex.admin.ch/eli/cc/2018/588/fr

471. Regulates: a. authorization of medicines on the market ready for use, b. authorization processes of surface treatment of labile blood products, c. classification criteria for categories of delivery, d. distribution restrictions, e. authorization of mail order drugs, f. market surveillance and vigilance.

- Federal Act on the Protection against Dangerous Substances and Preparations (RS 813.1 Loi fédérale du 15 décembre 2000 sur la protection contre les substances et les préparations dangereuses) https://www.fedlex.admin.ch/eli/cc/2004/724/fr

472. Protects the lives and health of human beings from the harmful effects of substances or preparations.

- Ordinance on Good Laboratory Practice (RS 813.112.1 Ordonnance du 18 mai 2005 sur les bonnes pratiques de laboratoire) https://www.fedlex.admin.ch/eli/cc/2005/467/fr

473. Fixes the principles of good laboratory practices, guarantees the quality of studies and regulates the verification of these requirements.

- Ordinance on Marketing and Handling Biocidal Products (RS 813.12 Ordonnance du 18 mai 2005 concernant la mise sur le marché et l'utilisation des produits biocides) https://www.fedlex.admin.ch/eli/cc/2005/468/fr

474. Regulates marketing of biocidal products and their active substances, particularly the various types and licensing procedures, the use of data from previous requests for the benefit of new applicants, and the classification of packaging, labelling and safety data sheets.

- Federal Act on the Protection of the Environment (RS 814.01 Loi fédérale du 7 octobre 1983 sur la protection de l'environnement) https://www.fedlex.admin.ch/eli/cc/1984/1122_1122_1122/fr
- Ordinance on the Protection against Major Accidents (RS 814.012 Ordonnance du 27 février 1991 sur la protection contre les accidents majeurs) https://www.fedlex.admin.ch/eli/cc/1991/748_748_748/fr

475. Covers activities involving the contained use of genetically modified organisms and pathogenic organisms in laboratories, production facilities, greenhouses and premises housing animals.

- Ordinance on Waste Management (RS 814.600 Ordonnance du 4 décembre 2015 sur la limitation et l'élimination des déchets) https://www.fedlex.admin.ch/eli/cc/2015/891/fr
- Federal Act on non-Human Genetic Engineering (RS 814.91 Loi fédérale du 21 mars 2003 sur l'application du génie génétique au domaine non humain) https://www.fedlex.admin.ch/eli/cc/2003/705/fr

476. Protects humans, animals and the environment against the abuse of genetic engineering, and ensures that applications of genetic engineering serve humans, animals and the environment.

- Ordinance on the Release of Organisms into the Environment (RS 814.911 Ordonnance du 10 septembre 2008 sur l'utilisation d'organismes dans l'environnement) https://www.fedlex.admin.ch/eli/cc/2008/614/fr

477. Protects humans, animals and the environment, as well as biodiversity and sustainable use of its components against the dangers and outrages associated with the use of organisms, their metabolites and their waste.

- Ordinance on the Contained Use of Organisms (RS 814.912 Ordonnance du 9 mai 2012 sur l'utilisation des organismes en milieu confiné) https://www.fedlex.admin.ch/eli/cc/2012/329/fr

478. Protects people and the environment and in particular communities of animals and plants and their habitats, against harmful effects or nuisances of the contained use of organisms. Contributes to the maintenance of biodiversity and soil fertility. Regulates the contained use of organisms, in particular genetically modified or pathogenic organisms. The revision of the ordinance that entered into force on 1 January 2020 introduces a definition of misuse and explicitly addresses biosecurity.

- Ordinance on Transborder Traffic of Genetically Modified Organisms (RS 814.912.21 Ordonnance du 3 novembre 2004 sur les mouvements transfrontières des organismes génétiquement modifiés) https://www.fedlex.admin.ch/eli/cc/2004/726/fr
- Regulates the transborder transport of GMOs. Does not apply to medicines for human use, which contain GMOs.
- Federal Act on Foods and Commodities (RS 817.0 Loi fédérale du 20 juin 2014 sur les denrées alimentaires et les objets usuels) https://www.fedlex.admin.ch/eli/cc/2017/62/fr
- Ordinance on Foods and Commodities (RS 817.02 Ordonnance du 16 décembre 2016 sur les denrées alimentaires et les objets usuels) https://www.fedlex.admin.ch/eli/cc/2017/63/fr

- Ordinance on Maximum Levels of Pesticide Residues Present in or on Products of Vegetable or Animal Origin (RS 817.021.23 Ordonnance du DFI du 16 décembre 2016 sur les limites maximales applicables aux résidus de pesticides présents dans ou sur les produits d'origine végétale ou animale) https://www.fedlex.admin.ch/eli/cc/2017/151/fr
- Ordinance on Genetically Modified Foods (RS 817.022.51 Ordonnance du DFI du 27 mai 2020 sur les denrées alimentaires génétiquement modifiées) https://www.fedlex.admin.ch/eli/cc/2020/456/fr
- Ordinance on Hygiene when Handling Food (RS 817.024.1 Ordonnance du DFI du 16 décembre 2016 sur l'hygiène dans les activités liées aux denrées alimentaires) https://www.fedlex.admin.ch/eli/cc/2017/183/fr
- Ordinance on the Enforcement of the Legislation on Foods (RS 817.042 Ordonnance du DFI du 27 mai 2020 sur l'exécution de la législation sur les denrées alimentaires) https://www.fedlex.admin.ch/eli/cc/2020/460/fr
- Ordinance on Animal Slaughter and Meat Control (RS 817.190 Ordonnance du 16 décembre 2016 concernant l'abattage d'animaux et le contrôle des viandes) https://www.fedlex.admin.ch/eli/cc/2017/66/fr
- Ordinance on Animal Slaughter Hygiene (RS 817.190.1 Ordonnance du DFI du 23 novembre 2005 concernant l'hygiène lors de l'abattage d'animaux) https://www.fedlex.admin.ch/eli/cc/2005/816/fr
- Federal Act on the Control of Communicable Human Diseases (RS 818.101 Loi fédérale du 28 septembre 2012 sur la lutte contre les maladies transmissibles de l'homme) https://www.fedlex.admin.ch/eli/cc/2015/297/fr

479. Regulates fight against diseases transmissible to man by stating that the Confederation and the cantons take the necessary measures, including biosafety precautions, to protect human beings against pathogens including those genetically modified. Regulates identification of laboratories through permits delivered by the Swiss Institute of Therapeutic Products. Regulates the trade in pathogenic agents and requires an authorisation from every person disseminating pathogens for research or commerce. Entitles the Federal Council to regulate the transport, importation, exportation and the transit of pathogens, to limit or to ban the use of certain pathogens, to fix the conditions for persons using pathogens. Outlines the provisions for quarantine, vaccination, and disease surveillance and reporting requirements. Provides for imprisonment or fines anyone who intentionally or by negligence does not respect the prescriptions of the Federal Act.

- Ordinance on the Control of Communicable Human Diseases (RS 818.101.1 Ordonnance du 29 avril 2015 sur la lutte contre les maladies transmissibles de l'homme) https://www.fedlex.admin.ch/eli/cc/2015/298/fr
- Ordinance on the Declaration of Observations of Communicable Human Diseases (RS 818.101.126 Ordonnance du DFI du 1 décembre 2015 sur la déclaration d'observations en rapport avec les maladies transmissibles de l'homme) https://www.fedlex.admin.ch/eli/cc/2015/892/fr
- Ordinance on Microbiological Laboratories (RS 818.101.32 Ordonnance du 29 avril 2015 sur les laboratoires de microbiologie) https://www.fedlex.admin.ch/eli/cc/2015/299/fr
- Ordinance Relating to the Act of Labour (RS 822.114 Ordonnance 4 du 18 août 1993 relative à la loi sur le travail) https://www.fedlex.admin.ch/eli/cc/1993/2564_2564_2564/fr
- Ordinance on the Protection of Workforce against Microbiological Risks (RS 832.321 Ordonnance du 25 août 1999 sur la protection des travailleurs contre les risques liés aux micro-organismes) https://www.fedlex.admin.ch/eli/cc/1999/445/fr

480. Defines micro-organisms and genetically modified micro-organisms and techniques for genetic modification. Requires the regular identification and evaluation of the risks to

which workers are exposed and the notification of the “Bureau de Biotechnologie de la Confédération” by employers. Defines general security measures for the protection of the workers by employers. Covers activities involving the contained use of genetically modified organisms and pathogenic organisms in laboratories, production facilities, greenhouses and premises housing animals.

- Federal Act on Agriculture (RS 910.1 Loi fédérale du 29 avril 1998 sur l’agriculture) https://www.fedlex.admin.ch/eli/cc/1998/3033_3033_3033/fr
- Ordinance on the Coordination of Controls on Agricultural Farms (RS 910.15 Ordonnance du 31 octobre 2018 sur la coordination des contrôles dans les exploitations agricoles) https://www.fedlex.admin.ch/eli/cc/2018/673/fr
- Ordinance on Primary Production (RS 916.020 Ordonnance du 23 novembre 2005 sur la production primaire) https://www.fedlex.admin.ch/eli/cc/2005/752/fr
- Ordinance on the Release of Phytopharmaceutical Products (RS 916.161 Ordonnance du 12 mai 2010 sur la mise en circulation des produits phytosanitaires) https://www.fedlex.admin.ch/eli/cc/2010/340/fr

481. Ensures that plant protection products lend themselves well in their intended use and as those are used in accordance with the requirements preventing unacceptable side effects on the health of humans, animals and the environment.

- Ordinance on Plant Protection (RS 916.20 Ordonnance du 31 octobre 2018 sur la protection des végétaux contre les organisms nuisibles particulièrement dangereux) https://www.fedlex.admin.ch/eli/cc/2018/682/fr

482. Protects plants of all sorts against the nuisances of dangerous organisms, and protects agriculture and horticulture fields from the same organisms.

- Ordinance on the Control of Milk (RS 916.351.0 Ordonnance du 20 octobre 2010 sur le contrôle du lait) https://www.fedlex.admin.ch/eli/cc/2010/713/fr
- Ordinance on the Milk Production Hygiene (RS 916.351.021.1 Ordonnance du DFI du 23 novembre 2005 réglant l’hygiène dans la production laitière) https://www.fedlex.admin.ch/eli/cc/2005/824/fr
- Federal Act on Animal Diseases (RS 916.40 Loi du 1er juillet 1966 sur les épizooties) https://www.fedlex.admin.ch/eli/cc/1966/1565_1621_1604/fr
- Ordinance on the Control of Animal Diseases (RS 916.401 Ordonnance du 27 juin 1995 sur les épizooties) https://www.fedlex.admin.ch/eli/cc/1995/3716_3716_3716/fr

483. Designates new contagious animal diseases and defines the measures of control of and the organization of the fight against animal diseases, as well as the compensation of animal keepers.

- Ordinance on the Disposal of Animal Side Products (RS 916.441.22 Ordonnance du 25 mai 2011 concernant l’élimination des sous-produits animaux) https://www.fedlex.admin.ch/eli/cc/2011/372/fr

484. Ensures that animal by-products do not endanger human and animal health and do not harm the environment. Allows as much as possible the recovery of animal by-products. Ensures that the infrastructure for the disposal of animal by-products is available.

- Ordinance on Import, Transit and Export of Animals and Animal Products Exchanged with Third Countries (RS 916.443.10 Ordonnance du 18 novembre 2015 réglant les échanges d'importation, de transit et d'exportation d'animaux et de produits animaux avec les pays tiers) https://www.fedlex.admin.ch/eli/cc/2015/843/fr

485. Regulates the import, transit and export of animals, animal by-products and animal products.

- Ordinance on Import, Transit and Export of Animals and Animal Products Exchanged with EU Member States, Iceland and Norway (RS 916.443.11

Ordonnance du 18 novembre 2015 réglant les échanges d'importation, de transit et d'exportation d'animaux et de produits animaux avec les Etats membres de l'UE, l'Islande et la Norvège) https://www.fedlex.admin.ch/eli/cc/2015/846/fr

486. Regulates the import, transit and export of animals, animal by-products and animal products.

- Federal Act on the Control of Goods Suitable for Civilian and Military Purposes and Specific Military Goods (RS 946.202 Loi fédérale du 13 décembre 1996 sur le contrôle des biens utilisables à des fins civiles et militaires et des biens militaires spécifiques) https://www.fedlex.admin.ch/eli/cc/1997/1697_1697_1697/fr

487. Regulates, inter alia, the import, export and transit of microorganisms and toxins. Applies to dual-use goods and specific military goods, which are the subject of international agreements. Also outlines the responsibilities of the Federal Council in this regard including licensing and reporting requirements and surveillance measures for import, export, transit, production, storage, transfer and use of goods.

- Ordinance on the Control of Goods Suitable for Civilian and Military Purposes, Specific Military Goods and Strategic Goods (RS 946.202.1 Ordonnance du 3 juin 2016 sur le contrôle des biens utilisables à des fins civiles et militaires, des biens militaires spécifiques et des biens stratégiques) https://www.fedlex.admin.ch/eli/cc/2016/352/fr

488. Regulates the export, import and transit of goods usable for civilian and military purposes, specific military goods and strategic goods which are the subject of international control measures not binding pursuant to international law. Applies in Swiss customs area to Swiss customs warehouses and Swiss customs enclaves.

- Ordinance on the Control of Chemicals Suitable for Civilian and Military Purposes (RS 946.202.21 Ordonnance du 21 août 2013 sur le contrôle des produits chimiques utilisables à des fins civiles et militaires) https://www.fedlex.admin.ch/eli/cc/2013/580/fr
- Ordinance Establishing Measures against Persons and Entities Linked to Osama bin Laden, the al-Qaeda Group or the Taliban (RS 946.203 Ordonnance du 2 octobre 2000 instituant des mesures à l'encontre de personnes et entités liées à Oussama ben Laden, au groupe «Al-Qaïda» ou aux Taliban) https://www.fedlex.admin.ch/eli/cc/2000/429/fr
- Federal Act on Sanctions on Trade with Foreign Countries (RS 946.231 Loi fédérale du 22 mars 2002 sur l'application de sanctions internationales) https://www.fedlex.admin.ch/eli/cc/2002/564/fr
- Ordinance of the Swiss Financial Market Supervisory Authority on Combatting Money Laundering and Financing of Terrorism in the Financial Sector (RS 955.033.0 Ordonnance de l'Autorité fédérale de surveillance des marchés financiers du 3 juin 2015 sur la lutte contre le blanchiment d'argent et le financement du terrorisme dans le secteur financier) https://www.fedlex.admin.ch/eli/cc/2015/390/fr
- Ordinance on the Reporting Bureau in Matters of Money Laundering (RS 955.23 Ordonnance du 25 août 2004 sur le Bureau de communication en matière de blanchiment d'argent) https://www.fedlex.admin.ch/eli/cc/2004/626/fr
- A compilation of all relevant national legislation is also available in Form E of the annual Confidence Building Measures Reports of Switzerland that can be found on the public website of the BWC/United Nations Office in Geneva. Some additional information may also be obtained in the framework of UNSCR 1540 at: https://www.un.org/en/sc/1540/national-implementation/national-reports.shtml

489. Further to the discussions held during the 2007-2010 Intersessional Process, Switzerland started to work on additional measures to promote education and awareness-raising among life scientists as outlined in Working Paper 20 submitted to the Seventh Review Conference (BWC/CONF.VII/WP.20/Rev.1). In the 2012-2015 and 2017-2021 Intersessional Process, Switzerland continued its efforts by conducting awareness-raising

lectures at universities and scientific conferences. Furthermore, Spiez Laboratory, the Swiss Institute for NBC-Protection, introduced a code of conduct specifically addressing the dual use problem in science. Progress has also been made in terms of institutionalization of dual use awareness-raising curricula in academia and dual use codes of conduct at scientific research institutions.

490. In 2016, the Swiss Academy of Sciences, funded by the Swiss Government, organized three discussion sessions at Swiss academic institutions addressing the misuse potential of biological research, and in 2017 published a report entitled "Misuse potential and biosecurity in life sciences research", available at: https://bit.ly/3AcTL2Y.

491. In 2020, the containment ordinance (https://www.fedlex.admin.ch/eli/cc/2012/329/fr) has been complemented with requirements for scientists and laboratories with regard to the assessment of dual-use risks and biosecurity. In particular, a non-exhaustive list with organisms that may have enhanced misuse potential is in the process of establishment.

D. Article V

492. Switzerland fully supports the provision of Article V and the decisions of States Parties as contained in the final declarations of previous Review Conferences with regard to consultation and co-operation mechanisms. Consultations pursuant to Article V are an important means to solve any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. An invocation of Article V should be based on a credible and responsible use of data and information.

493. Switzerland participates annually in the information exchange through the Confidence Building Measures (CBMs). Since 2006, Switzerland has made its returns available on the public section of the website of the BWC/United Nations Office in Geneva. Switzerland remains fully committed to strengthening participation in this important mechanism and to an efficient use of the information contained in the CBMs. To this end, Switzerland has put forward several proposals during the 2018-2020 Intersessional Process and continues to do so. Furthermore, Switzerland has actively engaged in several collaborative exchanges on uncertainties related to specific information contained in the CBMs, particularly on declarations of vaccine production facilities in Form G (e.g. BWC/MSP/2017/WP.6 and BWC/MSP/2019/MX.3/WP.4).

494. With a view to demonstrate transparency and foster confidence building, Switzerland repeatedly invited the disarmament community to visit Spiez Laboratory, the home of Switzerland's only BSL4 facility (in June 2010, July 2012, June 2014, and September 2016).

E. Articles VI and VII

495. Switzerland has not lodged any complaints with the Security Council under Article VI regarding any other State Party acting in breach of obligations deriving from the provisions of the Convention.

496. No State Party has requested assistance from Switzerland under Article VII, nor has Switzerland invoked the provisions of Article VII to receive assistance.

497. Switzerland is ready to provide or support assistance under Article VII, provided that its general reservation related to its status as a neutral State is respected, i.e. its assistance within the framework of the Convention cannot go beyond the terms prescribed by that status.4 Switzerland has personnel, expertise, equipment and infrastructure available that could provide capacities in case of specific requests, depending on their exact nature.

498. With regard to Articles VI and VII, Switzerland considers the United Nations Secretary-General's Mechanism for the Investigation of Alleged Use of Chemical and Biological Weapons (UNSGM) to be an important operational instrument. Switzerland

[4] To quote in full: "By reason of the obligations of its status as a perpetually neutral State, Switzerland is bound to make the general reservation that its collaboration within the framework of this Convention cannot go beyond the terms prescribed by that status. This reservation refers especially to Article VII of the Convention as well as to any similar clause that could replace or supplement that provision of the Convention (or any other arrangement)."

nominated experts and a laboratory to the respective rosters of the UNSG and regularly updates the information provided. Swiss experts have engaged in numerous activities to strengthen the UNSGM, including specialized expert trainings, table-top exercises, field exercises as well as policy discussions and coordination efforts to further develop and operationalize the mechanism. Since 2015, Switzerland is regularly organising expert workshops geared towards the establishment and furthering of a functional network of trusted laboratories, composed of UNSGM nominated laboratories, for investigations of alleged use of biological and toxin weapons.

499. Regarding the outbreak of Ebola in Western Africa between 2013 and 2016, Switzerland supported Doctors without Borders (MSF-Suisse) in its work to combat the Ebola epidemic in Guinea, Liberia and Sierra Leone. Furthermore, the Swiss Humanitarian Assistance financed various direct actions of the Government of Liberia and sent personnel to the region. Also Spiez Laboratory contributed on site to the fight against the Ebola virus in Western Africa through its active participation in the European Mobile Laboratory (EMLab) project which is linked to WHO's Global Outbreak Alert and Response Network (GOARN). Renewed on-site assistance by Spiez Laboratory in support of redressing the sanitary situation in Guinea during the renewed Ebola outbreak of 2021 was coordinated through GOARN and EMLab. To fulfil its tasks, Spiez Laboratory relied on its expertise in quality assurance of specialized laboratories for the analysis and diagnosis of highly pathogenic agents (EQADeBa, QUANDHIP, EMERGE, SHARP) and toxins (EQuATox, EuroBioTox). Spiez Laboratory also takes part in WHO quality assurance exercises for pathogens that are within its area of expertise.

500. In the early days of the Covid-19 pandemic, Spiez Laboratory together with the Swiss Tropical and Public Health Institute (Swiss TPH) established a reliable and quality assured diagnostic test in Equatorial Guinea before the first case of Covid-19 was confirmed in the country.

501. In 2021, Spiez Laboratory became the first facility of the WHO BioHub system, the purpose of which is 1) the timely sharing of biological materials with epidemic or pandemic potential (BMEPP); 2) to facilitate rapid access and analysis of BMEPP to enable risk assessment and development of effective and safe countermeasures including diagnostics, vaccines and therapeutics; and 3) to ensure fair and equitable access to such products by all countries, based on public health needs. Furthermore, Spiez Laboratory is also a trusted laboratory of the International Committee of the Red Cross (ICRC).

502. Switzerland is an active member of the G7 Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Swiss efforts particularly focus on the Biological Security Working Group and its Signature Initiative to Mitigate Deliberate Biological Threats in Africa.

F. Article VIII

503. Switzerland signed the 1925 Geneva Protocol on 17 June 1925 and ratified it on 12 July 1932 without any reservations (https://www.fedlex.admin.ch/eli/cc/48/375_387_405/fr).

G. Article IX

504. Switzerland ratified the Chemical Weapons Convention (CWC) on 10 March 1995; it entered into force for Switzerland on 29 April 1997 (https://www.fedlex.admin.ch/eli/cc/1998/335_335_335/fr). A National Authority has been established under the lead of the Federal Department of Foreign Affairs. Further information on the national implementation of the CWC in Switzerland is available online: https://www.spiezlab.admin.ch/en/kontrolle/cwue.html.

H. Article X

505. Switzerland is fully committed to its obligations under Article X.

506. Switzerland supports initiatives aimed at enhancing cooperation across sectors in an international setting. In 2016, the Government of Switzerland assisted the Governments of

Vietnam and Pakistan through WHO headquarters and the WHO country offices in the elaboration and establishment of national biosafety legislation.

507. Regarding the outbreak of Ebola in Western Africa between 2013 and 2016, Switzerland supported Doctors without Borders (MSF-Suisse) in its work to combat the Ebola epidemic in Guinea, Liberia and Sierra Leone. Furthermore, the Swiss Humanitarian Assistance financed various direct actions of the Government of Liberia and sent personnel to the region. Also Spiez Laboratory contributed on site to the fight against the Ebola virus in Western Africa through its active participation in the European Mobile Laboratory (EMLab) project which is linked to WHO's Global Outbreak Alert and Response Network (GOARN). Renewed on-site assistance by Spiez Laboratory in support of redressing the sanitary situation in Guinea during the renewed Ebola outbreak of 2021 was coordinated through GOARN and EMLab. To fulfil its tasks, Spiez Laboratory relied on its expertise in quality assurance of specialized laboratories for the analysis and diagnosis of highly pathogenic agents (EQADeBa, QUANDHIP, EMERGE, SHARP) and toxins (EQuATox, EuroBioTox). Spiez Laboratory also takes part in WHO quality assurance exercises for pathogens that are within its area of expertise.

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510. Switzerland is an active member of the G7 Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Swiss efforts particularly focus on the Biological Security Working Group and its Signature Initiative to Mitigate Deliberate Biological Threats in Africa.

511. Switzerland intends to further its efforts in the field of assistance, in particular in the areas of training and education as well as implementation support.

I. Article XII

512. Switzerland is fully committed to continue reviewing the operation of the Convention in order to strengthen its implementation.

513. Switzerland is particularly engaged with regard to the provision of Article XII to conduct reviews that take "into account any new scientific and technological developments relevant to the Convention". In an effort to give effect to this provision and strengthen the Convention, Switzerland actively promoted the establishment of a systematic and dedicated science and technology review process during the 2012-2015 and the 2018-2020 Intersessional Process and at the Eighth Review Conference, which would allow for a more thorough examination of S&T developments and their implications for the various provisions of the Convention, in particular Articles I, III, IV, V, VI, VII and X.

514. The Swiss delegation actively contributed to the science and technology exchanges in the framework of the Convention with several pertinent Working Papers, technical presentations, statements, and side events, including on the relevance of gene editing technologies such as CRISPR and the growing number of practical applications as well as remaining challenges, on the prospects and relevance of nucleic acid origami, on advances in DNA writing, and on multi-tenant, fully robotic, modular cloud laboratories, during Meetings of Experts of the 2018-2020 Intersessional Process.

515. Since 2014, Switzerland contributes to furthering the important issue of examining developments in science and technology with the organisation of a workshop series held biennially under the title 'Spiez Convergence' focusing on advances in chemical and

biological sciences and their convergence. The objective is to identify developments in chemistry and biology as well as enabling technologies which may have implications for the BWC as well as the Chemical Weapons Convention.

United Kingdom of Great Britain and Northern Ireland

516. In line with the request for background information for the Ninth Review Conference of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in particular the request for background information demonstrating compliance with all obligations under this Convention, as contained in document BWC/CONF.IX/PC/2, the United Kingdom (UK) provides the following report to States Parties:

A. Article I

517. Since its ratification of the Convention the UK has not developed, produced, stockpiled, or otherwise acquired or retained microbial 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. The UK continues to hold biological or toxin agents of types and in quantities justified for prophylactic, protective or other peaceful purposes under appropriate supervision or control in accordance with UK national implementation measures under Article IV of the Convention, which includes legislation, regulation and other measures related to biosafety and biosecurity – see further discussion below on Article IV.

518. Since its ratification of the Convention the UK has not possessed or developed, produced, stockpiled or otherwise acquired or retained any weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

519. The provisions of Article II impose obligations only upon those States Parties that possess or have under their jurisdiction or control, microbial or other biological agents, or toxins, weapons, equipment, or means of delivery specified in Article I.

C. Article III

520. The UK complies fully with the undertaking not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any state, group of states or international organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

521. The UK continues to fulfil its obligations under Article III through legislation and a number of administrative arrangements and guidelines. The following legislation is the principal means of implementation within the UK:

- The Biological Weapons Act 1974;
- The Chemical Weapons Act 1996 implements the provisions of the Chemical Weapons Convention and prohibits the transfer of chemical weapons including those based on toxins;
- Retained Council Regulation (EC) 428/2009 for exports originating from Great Britain and Council Regulation (EU) 2021/821 for Northern Ireland for the control of exports, transfers, brokering and transit of dual use items, including biological-related dual-use items and technology. These lists are amended generally on an annual basis;
- The Anti-Terrorism, Crime and Security Act 2001 – see below under Article IV;
- The Export Control Act 2002 and the Export Control Order 2008.

522. UK legislation is periodically reviewed and amended, when required, to ensure that it is relevant and fit for purpose in view of changes in technology, as well as new and emerging

threats. Any amendments are reported annually in Form E of the UK's Confidence Building Measures (CBM) submission, which is publicly accessible on the official BTWC website.

D. Article IV

523. Information on national implementation by the UK has been supplied to States Parties in previous Review Conference compliance reports and in national Working Papers and statements submitted to various intersessional meetings held since 2003. In 2018, the UK informed States Parties about the publication of an overarching national Biological Security Strategy. The strategy brings together, and sets out in one place for the first time, the wide range of activity carried out across government departments and agencies to protect UK citizens and British interests from the risk of a significant infectious disease outbreak, no matter the source – natural, deliberate or accidental.[5] In 2022, the UK will review and reinforce the cross-government approach to biological security, including refreshing the 2018 Strategy. As part of this, the UK will re-evaluate the risk landscape and consider the evolving priorities since COVID-19 and in light of rapid advances in science and technology.

524. In accordance with Article IV, the UK has taken the necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention. Such measures apply to the territory of the UK and territory under the jurisdiction or control of the UK. The legislation includes the Biological Weapons Act 1974, which makes the prohibitions under the Convention offences under domestic criminal legislation. The legislation also specifies penalties for the offences. The Chemical Weapons Act 1996 is also relevant here, and similarly makes the prohibitions of the Chemical Weapons Convention, as they apply to the development, production, stockpiling and acquisition of toxins, offences under domestic criminal legislation. There have been no new convictions under the 1996 Act, relating to toxins, since the 8th Review Conference in 2016.

525. In addition, Part 7 of the Anti-Terrorism, Crime and Security Act 2001 (ATCSA) provides for the security and control of specified, dangerous pathogens and toxins, which could be used in an act of terrorism to endanger life or cause serious harm. Facilities have a legal obligation to notify the Home Office that they are holding pathogens and toxins specified by Schedule 5 of the Act. The National Counter-Terrorism Security Office (NaCTSO) and Counter Terrorism Security Advisers (CTSAs) have the responsibility to review physical security measures relating to malicious breaches at laboratories holding Schedule 5 materials. CTSAs are specialist police officers trained in advising businesses and organisations that may be at risk from terrorism in safety and security of premises, personnel and assets. There is a classified guidance document available to CTSAs to maintain national consistency on the security measures required depending on the level of risk the agents pose.

526. Each notified site must have a list of designated persons who have access to Schedule 5 materials. ATCSA gives powers for a chief officer of police to see a list of persons with access to Schedule 5 substances and access to the premises. However, the legislation is effectively enforced by CTSAs. ATCSA also allows for a person to be denied access to substances or premises if they are of concern. Minimum monitoring equates to an annual visit from the local CTSA. Each institution/laboratory is responsible for training their biosecurity staff to meet the requirements of ATCSA with respect to personnel security.

527. On biosafety aspects, work with pathogens is covered by three sets of regulations. These are:

- The Control of Substances Hazardous to Health Regulations 2002 and the associated Approved List of Biological Agents[6];
- The Genetically Modified Organisms (Contained Use) Regulations 2014;
- The Specified Animal Pathogens Order 2008;

[5] BWC /MSP/2018/MX.3/WP.4

[6] The Control of Substances Hazardous to Health Regulations 2002 (COSHH) make reference to the 'approved classification' of a biological agent. The Approved List is the list of classifications of biological agents approved by HSE for this purpose. http://www.hse.gov.uk/pubns/misc208.pdf.

- The Importation of Animal Pathogens Order 1980.

528. Since 2015, the Health and Safety Executive (HSE) has been the authority for issuing licences in relation to the contained use of specified animal pathogens, in addition to being responsible for inspection and enforcement.

529. There is close scrutiny by the HSE of all facilities working with pathogens, with particular focus on those holding Hazard Group (HG) 4 pathogens. This involves the appointment of a designated site inspector and regular visits (at least two per year) arranged according to an agreed intervention plan. In the case of facilities working with HG3 pathogens, routine visits take place every four or five years. HSE has a programme of proactive inspections and interventions in facilities undertaking work with the most hazardous pathogens. Moreover, all three pieces of biosafety legislation make it a legal requirement to notify HSE if there has been a breach of containment or a dangerous occurrence.[7] Any breaches of legislation are enforced and addressed by HSE.

530. As noted above, the effectiveness of the necessary measures to prohibit and prevent the proscribed activities under the Convention is regularly reviewed. Legislation and Regulations are amended as appropriate, and amendments are reported annually in Form E of the UK's Confidence Building Measures (CBM) submission, which is publicly accessible on the official BTWC website.

531. The UK also takes non-legislative measures that contribute to ensuring national implementation of the Convention:

- The UK Ministry of Defence has guidelines to ensure that its biological defence research and development programmes are in compliance with the BTWC. These guidelines codify existing approaches and practices and set out the procedures and responsibilities within the oversight mechanism to ensure that research is consistent with obligations under the Convention and with relevant domestic law;
- The Academic Technology Approval Scheme (ATAS), introduced on 1 November 2007, is an essential part of the UK's commitment to counter proliferation. ATAS is designed to protect sensitive scientific and engineering-based technologies relating to advanced conventional military technology, WMD and their means of delivery from misappropriation. It applies to international academics applying for postgraduate study of or research positions in certain sensitive subjects at UK higher education establishments;
- The UK recognises the importance of activities for awareness-raising, education and oversight of science. In this context, the UK funded the development and launch of an open-access online biosecurity/biosafety course, *Next Generation Biosecurity: Responding to 21st century biorisks.* The course has since registered some 3000 participants from 126 countries. The course is primarily aimed at public health professionals, biosafety officers and early career science scholars but is also relevant to those engaged in policy making and working in the security sector nationally and internationally.

532. In accordance with paragraph 18 of the Final Declaration of the Sixth Review Conference, the UK has designated a national focal point for coordinating national implementation of the Convention; contact details are posted on the secure area of the official BTWC website.

E. Article V

533. The UK supports fully the decisions of States Parties recorded in the Final Declarations of previous Review Conferences on consultation and co-operation mechanisms. The UK has not requested a formal Consultative Meeting of States Parties under the

[7] Under Schedule 2 of the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013 a dangerous occurrence involving a biological agent is defined as any accident or incident which results or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness. http://www.legislation.gov.uk/uksi/2013/1471/schedule/2/made.

provisions of Article V between 2016 and 2022. In July 2022, the UK chaired the informal meeting convened in connection with a request by the Russian Federation under Article V.

534. In accordance with the relevant decisions of States Parties at the Second, Third, Sixth, Seventh and Eighth Review Conferences of the Convention the UK has submitted confidence-building measures to States Parties, via the Implementation Support Unit (ISU) within the UN Office for Disarmament Affairs Geneva office each year before the April 15 deadline. The information submitted by the UK in 2017, 2018, 2019, 2020 and 2021 is available at: https://bwc-ecbm.unog.ch/state/united-kingdom-great-britain-and-northern-ireland.

F. Article VI

535. The UK has not lodged any complaints with the United Nations Security Council concerning any other State Party acting in breach of its Article I or II obligations.

536. The UK continues to nominate experts and laboratories for the rosters available to the United Nations Secretary General's Mechanism (UNSGM) for the timely, impartial and efficient investigation of alleged use under these procedures, and supports further strengthening of the mechanism. Since 2016, the UK has provided training courses for qualified experts nominated to the roster including on leadership; command and control; media training and pre-deployment training. The UK also provided funding to VERTIC to train UNSGM experts in Central Asia and is currently implementing a similar project for UNSGM experts in Latin America. The UK also supports the UN Office for Disarmament Affairs efforts to build up and strengthen the UNSGM's operational capabilities.

G. Article VII

537. No State Party has requested assistance from the UK under Article VII. As reported during the discussion on Article VII issues at the 2018 Meeting of Experts the UK has established a Public Health Rapid Support Team (UK-PHRST). Consisting of public health experts, scientists and academics, UK-PHRST is on stand-by to tackle outbreaks of infectious disease anywhere in the world within 48 hours. The team became operational in November 2016, and since then has taken part in 23 deployments in response to disease outbreaks. Deployment of UK-PHRST is at the invitation of the host government or in response to requests made by the World Health Organization (WHO) or by the Global Outbreak Alert and Response Network (GOARN). UK-PHRST also conducts rigorous operational research to improve epidemic preparedness and outbreak responses, including on barriers to vaccine rollouts and the importance of addressing mental health and psychosocial support during outbreaks.

H. Article VIII

538. The UK ratified the 1925 Geneva Protocol on 9 April 1930. At the Third Review Conference of the BTWC in 1991, the UK informed States Parties of the withdrawal of the part of its reservation to that Protocol covering biological and toxin weapons and formally notified the Government of France, as Depositary, in writing on 8 November 1991. On 20 December 2002, the UK formally notified the Depositary that the UK had lifted its remaining reservations to that Protocol with respect to chemical weapons.

I. Article IX

539. The UK ratified the Chemical Weapons Convention (CWC) on 13 May 1996. The National Authority to implement the CWC in the UK forms part of the Department for Business, Energy and Industrial Strategy (BEIS), and is co-located in both BEIS and the Counter Proliferation and Arms Control Centre. Further information on the implementation of the CWC in the UK is available at https://www.gov.uk/guidance/chemical-weapons-convention-guidance#cwc-legislation.

540. The Annual Report to Parliament on the implementation of the Chemical Weapons Act 1996 in 2021 is available at https://www.gov.uk/government/publications/annual-report-for-2021-on-the-operation-of-the-chemical-weapons-act-1996.

J. Article X

541. The UK both facilitates and participates in the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. The UK contributes individually and with other states, international organisations, non-governmental organisations, and other appropriate entities, to further the development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease and for other peaceful purposes. Pursuant to paragraph 71 of the Final Declaration of the Eighth Review Conference, which encouraged States Parties to provide information, at least biannually, on how they implement Article X, the UK has provided detailed reports on its implementation of this Article during the intersessional programme 2017–2020. This includes information submitted with the Global Partnership[8]; and most recently nationally at the Meeting of States Parties in December 2017 and 2019.[9]

542. The UK implements the Convention in a manner designed to avoid hampering the economic or technological development of States Parties or international cooperation in the field of peaceful bacteriological (biological) activities. This includes the international exchange of bacteriological (biological) and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

543. Specific examples of Article X related activities are summarised in the Annex to this report.

K. Article XII

544. The UK has provided a report on compliance at each Review Conference of the Convention along with papers on scientific and technological development; it submitted three working papers on S&T topics in the last intersessional programme 2017-2020. The UK fully supports periodic reviews of the operation of the Convention.

L. Article XIV

545. The UK acts as one of three Depositaries to the Convention and continues to fulfil its obligations as a Depositary Government in cooperation with the other two Depositaries, including providing advice to non-states parties and successor states on the procedures and documentation required in order to deposit instruments of ratification, accession and succession.

M. Other activities that support compliance with the BTWC

546. The UK co-operates with other States Parties to the BTWC and other states, intergovernmental organisations, and non-governmental organisations to fulfil its obligations under the Convention. Examples of the co-operation and activities undertaken include:

- Contribution to the G7 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (GP) in the biological area, including by Chairing the Global Partnership and its Biological Security Sub-Working Group in 2021;
- Activity to support the effectiveness of UK export licensing and export control procedures via participation in the Australia Group;
- Support for UN Security Council Resolution 1540 (2004), including serving as Vice-Chair of the UNSCr1540 Committee.

N. Annex: examples of UK Article X related activities

547. The UK is one of six original donors to Gavi, the Vaccine Alliance, and the largest sovereign donor to Gavi's core programmes, pledging the equivalent of £330 million per year until 2025. The UK has also pledged in 2022 £160 million to the Coalition for Epidemic

[8] BWC/MSP/2018/WP.9 and BWC/MSP/2017/WP.17.
[9] See for example BWC/MSP/2019/MX.1/WP.5.

Preparedness Innovations (CEPI) to speed up vaccine development for the deadliest infectious diseases, like COVID-19, and enable equitable access to these vaccines globally. The pledge to CEPI builds on the £1.3 billion in UK aid committed to the international health response early in the pandemic, supporting vaccines, health systems and economic recovery in developing countries. The UK has also invested more than £88 million to support the development of the Oxford AstraZeneca vaccine and, to date, has donated 32.2 million COVID-19 vaccine doses. 26.7 million doses have gone to COVAX, a global scheme to get vaccines to developing countries.

548. The Fleming Fund is a UK aid programme supporting up to 25 countries across Africa and Asia to tackle antimicrobial resistance. The Fund is managed by the Department of Health and Social Care and invests in strengthening surveillance systems through a portfolio of country and regional grants, global projects and fellowship schemes. The UK Government established the programme in 2015 in response to the UK AMR Review and the WHO Global Action Plan on AMR, which called for funding to improve AMR surveillance, public awareness and responsible drug use. The programme focuses on LMIC because they are expected to bear the heaviest consequences of the spread of AMR. More than £6 million will be invested to strengthen existing surveillance systems tracking AMR trends across Africa and Asia, while a further £12 million was announced to improve collaborations on health systems research between low and middle income countries, for example in sub-Saharan Africa, and the UK.

549. The UK Public Health Rapid Support Team (UK-PHRST) was created after the Ebola outbreak in West Africa in 2014-16 to support LMICs to prepare for and respond to public health outbreaks. In the six years of operation of the UK-PHRST, the team has led 23 deployments in response to disease outbreaks and over 40 research projects. The onset of the COVID-19 pandemic meant the team had to adapt to the needs and concerns of LMICs and the unique challenges COVID-19 has presented to these nations. UK-PHRST has ensured the team continues to provide multidisciplinary support, in-person and remote, to aid many nations such as:

- Providing infection prevention, control programmes and sero-surveillance guidance at Africa CDC;
- Multidisciplinary support to the Rohingya camps in Bangladesh;
- Supporting the Partnership for Evidence-based Response to COVID-19 across continents;
- Running a Multiple Open Online Course in COVID-19 at the beginning of the pandemic;
- Supporting SARS-CoV-2 diagnostics inside labs.

550. In February 2022, UKRI announced £10 million to combat potential epidemics in developing countries. 22 research projects were selected by the government's UK Vaccine Network (UKVN) and will help tackle viruses such as Ebola, Lassa Fever and Zika. The projects will conduct research into vaccines and innovative new vaccine platforms to tackle some of the world's deadliest diseases in LMIC.

551. A UK-West Africa collaboration has been established to tackle Schistosomiasis, a major neglected tropical disease (NTD) of both people and animals, with over 220 million people and untold millions of livestock infected worldwide. While over 200,000 people die from schistosomiasis each year, its major effects are disabling. In children it causes, among other things, anaemia and stunting. The disease also has profound economic and wellbeing impacts for poor livestock-keeping communities. In Africa, despite almost 20 years of mass administration of an anti-parasite medication targeting, predominantly, school-aged children, schistosomiasis remains extremely high in some regions. The research was led by a team at the Royal Veterinary College (RVC) in partnership with teams from Senegal and Niger in West Africa and was jointly funded by UKRI, Foreign Commonwealth and Development Office and Dstl under the Zoonoses and Emerging Livestock Systems (BBSRC) programme. Scientists combined parasitological, epidemiological, molecular, clinical and environmental data to determine the occurrence and distribution of the different fluke species that lead to disease.

United States of America

552. The United States signed the Biological and Toxin Weapons Convention (BWC) on April 10, 1972 and ratified the Convention on March 26, 1975. As demonstrated by our Confidence-Building Measures report, annual Compliance Report to Congress, Article X reports, and numerous other forms of transparency, the United States is in full compliance with all its obligations under the BWC. The United States does not develop, produce, stockpile, or otherwise acquire or retain biological or toxin weapons.

553. The United States is committed to reducing the risks of acquisition or use of biological agents as weapons by either states or non-state actors and to minimizing the consequences of such events should they occur. The Biden Administration's 2021 Interim National Security Strategic Guidance states that "we will revitalize and expand global health and health security initiatives for all nations to reduce the risk of future biological catastrophes, whether naturally occurring, accidental, or deliberate." The 2018 National Biodefense Strategy includes as a key goal to "reinforce the obligations in the Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction (BWC) (1975) and United Nations (U.N.) Security Council Resolution 1540, as well as other standards and norms against nation-state or non-state development, acquisition, or use of biological weapons, related materials, or means of delivery." The United States is now completing an interagency review of our national biodefense policies and efforts to address emerging domestic and global biological risks.

554. The elements of U.S. compliance set forth below are intended to highlight key domestic measures and are not an exhaustive list of all national-level compliance tools. Further, many measures are mutually reinforcing, fulfill more than one purpose, and touch on more than one BWC article. For example, import and export licensing procedures help guard against misuse of the life sciences and contribute to fulfillment of Article III and IV obligations, but they also promote the fullest possible exchange of equipment, materials, and knowledge for peaceful purposes, in accordance with Article X, by enhancing the confidence of exporters that their transfers will be used for peaceful purposes.

555. Compliance is a state to be maintained, rather than a single act. Accordingly, effective implementation of the BWC is an ongoing responsibility, rather than a task met by passing a law or issuing a regulation. A State Party must continue to invest adequate resources to implement and enforce laws, regulations, and other measures once adopted. The United States takes a robust and multi-faceted approach to implementing its obligations under the BWC. Implementing legislation and regulations form an important part of the national architecture, but such measures are complemented by an array of mutually reinforcing tools, including policy and other guidance documents, outreach and education, investment, and assistance to achieve the aims of the Convention. Laws and regulations that prohibit and punish violations are necessary, but so are the guidance, policies, and awareness-raising initiatives that prevent violations or other risky behaviors.

556. Moreover, changes in technology, industry, and the nature of the biological weapons threat require States Parties to regularly review laws, regulations, policies, and guidance to ensure they remain relevant and effective. Although the United States considers its approach comprehensive, we continue to look for ways to better address the biological weapons threat and improve national implementation of the BWC. Advisory committees,[10] federal and non-governmental studies, mandated review cycles,[11] and other resources and processes are critical components of this process.

557. Following is an article-by-article analysis of the United States' compliance with its obligations under the BWC. Where appropriate, each article below contains one section

[10] E.g., the National Science Advisory Board for Biosecurity established by the U.S. Government in 2006 to provide advice, guidance, and leadership regarding biosecurity oversight of dual use research to all Federal departments and agencies with an interest in life sciences research.

[11] E.g., the biennial review and publication of the list of select agents and toxins and the revision of the list as necessary by the Department of Agriculture and the Department of Health and Human Services.

outlining the fundamental aspects of U.S. compliance, with a principal focus on relevant domestic laws, regulations, and policy documents, and another addressing how the United States implements its obligations under that article, with concrete examples of how the United States executes and enforces compliance at the national level.

A. Article I

Compliance

558. The United States fully complies with its Article I obligations requiring BWC States Parties, "never in any circumstances to develop, produce, stockpile or otherwise acquire or retain: microbial 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; and weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict."

Implementation

559. Pursuant to Section 403 of the Arms Control and Disarmament Act of 1961, as amended, the Executive Branch of the United States is required to annually assess and report to Congress on, among other things, U.S. adherence to obligations undertaken in arms control, nonproliferation, and disarmament agreements and related commitments.[12]

560. Consistent with its deep-seated legal traditions, commitment to the rule of law, and belief in the importance of arms control agreements to enhance international security, the United States fully complies with its BWC obligations. As a reflection of the seriousness with which the United States views these obligations, it has established legal and institutional procedures to ensure U.S. compliance. Individual agencies within the Executive Branch have established policies and procedures to ensure that plans and programs under those agencies' purview remain consistent with U.S. international obligations. For example, U.S. Department of Defense (DoD) Compliance Review Groups oversee and manage DoD compliance with arms control, nonproliferation and disarmament agreements, and related commitments. Within the Department of Homeland Security's (DHS's) Compliance Assurance Program Office, the Treaty Compliance Group reviews DHS-conducted and -sponsored activities involving biological agents and related surrogates or simulants for compliance with the BWC. Further, the DHS Deputy Secretary chairs a committee that reviews DHS conducted and --sponsored activities in appropriate cases, including when such activities may raise potential treaty compliance or perception concerns, and ensures that all DHS programs comply with treaty requirements. Finally, Congress performs oversight functions through committee hearings and budget allocations.

B. Article II

Compliance

561. The United States fully complies with its Article II obligations. The U.S. offensive biological weapons program was dismantled following President Richard M. Nixon's 1969 statement renouncing the use of biological weapons[13] and the issuance of National Security Decision Memorandum 35.[14] President Nixon's statement included the following:

> *...the United States of America will renounce the use of any form of deadly biological weapons that either kill or incapacitate. Our bacteriological programs in the future*

[12] Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, April 2022, U.S. Department of State, https://www.state.gov/wp-content/uploads/2022/04/2022-Adherence-to-and-Compliance-with-Arms-Control-Nonproliferation-and-Disarmament-Agreements-and-Commitments-1.pdf.

[13] President Richard Nixon, "Statement on Chemical and Biological Defense policies and Programs, November 25, 1969," Public Papers of the Presidents, Washington DC. U.S. Government Printing Office, 2004. 968-969.

[14] National Security Decision Memorandum 35, Washington DC, November 25, 1969 in FRUS, document 165. https://history.state.gov/historicaldocuments/frus1969-76ve02/d165.

will be confined to research in biological defense, on techniques of immunization, and on measures of controlling and preventing the spread of disease.

562. In 1970, the U.S. ban on biological weapons was extended to cover toxins, regardless of their means of production.[15],[16] The dismantlement process was completed prior to entry into force of the Convention on March 26, 1975.

Implementation

563. The White House in December 1975 directed the heads of all Executive Departments and Agencies to certify that all activities of those departments and agencies which retain any biological agents and toxins were conducted only for justifiable peaceful purposes; that the total quantities of materials held were committed or reserved solely to those activities; and that any weapons, equipment, or means of delivery designed to use biological agents or toxins for hostile purposes or in armed conflict had been destroyed or diverted to peaceful purposes. In March 1976, the certifications were forwarded to the Department of State (DOS) to be retained as part of the permanent record of U.S. compliance with the BWC.

564. The United States reported on past offensive and defensive biological research and development programs dating back to 1941 on Form F of its 1997 Confidence-Building Measure (CBM) submission. There have been no updates to Form F since 1997.

C. Article III

Compliance

565. The United States fully complies with its Article III obligations through a comprehensive set of legislative, regulatory, and administrative measures to regulate transfers relevant to Article III.[17] These measures include lists of materials and technologies requiring authorization to export, "catch all" controls on unlisted items, and civil and criminal penalties for violations. Further, the U.S. export licensing system evaluates the potential dual-use applications of items; relevant information on the recipient; stated end use and end-use assurances; and risks of unauthorized misuse, diversion, or retransfer. Through the Australia Group, the United States coordinates with other supplier states on the fulfillment of our Article III obligations. The guidelines provided in the legislation and regulations described below are designed to limit the risks of proliferation of biological weapons by States and non-state actors.

566. On August 13, 2018, the President signed the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (50 U.S.C. 4801–4852). The ECRA directs the President to control the export, reexport, and transfer of commodities, software, and technology to protect the national security and to promote the foreign policy of the United States. The Export Administration Regulations (EAR) implement the ECRA and contain the Commerce Control List of items controlled under the ECRA. Violations of the ECRA, the EAR, or an order, license, or authorization issued thereunder can incur administrative penalties (including civil monetary penalties, denial of export privileges, and exclusion from practice), criminal fines, and imprisonment.

567. The Arms Export Control Act of 1976 (AECA) authorizes the President to "control the import and the export of defense articles and defense services" and to "designate those items which shall be considered as defense articles and defense services and to promulgate regulations for the import and export of such articles and services." Violations of the AECA can incur civil monetary penalties and criminal penalties of fines and imprisonment and

[15] Office of the White House Press Secretary (Key Biscayne, FL), Statement on Toxins, February 14, 1970, in FRUS, document 189. www.state.gov/r/pa/ho/frus/nixon/e2/83627.htm.

[16] National Security Decision Memorandum 44, Washington DC, February 20, 1970 in FRUS, document 190. www.state.gov/r/pa/ho/frus/nixon/e2/83628.htm.

[17] For a list of U.S. laws, regulations, and policies related to the nonproliferation of biological weapons, see the 2020 UN Security Council 1540 Committee-approved matrix at https://www.un.org/en/sc/1540/documents/USA%20revised%20matrix.pdf.

debarment. The International Traffic in Arms Regulations (ITAR) implement the AECA and contain the United States Munitions List (USML), which is the list of defense articles and defense services described by the AECA. Category XIV of the USML covers "Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment." Paragraph (b) of USML Category XIV describes the biological agents and biologically derived substances that are subject to the ITAR and establishes a "bright line" between those that are subject to the ITAR and those that are subject to the EAR.

568. The Biological Weapons Anti-Terrorism Act of 1989 (BWATA), as amended, prohibits transfers of "any biological agent, toxin, or delivery system for use as a weapon, or knowingly [assisting] a foreign state or any organization to do so." The Intelligence Reform and Terrorism Prevention Act of 2004 prohibits the import, export, direct or indirect transfers, and receipt of the variola virus, except under the authority of the Secretary of Health and Human Services. The USA PATRIOT[18] Act of 2001 prohibits "restricted persons"[19] from transporting select agents in interstate or foreign commerce, possessing select agents in or affecting commerce, or receiving any select agent or toxin[20] that has been shipped or transported in interstate or foreign commerce.

Implementation

569. In implementing Article III, the United States rigorously enforces the laws and regulations described above and conducts regular outreach to all stakeholders, including industry and academia. Each year, the Department of Commerce/Bureau of Industry and Security (DOC/BIS) hosts a three-day Update Conference for exporters to learn first-hand from U.S. Government officials about current issues and trends in export control policies, regulations, and practices. DOC/BIS also hosts smaller export control seminars throughout the year across the country and posts free online trainings in a variety of formats.[21] Similarly, the Department of State's Directorate of Defense Trade Controls conducts outreach to the regulated defense trade community through seminars, providing speakers at training events, answering questions through its Help Desk and Response Team, and has an established Company Visit Program. While these resources are generally geared toward U.S. exporters, they are also useful for academia, international firms, and foreign governments to understand U.S. requirements related to exports, re-exports, in-country transfers, brokering, and other issues.

570. Either the DOC or DOS reviews each license application, keeping in mind both accuracy and timeliness. Between 2016 and 2020, less than one percent of these applications was denied by DOC/BIS. Further, the average processing time per application has fallen to 23 days -- 67 days below the 90 days mandated by the EAR and Executive Order 12981.[22,23] The Departments of Commerce and State also conduct targeted pre-license and post-shipment end-use verification checks. These checks serve to increase confidence and cooperation; expedite future requests; facilitate transfer of more advanced technology; prevent diversions; protect end-users from untrustworthy intermediaries; foster communication among the U.S. Government, recipient country, and industry; establish an expectation of due diligence by exporters and importers; and educate industry on laws and regulations. The number of unfavorable findings uncovered during these checks shows their necessity in order to maintain the integrity of the export control program. From 2016-2021,

[18] The full name of the act is "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism."

[19] See https://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/pdf/USCODE-2011-title18-partI-chap10-sec175b.pdf for the definition of a restricted person.

[20] A select agent or toxin is one that has the potential to pose a severe threat to public health and safety, to animal health or animal products, or to plant health or plant products. They are listed in 7 CFR §331.3 (plants), 9 CFR §121.3 and §121.4 (animals), and 42 CFR §73.3 and §73.4 (public health).

[21] "FY2022 BIS Seminar Schedule," U.S. Department of Commerce, https://www.bis.doc.gov/index.php/compliance-a-training/current-seminar-schedule.

[22] "2020 Statistical Analysis of BIS Licensing," U.S. Department of Commerce, https://www.bis.doc.gov/index.php/component/docman/?task=doc_download&gid=2841 .

[23] "Executive Order 12981 of December 5, 1995, Administration of Export Controls," Federal Register, https://www.gpo.gov/fdsys/pkg/FR-1995-12-08/pdf/95-30106.pdf .

10 percent of DOC end-use checks worldwide were unfavorable, meaning a violation was identified during the end-use check.

D. Article IV

Compliance

571. The United States fully complies with its Article IV obligations through laws, regulations, and other measures designed to prohibit and prevent the development, production, stockpiling, acquisition, or retention of items specified in Article I. Mr. Christopher Park, Director, Biological Policy Staff, DOS, is the U.S. Designated National Authority for implementation of the Convention.

572. In addition to prohibiting transfers of biological agents, toxins, or delivery systems, the BWATA, as amended, prohibits knowingly developing, producing, stockpiling, acquiring, retaining, or possessing any biological agent, toxin, or delivery system for use as a weapon, or knowingly assisting a foreign state or any organization, including terrorist organizations, to do so. Similarly, the Intelligence Reform and Terrorism Prevention Act of 2004 prohibits the use, production, engineering, synthesis, acquisition, or possession of variola virus, except under the authority of the Secretary of Health and Human Services. The USA PATRIOT Act also prohibits possession by any individual of a "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 purpose." The USA PATRIOT Act further prohibits placing a biological agent or toxin for use as a weapon on a mass transportation vehicle and setting fire to a biological agent or toxin near a mass transportation facility.

573. A 1999 statute (Public Law 106-54) prohibits teaching or demonstrating the making or use of a weapon of mass destruction or distributing information pertaining to the manufacture or use of a weapon of mass destruction, with the intent that the teaching, demonstration, or information would be used for a federal crime of violence. The USA PATRIOT Improvement and Reauthorization Act of 2005 prohibits transportation of biological materials within U.S. jurisdiction with the intent to commit a crime. The Violent Crime Control and Law Enforcement Act of 1994 prohibits the use of weapons of mass destruction, including threatening, attempting, or conspiring to use weapons of mass destruction.

574. The Antiterrorism and Effective Death Penalty Act of 1996 directed the creation of a list of biological agents with the potential to pose a severe threat to public health and safety and the creation of the Select Agent Regulations to ensure proper biosafety and biosecurity measures for those agents. The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 and the Agriculture Bioterrorism Protection Act of 2002 give the Department of Health and Human Services (HHS) and the U.S. Department of Agriculture (USDA) the authority to implement the Federal Select Agent Program (FSAP). The USDA, through the Animal and Plant Health Inspection Service, regulates select agents and toxins of concern to plant health or plant products and to animal health or animal products. The HHS, through the Centers for Disease Control and Prevention (CDC), regulates select agents and toxins of concern to public health and safety.

575. The FSAP and associated regulations contribute to U.S. compliance with Article IV by helping to secure especially dangerous pathogens and prevent their unauthorized possession, loss, theft, misuse, diversion, or release. Entities seeking to possess or work with a select agent or toxin must register with the applicable department (HHS or USDA, depending on the agent or toxin). A security risk assessment is conducted by the Department of Justice through the Federal Bureau of Investigation prior to registration approval. The Select Agent Regulations also cover biocontainment; biosecurity; biosafety; biosafety and security training; and facility, personnel, and shipment security requirements for an entity required to register to possess, use, or transfer select agents and toxins, including specific

requirements for Tier 1 select agents and toxins.[24] The USA PATRIOT Act prohibits a "restricted person" from shipping or possessing a select agent or toxin. The Department of Transportation prescribes technical regulations for shipping hazardous materials, including select agents and toxins.

576. Maintaining a national biosafety and biosecurity system that protects scientists, healthcare workers, and the public from exposure to harmful pathogens is a critical part of the United States' efforts to conduct state-of-the-art life sciences research and to make new lifesaving treatments, vaccines, and diagnostics widely available. Federal, State, and municipal guidelines, policies, and regulations shape biorisk management systems at individual research institutions to provide a layered, redundant approach to minimize potential risks from work with hazardous biological materials. All research centers are required to comply with relevant laws and regulations, which depend on the nature of the laboratory's research activities and hazardous agents under study. This framework includes regulations and programs designed to respond to the threat of bioterrorism and other crimes involving biological agents and toxins. More information on regulations and guidelines can be found in the Federal Experts Security Advisory Panel report, which also includes transportation, export, and disposal of hazardous and/or infectious materials; response to biological incidents; and security risk assessments for individuals working with select agents and toxins.[25]

577. The U.S. Government maintains national policy that prescribes processes and procedures for the U.S. Government and U.S. Government-funded research, including classified life sciences research. Agencies that fund, direct, or execute classified life sciences research are required to implement processes to ensure activities comply with applicable law, standards, regulations, policies, and international legal obligations.

578. The U.S. Government has issued several policies for oversight of life sciences dual-use research of concern (DURC) to "preserve the benefits of life sciences research while minimizing the risk of misuse of the knowledge, information, products, or technologies provided by such research." The 2012 "United States Government Policy for Oversight of Life Sciences Dual Use Research of Concern"[26] requires U.S. federal departments and agencies that fund life sciences research to identify and manage the risks associated with certain types of DURC, while the 2014 "United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern"[27] complements the 2012 policy by establishing institutional review processes and oversight requirements for institutions receiving federal funding for life sciences research. In 2017, the United States issued "Recommended Policy Guidance for Departmental Development of Review Mechanism for Potential Pandemic Pathogen Care and Oversight."[28] Together, these policies support U.S. compliance with Article IV by engaging life sciences research institutions and federal funding agencies in shared responsibility to ensure biosafety and biosecurity and address the risk that knowledge, information, products, or technologies generated by life sciences research could be misused for harm.

579. The U.S. Government advocates and conducts regular reviews of advances in science and technology to ensure its policies are sufficient to address potential risks. In October

[24] Tier 1 select agents and toxins are those "biological agents and toxins [that] present the greatest risk of deliberate misuse with significant potential for mass casualties or devastating effect to the economy, critical infrastructure, or public confidence, and pose a severe threat to public health and safety" (www.selectagents.gov/faq-general).

[25] "Guiding Principles for Biosafety Governance: Ensuring Institutional Compliance with Biosafety, Biocontainment, and Laboratory Biosecurity Regulations and Guidelines," Prepared on behalf of the Federal Experts Security Advisory Panel September 2017 (Revised October 2017), https://www.phe.gov/s3/Documents/FESAP-guiding-principles.pdf.

[26] "United States Government Policy for Oversight of Life Sciences Dual Use Research of Concern," 2012, http://www.phe.gov/s3/dualuse/Documents/us-policy-durc-032812.pdf.

[27] "United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern, September 24, 2014, http://www.phe.gov/s3/dualuse/Documents/durc-policy.pdf.

[28] "Recommended Policy Guidance for Departmental Development of Review Mechanisms for Potential Pandemic Pathogen Care and Oversight (P3CO)," January 9, 2017, https://www.phe.gov/s3/dualuse/documents/p3co-finalguidancestatement.pdf.

2014, the U.S. Government announced a pause in new funding for certain gain-of-function (GOF) research studies on influenza, Middle East Respiratory Syndrome, or Severe Acute Respiratory Syndrome viruses until completion of a public deliberative process to evaluate the risks and benefits of GOF research with potential pandemic pathogens that resulted in the adoption of new U.S. Government policy.[29] As part of the process, the National Science Advisory Board for Biosecurity (NSABB) was charged to advise the U.S. Government on risk and benefit assessments for GOF research and provide recommendations. NSABB recommendations were provided to the U.S. Government in May 2016 and the U.S. Government released our new policy in 2017.

Implementation

580. Awareness-raising initiatives are designed to maximize compliance with laws, regulations, and national policies. Examples include online FSAP resources for training and compliance assistance and guidance,[30] resources on implementation of the 2014 policy on institutional oversight of dual-use research of concern,[31] and additional guidance such as Biosafety in Microbiological and Biomedical Laboratories (BMBL),[32] and National Institutes of Health (NIH) Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules.[33] Currently, the NSABB is further evaluating U.S. policies for oversight of DURC and GOF.

581. The U.S. Government also hosts workshops and other public events related to FSAP and the DURC policies. Investigation and prosecution of violations of BWC-related criminal statutes demonstrate U.S. implementation of its Article IV obligations. The Federal Bureau of Investigation (FBI) investigates allegations of activities prohibited by BWC-related criminal statutes, and the Department of Justice prosecutes violations of those statutes. Below are examples of recent prosecutions that demonstrate investigatory capabilities and successful enforcement of the criminal statutes.

(a) In June 2018, Danielle Dana Layman was sentenced to 37 months after pleading guilty in February of the same year for the manufacturing and possession of ricin, in violation of Title 18, United States Code, Section 175. The FBI executed a search warrant on Layman's Oklahoma residence; the investigation and laboratory analysis revealed she was manufacturing ricin in her kitchen;

(b) In August 2018, Abel Keith Fulton was sentenced to 46 months after pleading guilty to possession of ricin, in violation of Title 18, United States Code, Section 175. He was also ordered to pay over 30,000 USD in restitution for the removal and decontamination of his residence. Fulton possessed ricin at his Texas home between August to September 2016. The FBI investigation was in coordination with the United States Postal Inspection Service;

(c) In September 2018, Betty Jean Miller was sentenced to five years of probation and a fine of 10,000 USD after pleading guilty to producing, storing, and attempting to use ricin in violation of Title 18, United States Code, Section 175b. Extensive mental health treatment was also part of her sentence. She committed the crime while living in a Vermont senior assisted-living facility. The FBI, in coordination with local and state health, hazard material response, and law enforcement agencies, found that Miller made ricin in her kitchen and subsequently tested it on other residents;

(d) In January 2019, Debbie Siers-Hill was sentenced to 35 months after pleading guilty to the unregistered possession of ricin in violation of Title 18, United States Code,

[29] "U.S. Government Gain-of-Function Deliberative Process and Research Funding Pause on Selected Gain-of-Function Research Involving Influenza, MERS, and SARS Viruses," October 17, 2104, http://www.phe.gov/s3/dualuse/Documents/gain-of-function.pdf.

[30] eFSAP Resource Center | Federal Select Agent Program (selectagents.gov).

[31] "Institutional Policy Companion Guide & Resources," U.S. Department of Health and Human Services, http://www.phe.gov/s3/dualuse/Pages/companion-guide.aspx .

[32] "Biosafety in Microbiological and Biomedical Laboratories (BMBL) 6th Edition," CDC, https://www.cdc.gov/labs/BMBL.html.

[33] "NIH Guidelines," National Institutes of Health, https://osp.od.nih.gov/biotechnology/nih-guidelines/.

Section 175. The charge stemmed from a search of a Virginia storage unit held by Siers-Hill where the FBI, in coordination with local law enforcement, found a syringe containing ricin along with several firearms.

582. The FBI also documented some of its capabilities for the international community in the International Edition of the 2016 Criminal and Epidemiological Investigations Handbook.[34]

E. Article V

Compliance

583. The United States fully complies with its Article V obligations and believes that maintaining and promoting confidence that States Parties are complying with their obligations is essential to ensuring the stability and integrity of the Convention. This Article is a useful tool for fulfilling States Parties' mutual responsibilities of building a shared confidence in compliance with the BWC. Rather than stigmatizing the entities or activities about which questions are raised, regular cooperative bilateral and multilateral consultations can improve communications among States Parties and increase transparency.

584. Consistent with this approach, the United States participated actively in the Article V Formal Consultative Meeting requested by Russia to address its unfounded claims of U.S. (and Ukrainian) non-compliance with the Convention, which took place August 26 and September 5-7 and 9, 2022. At that time, the United States and Ukraine provided abundant evidence of the peaceful and valuable nature of their cooperation, as well as evidence indicating that the allegations, and the activation of the formal consultative process, were politically motivated rather than a genuine effort to resolve doubts or ambiguities.

585. In the interest of promoting transparency and confidence about its compliance, the United States submitted a working paper to the 2019 BWC Meetings of Experts on its National Biodefense Strategy.[35] At the 2020 Meeting of States Parties, the United States submitted a working paper describing the work of its Biological Threat Reduction Program.[36] At the 2022 BWC Preparatory Committee meeting, the United States held a side event for all BWC Parties on "International Cooperation and Assistance for Ukrainian Public and Animal Health," describing in detail the work of the Department of Defense's Biological Threat Reduction Program in Ukraine, the subject of many of Russia's false allegations.[37]

Implementation

586. The United States supports a broad range of efforts to strengthen implementation and enhance transparency and assurance of compliance with the BWC.

587. First, the United States submits annual confidence-building measures (CBMs) as agreed by the Second Review Conference in 1986 to "prevent or reduce the occurrence of ambiguities, doubts, and suspicions" and makes them publicly available through the ISU website. Where errors are identified, the United States has adopted a practice of submitting corrections, which are available along with the original submissions, to ensure a complete and accurate record. The United States considers annual CBM participation an effective way for States Parties to demonstrate their implementation of the BWC and to enhance confidence among States Parties that others are fulfilling their obligations. Submission of

[34] "Joint Criminal and Epidemiological Investigations Handbook 2016 (International Edition)," Federal Bureau of Investigation, https://www.fbi.gov/file-repository/joint-criminal-and-epidemiological-investigations-handbook-2016-international-edition/view.

[35] "Strengthening National Implementation: The United States National Biodefense Strategy," Submitted by the United States of America, 11 July 2019 https://undocs.org/bwc/msp/2019/mx.3/wp.1.

[36] "Article X Cooperation and Laboratory Support: The Example of the Biological Threat Reduction Program," submitted by the United States of America, 22 November 2021 https://undocs.org/bwc/msp/2020/wp.11.

[37] "International Cooperation and Assistance for Ukrainian Public and Animal Health," Organizers: Germany, United States and Ukraine, 4 April 2022, https://meetings.unoda.org/section/bwc-prepcom-2021-side-events/.

annual CBM returns is a politically binding commitment and, accordingly, the United States has submitted a CBM every year since 1987.

588. Second, the United States supports efforts to enhance transparency of biological defense programs using CBMs and other tools and takes efforts to be responsive to others' concerns. In addition to the recent Article V Formal Consultative Meeting, in 1997 the United States participated in the same kind of meeting in response to Cuba's questions regarding U.S. compliance. These consultations can provide a constructive framework to address both broad implementation challenges that affect many States Parties and specific questions and concerns in a cooperative manner.

589. Finally, affirming the value the United States places on voluntary initiatives that demonstrate transparency and build confidence in compliance, as reported at the 8th RevCon, in 2015-16 the United States partnered with Canada, Chile, Ghana, and Mexico on a BWC Implementation Review project.[38] The purpose of the exercise was to strengthen national implementation and promote transparency among the participating countries. The four States Parties exchanged reports on measures to implement the Convention and held meetings of experts in each of our capitals to discuss the implementation measures described in the reports.[39] During this exercise, we closely examined and documented implementation of the BWC in our respective countries, including in the areas of legal prohibitions, export controls, biosafety and biosecurity, and oversight of life sciences dual-use research. Through the exercise, we sought to improve U.S. implementation of the BWC; to increase transparency regarding U.S. implementation among the partner States; to reassure other BWC States Parties of U.S. compliance with the BWC's implementation obligations; and to contribute to the development of a model of cooperation among States Parties that provides for exchanging information about and experience with implementing the BWC, thereby strengthening their implementation of the Convention and enhancing transparency and assurances of compliance. The United States has also participated in voluntary transparency exercises held in France, Georgia, Germany, Morocco, and, most recently, Kyrgyzstan.

F. Article VI

Compliance

590. The United States fully complies with its Article VI obligations. The United States has not lodged a complaint with the United Nations (UN) Security Council (UNSC) but has taken steps to demonstrate its intent to support and cooperate with an investigation by the UN Secretary General's Mechanism (UNSGM) on U.S. territory.

Implementation

591. One example of implementation of Article VI obligations is the strong U.S. commitment to facilitating investigations of alleged use of biological weapons. At the Third Review Conference, BWC States Parties decided "to cooperate fully with the United Nations Secretary General in carrying out such [alleged use] investigations." In support of this statement and in recognition that the only realistic tool for an investigation of alleged biological weapons use is the UNSGM, the United States committed to cooperating with an investigation in a letter to the UN Secretary General dated April 4, 1991. In the letter, the United States pledged "to cooperate fully with you in your investigation of such reports [of possible use of chemical, biological, and toxin weapons in violation of international law], consistent with safety and domestic legal constraints. Such cooperation would include receiving a team of qualified experts on U.S. territory should you have occasion to request such an investigation."

592. Since the Eighth Review Conference, the United States has also actively contributed to strengthening the capabilities of the UNSGM, in cooperation with the UN Office for

[38] "BWC Implementation Review Initiative," Submitted by Canada, Chile, Ghana, Mexico, and the United States of America, 8 November 2016, https://undocs.org/BWC/CONF.VIII/WP.22.

[39] The U.S. report can be found at "BWC Implementation Review Initiative: Report by the United States of America on the Visit to Washington, DC," Submitted by the United States of America," 9 November 2016, https://undocs.org/BWC/CONF.VIII/WP.18.

Disarmament Affairs (UNODA) by participating in workshops and meetings focused on developing and implementing an action plan, funding research and laboratory exercises to develop more sophisticated methods for sample analysis, and holding in 2022 a table-top exercise to explore potential challenges in sample transfer.

G. Article VII

Compliance

593. The United States is prepared to comply with Article VII should it be invoked. Specifically, the United States has capabilities to provide and to support international assistance, including technical, public health, and medical assistance, to a requesting State Party deemed to have been exposed to danger as a result of violation of the Convention.

594. Additionally, the United States complies with Article VII by supporting efforts to strengthen the UNSGM to investigate allegations of biological weapons use. The UNSGM has significance for Article VII, in addition to the relevance to Article VI discussed above. For instance, if a State Party believes it has been exposed to danger as a result of violation of the Convention but lacks the technical capabilities or capacities to obtain or compile the evidence needed to present its case to the UNSC, then the UNSGM could assist this effort.

Implementation

595. U.S. efforts to strengthen implementation of Article VII have focused on ensuring an efficient, effective response to an outbreak at the earliest possible point and on ensuring that transition to formal activation of Article VII provisions is seamless and complementary to any ongoing public health or animal health response.

596. Specifically, the U.S. Government maintains capabilities within multiple Departments and Agencies, including HHS, CDC, and the U.S. Agency for International Development's Office of U.S. Foreign Disaster Assistance, among others, to support international assistance. The U.S. Government also maintains relationships with private sector and non-governmental organizations to request their assistance to supplement and otherwise amplify these capacities, if needed.

597. Recognizing that key capabilities must be in place within both sending and receiving countries in order for international assistance to be effective, the United States supports implementation of the International Health Regulations (2005), which obligate nations to develop capacity to respond to public health emergencies of international concern, and the Global Health Security Agenda (GHSA), which facilitates building the capacity of nations to respond to human and animal infectious disease events. As World Health Organization member states negotiate possible revision of the IHR (2005), as well as a new international instrument on pandemic prevention, preparedness and response, the United States will seek to provide constructive, practical input to strengthen global readiness for infectious disease threats of all types, alongside its ongoing engagement in building global preparedness and response capacity through bilateral and multilateral means. The United States also recognizes the integral role of international agreements, initiatives, and organizations committed to enhancing preparedness and response efforts for humanitarian disasters and public health emergencies, including the G7 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

598. Though the UNSGM has investigated and confirmed cases of chemical weapons use, it has never been used to investigate an allegation of biological weapons use. The capability should be developed and maintained so that, like domestic response capabilities, it is ready and able to carry out its mission should the UN Secretary General decide it is needed. The United States is actively working with UNODA and other concerned States and international organizations to strengthen the capability and capacity of the UNSGM. The United States has devoted particular attention to ensuring that an international network of laboratories would be available to UNODA to analyze samples. To this end the United States has funded exercises, in which laboratories from many countries participated, to develop and test more sophisticated procedures for sample analysis. The United States has also sponsored

international table-top exercises to explore the practical challenges that could be faced by a UNSGM team in a real-world scenario.

H. Article VIII

599. The United States fully complies with its obligations under the 1925 Geneva Protocol. The United States signed the Protocol on June 17, 1925 and deposited its instrument of ratification on April 10, 1975. At that time, there was no ban on the possession or stockpiling of chemical weapons. The U.S. reservation to the Protocol, which applied only to "the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials, or devices," was intended to deter the use by adversaries of chemical weapons against the United States or its allies.

600. On May 13, 1991, during the Chemical Weapons Convention negotiations, President George H.W. Bush announced that "[t]o demonstrate the United States commitment to banning chemical weapons, we are formally forswearing the use of chemical weapons for any reason, including retaliation, against any state, effective when the Convention enters into force."[40] This pronouncement and our obligations as a State Party to the Chemical Weapons Convention prohibit all activities that were reserved under the Protocol and such legal obligations apply, despite existence of the reservation.

I. Article IX

601. The United States signed the Chemical Weapons Convention on January 13, 1993 and deposited its instrument of ratification on April 25, 1997.

J. Article X

602. The United States fully complies with its Article X obligations. Through Article X activities, the United States seeks to contribute to two international norms. First, participation in the "exchange of equipment, materials and scientific and technological information" should be encouraged to improve global health, biosecurity, and the nonproliferation of biological weapons, in addition to the broader benefits of such exchange. Second, international cooperation in "the further development and application of scientific discoveries…for disease prevention and other peaceful purposes" is essential to working actively toward the improved quality of life for all. A good example of the U.S. commitment to such international assistance and cooperation is that in 2014, the United States helped launch the GHSA to strengthen the world's ability to prevent, detect, and respond to infectious disease threats, activities which help strengthen Article X.41 Specifics on U.S. activities under Article X can be found in the Article X paper submitted by the United States in 2020.[42]

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[40] "Statement on Chemical Weapons," President George Bush, May 13, 1991, http://www.presidency.ucsb.edu/ws/index.php?pid=19575.

[41] For the latest annual report on United States projects and activities on strengthening global health security around the word, see https://www.whitehouse.gov/wp-content/uploads/2021/10/Global-Health-Security-Agenda-Annual-Report.pdf.

[42] "Report on Implementation of Article X of the Biological and Toxin Weapons Convention," Submitted by the United States of America, 17 December 2020, https://undocs.org/BWC/MSP/2020/MX.1/WP.1.