

Formal Consultative Meeting 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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Item 6 of the agenda

Respective outstanding questions by the Russian Federation to the United States and to Ukraine concerning the fulfilment of their respective obligations under the Convention in the context of the operation of biological laboratories in Ukraine

National Statement on Biological Weapons Convention (BTWC) Formal Consultative Meeting under Article V

Submitted by France

Mister Chairperson,

1. Allow me to begin by commending your readiness to chair this meeting, which my country welcomes. I would like to assure you of this delegation's full support for the conduct of this important step.
2. France aligns itself with the statement delivered by the Czech Republic on behalf of the European Union and wishes to add the following additional remarks in a national capacity.

Mister Chairperson,

3. Before addressing the substance of the documents provided by the Russian Federation, which we have studied with the utmost attention, we must first return, as States Parties, to what brought this formal consultative meeting about: Russia's armed aggression against Ukraine. As Russia stated explicitly in its note verbale of 8 July 2022 to the States Parties to the Convention, some of the documents communicated to the States Parties were reportedly collected in Ukrainian territory following its invasion by the Russian Federation. However, this invasion is a violation of international law and the obligations Russia has signed up to, starting with Article 2 of the Charter of the United Nations.
4. Before even discussing the content of these documents, we therefore need to bear in mind that some of them were acquired illegally by the Russian Federation. Consequently, Russia invites the States Parties to consider allegations against several States Parties of violations of the Convention and of international law on the basis of documents obtained in irrefutable violation of the Charter of the United Nations and international law.
5. Moreover, since choosing to use armed force against another State Party, the Russian Federation has asserted on several occasions that the invasion of Ukraine was a sort of "pre-emptive response" to the supposed threat of development and production of biological weapons by that State Party. France has always been very clear on such behaviour: no armed aggression against a sovereign State can be justified by mere unilateral allegations of violation of a disarmament and non-proliferation regime.

Mister Chairperson,



6. Since February, the Russian Federation has repeated these allegations several times, unilaterally and in several international forums and formats, including the United Nations Security Council, the OSCE, and the second Preparatory Committee meeting of the 9th Review Conference of the BTWC. France is confident in the robustness of the Convention and has repeatedly encouraged Russia to take the appropriate steps in the light of its allegations and make use of the relevant Convention procedures. While this activation of Article V could have happened earlier, given the assertiveness of the allegations, this return to the law and the use of multilateral channels should be welcomed.

7. The relevance of the Convention's provisions should be acknowledged and commended in this respect for addressing these issues, and others too. I would like to reaffirm France's commitment to the consultation procedure offered to States Parties by Article V and which is a means, by right, to request consultations for, quote, "any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention", unquote. At a time when we are to review the provisions of the Convention at the end of the year, this is an opportunity to demonstrate the relevance of the Convention's provisions on consultations to the international community.

8. It is also, and above all, an opportunity to respond to the questions raised by the Russian Federation in order to clear up its concerns and then focus collectively on the upcoming Review Conference. That is the spirit of our approach to this formal consultative meeting and why we have studied all the documents provided by Russia in detail, as we always have. I would now like to address some of those documents.

Mister Chairperson,

9. I would like to thank and commend Ukraine and the United States for their transparency and for the information provided on their bilateral and institutional cooperation which is fully in line with the scope of Article X of the Convention. For my part, I would like to focus my statement on the three scientific research projects highlighted by Russia.

10. The first, entitled project UP-4, involves, according to the Russian note verbale of 8 July 2022, a programme to monitor bird flu in wild birds in Ukraine between 2006 and 2020. To that end, several thousand biological samples were collected from various bird species to detect potentially highly pathogenic variants of Influenza A. Analysis of the documents provided relating to this scientific project suggests no aspects of a proliferative nature: the collection of samples from animal reservoirs for diagnostic purposes is an important and widespread practice in preventing the emergence of zoonotic diseases.

11. The second scientific project mentioned in the note verbale is entitled "Flu-FlyWay" and clearly aims to study the impact of the migrations of wild ducks on the spread of the virus responsible for bird flu in domesticated birds. The stated aim of this project is to better prevent the risk of transmission of the Influenza A virus in domesticated birds and thus to better apprehend the risk of emergence of highly pathogenic variants that might be transmissible to humans. This project only analyses the information collected to "model" the risk of transmission of the disease. Following analysis of the documents provided by Russia, there is nothing to suggest malicious intentions: the study of the behaviour of wildlife in an ecosystem is a common practice and is important in epidemiology to understand the transmission of zoonotic diseases.

12. The third project mentioned by the Russian Federation, entitled P781, a cooperation project between the Ukrainian Institute of Experimental and Clinical Veterinary Medicine and the Georgian National Centre for Disease Control and Public Health, aims to describe the role of bats and their habitat in the transmission of viral and bacterial zoonotic diseases. The documents mentioned biological samples collected from bats in Ukraine and Georgia. Like the "Flu-FlyWay" project, this epidemiological research project aimed at identifying potential environmental factors in the emergence of zoonotic diseases is relevant and legitimate, and has no proliferative character.

13. As such, none of the scientific projects that have just been mentioned give rise to the slightest suspicion of a proliferation risk. On the contrary, the lack of genetic manipulation and the destruction of the animal samples collected for example in project P781 all suggest a lack of desire to cause harm. All the scientific research work described in the Russian note

verbale of 8 July 2022 is legitimate in the field of epidemiological monitoring of human and animal diseases. In this respect, it is important to note that Crimean-Congo haemorrhagic fever and hantavirus diseases are endemic to the region and that the study of migratory birds and the diseases they carry, and thus the vectors of these diseases, contribute to bird flu and human flu surveillance studies.

14. I would like to add, Mister Chairperson, that the report describing the strains held at the Mechnikov Anti-Plague Research Institute's collection of bacterial and viral agents in Odesa are no more surprising. Holding dozens of strains of a single bacterial or viral species is necessary to form a collection that is representative of the diversity of a given species. Holding a collection of diverse representatives of a given species notably makes it possible to more precisely identify the affiliation or origin of a strain in an unknown sample through comparison of genetic characteristics, for example. Lastly, and above all, it is important to restate the obvious: holding pathogenic agents does not in itself constitute a biological weapons programme.

Mister Chairperson,

15. All in all, none of the documents produced by the Russian Federation alone or collectively suggests that biological weapons have been developed or stored in the territory of Ukraine. These documents offer no tangible proof demonstrating any violation whatsoever of the BTWC on Ukrainian soil. On the contrary, all the scientific projects mentioned are fully compliant with Article X, one of the pillars of the Convention dedicated to international biological cooperation for peaceful purposes.

16. We are therefore confident in the fact that this formal consultative meeting will clear up the concerns of the Russian Federation and answer its questions, fully demonstrating the relevance of Article V and, beyond that, the credibility and power of implementing the Convention. That will enable us to collectively agree that, concerning the allegations of the Russian Federation, the provisions of the Convention have proven their relevance to respond to a situation that will then no longer need to be raised again.

17. The impact of such allegations on the scope of Article X should however be considered. We cannot allow international cooperation to be diminished and obstructed in future by the fear of subsequent allegations of Convention violations. That would be an incorrect reading and damaging application of the provisions of the Convention to the detriment of all the States Parties without exception, especially those which undertake and benefit from international biological cooperation for peaceful purposes.

18. We therefore need to continue our work on the best means of strengthening the implementation of the key articles of the Convention, including Article X, with an eye on the Review Conference in November which will be a major opportunity to continue strengthening the implementation of the BWC. That is what drives France's constant commitment within the Convention.

I thank you, Mister Chairperson.
