

# **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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English only

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**Follow-up to the recommendations and decisions of the Eighth Review Conference and the question of future review of the Convention**

## **Concept note on the creation of an International Agency for Biological Safety (IABS)**

### **Submitted by Kazakhstan**

1. This concept note offers a common vision of the mandate, objectives and functions of an International Agency for Biological Safety. Kazakhstan is open to proposals from states and the expert community, is committed to transparent discussion, constructive work, and a gradual approach to implementing this initiative.
2. At the seventy-fifth session of the UN General Assembly, the President of the Republic of Kazakhstan Kassym-Jomart Tokayev proposed to establish a specialized agency accountable to the UN Security Council - the International Agency for Biological Safety (IABS), which in its activities will be guided by the 1972 Biological Weapons Convention.

## **I. Background**

3. Rapid climate change and destructive human intervention in the natural environment are leading to a sharp increase in the likely emergence and spread of new dangerous pathogens. In a context of wider turbulence and global instability, there is a growing need for the UN Security Council to address biological safety as an emerging global security threat.
4. The proposal for an International Agency for Biological Safety is based on the Kazakh conviction that global modern threats, as exemplified by the COVID-19 pandemic, require a collective and collaborative approach – at the national, regional and international levels – for the safety of all humankind. The proposal is intended to address existing gaps:
  - The COVID-19 pandemic has provided ample illustration of the danger of mass infections, of the risks of being unprepared in response, and of the potentially destructive force of a bacteriological weapon;
  - The possibility of bioterrorism, that dangerous bacteriological agents could fall into the hands of irresponsible and criminal non-state actors or international terrorists - a weakness of the 1972 BWC regime - must now be addressed;
  - There have been numerous suspicions and accusations that the COVID-19 virus was man-made, that the pandemic leaked from a laboratory or was part of a biological weapons program. Such controversy is disruptive and destructive, and erodes international solidarity. It underlines the urgent need for a competent international body to fight disinformation related to biosafety events;
  - Even research and development for peaceful purposes carries risks for the population of a country, including the danger of stockpiling of harmful bioagents in connection



with their possible release into the environment. Advances in biosciences and biotechnology increase these risks and must be addressed;

- The laboratory-controlled possession of, and research and development related to, pathogens of infectious diseases is necessary for the purposes of preventing and combating these same diseases. Compliance/non-compliance with the BWC is therefore determined partially by the intended use of pathogens or equipment, not the mere fact of their possession (as is the case for chemical weapons). This makes verification and trust between countries, non-governmental organizations, experts and scientists more difficult. COVID-19 has exposed a substantial trust-deficit when it comes to the break-out or misuse of major pathogens.

5. In this context, the mission of the proposed Agency is to advance peace, health and well-being for all by initiating and ensuring safety and control measures related to potential biological and biotechnological threats, and by promoting biological developments for peaceful purposes only.

6. In its activities, the Agency will be guided by the goals and principles of the UN Charter aimed at maintaining peace and international security, strengthening international cooperation in order to ensure biological safety, and will be accountable to the UN Security Council as the main body for maintaining peace and international security.

7. The main emphasis of IABS's activities are defined as preventing the diversion of biological developments for military purposes, promoting biological research and development.

8. The IABS would need to cooperate closely with WHO and other international organizations in relation to human, animal and plant-related diseases. The creation of the new Agency should be coordinated with ongoing reforms of the WHO so as to avoiding duplication and enhance functional complementarity.

## **II. IABS objectives**

- Support the regime of non-proliferation of weapons of mass destruction and the prohibition of biological (bacteriological) and toxin weapons;
- Assist in ensuring the general health and biological safety of the population;
- Create a database of the types of assistance that can be provided to a state affected by the violation of the provisions of the BWC;
- Establish a multilateral export control mechanism based on the principles of inclusiveness and fairness and the fundamental principles of the Australia Group;
- Create a system of checks and guarantees to ensure that programs and developments in the biological field will be used for peaceful purposes only;
- Increase the technical capacity of BWC member states in the area of biological and biotechnological safety, including the development of regulations and standards-setting;
- Encourage international cooperation in the research and development of measures to combat dangerous pathogens and the exchange of scientific data;
- Strengthen confidence-building measures and transparency.

## **III. IABS functions**

- Oversee/control developments in modern biological technologies;
- Assess the possible dual uses of biotechnologies;
- Prevent the use of advances in biosciences and biotechnology for the creation of biological weapons;

- Develop a system of guarantees to prevent the use of scientific developments for the creation of biological weapons;
- Prevent the spread of dangerous pathogens outside the laboratory;
- Increase the capacity of the BWC member states to detect and combat biological threats;
- Exchange information on outbreaks of infectious diseases and similar situations caused by toxins;
- Coordinate requests for emergency assistance in accordance with Article VII of the BWC in cases where a State Party is at risk.
- Assist in organizing international projects in vaccine development against infectious diseases and ensure their availability to all countries;
- Promote research work in biological safety, the protection of public health and the environment in ecologically vulnerable regions of the world, as well as the development of measures to combat dangerous pathogens;
- Encourage research and development to combat dangerous pathogens;
- Review scientific research and technological achievements and exchange of scientific and technological information on dangerous pathogens and measures to combat them;
- Cooperate with scientific and technological centers to develop biological means of defense available to all states against dangerous pathogens, both active and potential;
- Create and update the UN Register of scientific discoveries in the field of biology that can be used for military purposes;
- compile and analyse annual mandatory reports/declarations on BWC Confidence Building Measures;
- Create a Catalogue of Confidence Building Measures in biological safety.

#### IV. Organization and scope of IABS

9. *The legal basis* for the establishment and operation of IABS is the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC).

10. The Agency can be created following the example of the IAEA (*including taking into account the experience of the OPCW and the CTBTO*), with mandated powers to conduct inspection activities and, accordingly, have a concise and efficient staff of specialists in the field of biosafety. An important element of IABS's work should be the Catalogue of Confidence-Building Measures, which can provide the necessary predictability and transparency of biological activities of states.

11. The IABS is proposed as an *organization* affiliated with the UN and associated with it by a special agreement, providing periodic reports on its work to the Security Council and the UN General Assembly. The Agency will also work closely with:

- The UNODA (which serves as the secretariat for the BWC);
- The OPCW (as the international chemical weapons oversight body, it has advanced laboratories with the capacity to conduct biological research); and
- The IAEA (as the international nuclear oversight body, it offers an integrated, multisectoral and interdisciplinary approach in the fight against zoonotic diseases through the new ZODIAC initiative).

12. The IABS would be an inter-governmental organization of all interested states, primarily the BWC member states. When developing the Agency's charter, emphasis should be placed primarily on ensuring the health and safety of human life, the exchange of scientific and technological information on studies of dangerous pathogens and measures to combat

them, with subsequent steps to develop a system of guarantees for the use of scientific developments only for peaceful purposes (on the example of the IAEA).

13. Given the fragmentation of much of biotechnology research and its lack of transparency, it is necessary to develop comprehensive global principles for the management/regulation of biotechnology, supported by a flexible safety and security regulatory framework.

## **V. IABS structure**

14. A small compact staff with sufficient expertise and capacity in biosafety, based on the principle of equitable geographical representation. Taking into account the current situation, as well as the budget allocated for it, it would recruit and employ part of its staff remotely in different countries.

15. The IABS would be funded through Member State dues in accordance with the UN scale of assessment. Financial and administrative issues will require additional negotiations after conceptual agreement is secured.

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