

**Eighth 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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General exchange of views**

**Strengthening the Biological Weapons Convention
Operationalising mobile biomedical units to deliver
protection against biological weapons, investigate their
alleged use, and to suppress epidemics of various etiology**

Submitted by the Russian Federation

Background

1. In 2014, the Russian Federation launched an initiative to strengthen the Biological Weapons Convention (BWC). A survey of States Parties was conducted confirming a strong interest in this matter and preparedness to become engaged.
2. In August 2014, an informal open-ended discussion to explore possible ideas in this regard was begun on the margins of the Meeting of Experts of States Parties. At the Meeting of Experts of States Parties in August 2015, informed by the said exchange which was also continuing in various formats outside of Geneva, the Russian Federation submitted a working paper containing a draft decision of the Eighth Review Conference on beginning negotiations to strengthen the Convention.¹ Following a transparent and inclusive exchange of views on this proposal on the margins of that meeting and additional consultations last December at the meeting of States Parties, the Russian Federation with its co-sponsors, Armenia, Belarus and China, introduced a revised draft decision.² The proposals contained therein are based upon a realistic evaluation of the situation in the BWC such as the continuing lack of agreement on the issue of verification. Nonetheless, the draft decision envisaged negotiations on a broad-based and balanced package of measures to improve implementation of almost all provisions of the Convention.
3. In this working paper aimed at contributing to a discussion in the run-up to the Eighth Review Conference this November we would like to present ideas on establishing an

¹ BWC/MSP/2015/MX/WP.14, dated 12 August 2015.

² BWC/MSP/2015/WP.4/Rev.1, dated 16 December 2015.



international institutional mechanism under the BWC, **mobile biomedical units**, to implement the three elements of our initiative:

- (a) advancement of international co-operation for prevention of infectious disease pursuant to Article X;
- (b) provision of assistance and delivery of protection against biological weapons pursuant to Article VII;
- (c) investigation of alleged use of biological weapons pursuant to Article VI.

4. In the proposed concept these elements are taken together since by implementing them in combination useful synergies may be achieved and limited resources utilised efficiently. The concept benefited greatly from applying lessons learned from the many decades of conducting anti-epidemic programmes in the Russian Federation and injecting relevant international input including insights from the recent anti-Ebola effort in West Africa.

Rationale

5. It should be noted that there are no institutional mechanisms for practical implementation of Article X, VII and VI in the format of the BWC. Such a situation does not contribute to achieving the object and purpose of the Convention while weakening the authority and robustness of its regime originally envisaged to be a reliable bulwark against the threat of “biological agents being used as weapons”. These shortcomings were meant to be fixed in the negotiations on a supplementary protocol to the BWC in 1995-2001. However, the negotiations were prevented from completion at a time when their finalisation was within sight. As a result, the identified issues remain outstanding and topical.

6. The above conclusion is confirmed by the common understandings arrived at by States Parties during the intersessional programme of work in 2012-2015.

7. With respect to Article VII, it was agreed that “even where national capacity is strong, further international assistance may be required” by the affected State Party. Such assistance should be provided “rapidly” to heal the sick and prevent the spread of infectious disease outbreak. Therefore, there is value in having such rapid response capability “in advance of Article VII being invoked/before it is required” along with the agreed mechanism for its deployment. Inadequacy of the current situation having been exposed in the light of many problems during the Ebola crisis in West Africa reaffirmed the need of “addressing the lack of ready operational capability.” In this connection, States Parties noted with regret that “there is no institutional mechanism under the Convention to undertake relevant activities.” Consequently, they agreed to “exploring what role, if any, the Implementation Support Unit should play within this mechanism and any additional resources for enabling such a role.”³

8. The weakness of the BWC’s regime is compounded by the lack of a Convention’s mechanism for investigating alleged use of biological weapons.

9. Article VI of the Convention specifies that a decision on initiating an investigation may be taken by the United Nations Security Council on the basis of a complaint lodged by a State Party to the BWC. That being so, it is apposite to highlight the fact that the United

³ Paragraphs 44, 46 (a), (c), (f), 47(i), 48 of the 2015 report of the Meeting of States Parties (BWC/MSP/2015/6, dated 27 January 2016); also see paragraph 40 of Part II of the final document of the Seventh Review Conference (BWC/CONF.VII/7, dated 13 January 2012).

Nations does not have the dedicated human resources and materiel for activation in such a scenario. Therefore, if a situation of that nature arises the Security Council will have to act in an *ad hoc* manner in a challenging environment characterised by the deficit of time and under anticipated pressure from other demanding problems.

10. In the 1980s, the General Assembly of the United Nations created the Secretary-General's mechanism to investigate violations of the Geneva Protocol of 1925. Regrettably, United Nations Secretariat does not have its own field personnel let alone operational field units provisioned with relevant equipment and supported by certified laboratories for the analysis of samples collected on-site. In other words, absent are all the prerequisites for a successful execution of the mission. Instead, the Secretary-General's mechanism to investigate violations of the Geneva Protocol of 1925 envisages the activation of national experts, equipment and laboratories offered by Member States of the United Nations. At the same time, United Nations Secretariat does not have the means to conduct proficiency testing of such experts and laboratories and it is not in a position to ensure cohesiveness and interoperability of such *ad hoc* teams in the field. The said deficiencies can be addressed in the proposed integrated approach providing international community with a robust assurance of mounting an effective investigation.

11. As an illustrative example of the advantages of this approach, it may be noted that for conducting investigation of alleged use of chemical weapons in violation of the Geneva Protocol of 1925, United Nations Secretariat is reliant upon a strong capability in the Organisation for the Prohibition of Chemical Weapons (OPCW). The legal basis for such OPCW's co-operation with the United Nations is built into the provisions of the Chemical Weapons Convention's Verification Annex later incorporated into the United Nations-OPCW Relationship Agreement of 2000 and detailed in the Supplementary Arrangements signed pursuant thereto.⁴ Possessing a permanent professional cadre, the OPCW has the mandate to pursue investigations of alleged use to protect all of its 192 Member States.

12. Bearing in mind the above considerations, a case for creating the BWC's in-house capability for investigating alleged use of biological weapons presents as obvious. As specified in Article VI of the Convention, a decision on initiating such an investigation would remain in the domain of the Security Council. The capability established under the BWC would be put at the disposal of the Security Council following the modalities to be spelled out in a Relationship Agreement to be concluded between the duly authorised agents representing the two sides. The Agreement would define, *inter alia*, rights and obligations of the contracting sides, lay down the *modus operandi* in case of triggering a situation foreseen by its provisions, etc.

13. Lessons learned from the OPCW and the United Nations convincingly demonstrate that it is instrumental to ensure the availability of a fully-fledged apparatus staffed with trained and experienced personnel who are provided with specialised equipment. At the same time, creating this capability exclusively for investigations of alleged use would hardly be an efficient investment of limited resources and legitimate concerns may be expressed in that connection. Accordingly, it should be utilised in conjunction with addressing related and equally important tasks.

⁴ Paragraph 27 of Part XI of the Verification Annex to the Chemical Weapons Convention: "In the case of alleged use of chemical weapons involving a State not Party to this Convention or in territory not controlled by a State Party, the Organization shall closely cooperate with the Secretary-General of the United Nations. If so requested, the Organization shall put its resources at the disposal of the Secretary-General of the United Nations". Also, see Article II(2)(c) of the United Nations-OPCW Relationship Agreement of 1 September 2000.

14. If an Article VII situation occurs, the same capability would deploy at the central level under the BWC framework as a means of rapid reaction to deliver protection against biological weapons to be supplemented by other types of assistance that States Parties would provide to the affected State upon its request if the Security Council of the United Nations so decides.

15. The availability of a ready to use and capable asset under the BWC for rapid response in investigating alleged use and prompt delivery of assistance would serve as an additional deterrence against a threat of use of biological agents as weapons.

16. Under routine day-to-day activities this capability would be utilised in the BWC format to take forward implementation of Article X in order to assist interested States Parties upon request in preventing and mitigating naturally occurring epidemics.⁵ For this purpose, opportunities for mutually beneficial co-operation could be explored together with the WHO.

17. It is our view that a major contribution to addressing the above three tasks can be made by the introduction of mobile biomedical units operating as part of a future international structure created to enhance the Convention's implementation.

Russian Federation's experience of operating mobile anti-epidemic teams

18. The Russian Federation's **specialised anti-epidemic teams (SPEB)**⁶ served as a model in conceptualising this proposal. Being an integral part of national anti-plague system they have accumulated a considerable amount of expertise in monitoring, evaluation and response under various conditions and situations including emergency environment.

19. Operations of SPEB are distinguished by high mobility, self-sufficiency, multi-purpose functionality, employment of high-tech equipment, observance of biosafety norms, modular deployment approach, and diversified training of their personnel.

20. Main areas of SPEB activities include the following:

- (a) laboratory diagnosis of infectious agents from human biomedical samples and analysis of environmental samples;
- (b) determining cause-effect connection of outbreaks of infectious diseases of various etiology;
- (c) organisation and implementation of emergency anti-epidemic measures;
- (d) temporary substitution of depleted local public health personnel in emergencies.

21. The Russian Federation has developed and put into use a methodology for employing SPEB to respond to public health emergencies. Depending on a nature of a given situation, it allows to selectively deploy personnel and supporting laboratory modules. The Russian Federation's anti-plague institutes have facilities to train personnel, including foreign professionals, for public health work in emergency situations.

⁵ Depending on the evaluation of the concept's future operationalisation and performance and interest among States Parties, similarly structured assets could be later established under the BWC for veterinary and phytosanitary situations.

⁶ Russian acronym is SPEB; СПЭБ – специализированная противэпидемическая бригада.

22. Since 1963 when SPEB were raised, they have been utilised in mitigating over 118 public health emergencies both nationally and abroad. Recently they played a role in ensuring biosafety at major international events taking place in the Russian Federation such as the 2013 Summer Universiade in Kazan and the 2014 Winter Olympics in Sochi.

23. In 2014-2015, at the request of the Government of Guinea SPEB elements were dispatched there to assist in planning and executing measures to localise and eliminate the outbreak of Ebola. Two laboratory modules were deployed to conduct diagnostic tests on clinical samples from Ebola suspect cases and convalescents. During their stay in Guinea, the Russian Federation's experts had trained over 100 local medical personnel in anti-epidemic techniques.

24. Having lately reaffirmed their usefulness and effectiveness abroad in the fight against Ebola, SPEB are now offered at the international level as one of the instruments of co-operation in implementing an integrated approach to ensuring biosafety in areas struck by natural disasters, affected by social conflicts as well as in the foci of infectious diseases of various etiology.

Conclusion

25. In our view, taking forward the concept of creating and employing multi-purpose biomedical rapid reaction units constitutes a new paradigm of improving the BWC's implementation at the international level. Based on the available record of their deployment, it can be asserted with confidence that raising such a capability under the BWC and its follow-up funding through a future programme and budget process based on the approved scale of assessments will have very modest financial implications for 174 States Parties. In terms of the cost-benefit criterion this may become an optimal investment of the relatively insignificant amount of money in the interests of achieving the aims of the Convention.

26. This proposal combines the Convention's basic tenets of collective security and promoting international co-operation for peaceful purposes. Such convergence would result in creating an institutional basis for strengthening the BWC in a number of important areas. It will instill new life into the Convention ensuring its relevance for the future and its continued responsiveness to the interests and requirements of all States Parties.
