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## Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction

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### **Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction**

**Background document prepared by the Biological Weapons  
Convention Implementation Support Unit**

#### **I. Introduction**

1. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction opened for signature in 1972 and entered into force in 1975. It prohibits the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons. It was the first international treaty to outlaw an entire category of weapons and now has 185 States parties and four signatory States. The Convention, along with the Treaty on the Non-Proliferation of Nuclear Weapons and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, is one of the key components of the international community's efforts to address the proliferation of weapons of mass destruction.

#### **A. Articles**

2. The Biological Weapons Convention has 15 articles. Key provisions of the treaty include the following binding obligations on States parties: never, in any circumstances, to develop, produce, stockpile or otherwise acquire or retain biological weapons (article I); to destroy or divert to peaceful purposes biological weapons and associated items (article II); not to transfer or in any way assist, encourage or induce anyone else to manufacture or otherwise acquire biological weapons (article III); to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of biological weapons (article IV); to consult bilaterally or multilaterally to solve any problems in relation to the objective of, or in



the application of the provisions of, the Convention (article V); to request the Security Council to investigate alleged breaches of the Convention and to cooperate with any subsequent investigations by the Council (article VI); to assist States that have been exposed to danger as a result of a violation of the Convention (article VII); and to do all of the above in a way that facilitates and promotes the peaceful uses of biological science and technology and avoids hampering the economic or technological development of States parties (article X).

## **B. 2023–2026 work programme**

3. The ninth Review Conference took place in Geneva in November and December 2022 and concluded with the adoption of a final document by consensus ([BWC/CONF.IX/9](#)). Reaffirming the utility of having an intersessional programme, the Review Conference decided that States parties would hold annual meetings of the States parties between 2023 and 2026 in Geneva, in an in-person format in accordance with the regular practice under the Convention, for a duration of three days each year. The first such meeting will be held from 11 to 13 December 2023. The meetings of States parties will be responsible for managing the intersessional programme in support of the Convention, including taking necessary actions with respect to budgetary, financial and organizational matters, with a view to ensuring the proper implementation of the intersessional programme. The meetings of States parties will also consider, on an annual basis, progress on the universalization of the Convention, the annual report of the Implementation Support Unit and, as appropriate, the implementation of decisions taken by the ninth Review Conference. The tenth Review Conference, to take place no later than 2027, will consider the work and outcomes of the meetings and decide on any further action.

4. Determined to strengthen the effectiveness and improve the implementation of the Convention in all its aspects, the ninth Review Conference also decided to establish the Working Group on the Strengthening of the Convention, open to all States parties. The aim of the Working Group is to identify, examine and develop specific and effective measures, including possible legally binding measures, and to make recommendations for strengthening and institutionalizing the Convention in all its aspects, to be submitted to States parties for consideration and any further action. These measures should be formulated and designed such that their implementation supports international cooperation, scientific research and economic and technological development, avoiding any negative impacts. In this context, the Working Group will address the following:

- (a) Measures on international cooperation and assistance under article X;
- (b) Measures on scientific and technological developments relevant to the Convention;
- (c) Measures on confidence-building and transparency;
- (d) Measures on compliance and verification;
- (e) Measures on national implementation of the Convention;
- (f) Measures on assistance, response and preparedness under article VII;
- (g) Measures on organizational, institutional and financial arrangements.

5. The Working Group is also mandated to make appropriate recommendations on the establishment of mechanisms to facilitate and support the full implementation of international cooperation and assistance under article X and to review and assess scientific and technological developments relevant to the Convention and to provide States parties with relevant advice.

6. Recognizing the need to balance an ambition to improve the intersessional programme within the constraints – both financial and personnel-related – faced by States parties, the ninth Review Conference allocated 15 days per year to the Working Group for its substantive meetings for the period from 2023 to 2026. The Conference urged the Working Group to complete its work as soon as possible, preferably before the end of 2025.

7. The Working Group meets in Geneva, in an in-person format in accordance with the regular practice under the Convention. The first meeting was held on 15 and 16 March 2023 to discuss organizational issues (see [BWC/WG/1/2](#)). At the meeting, the Working Group elected the Special Representative of Brazil to the Conference on Disarmament, Flávio Soares Damico, as its Chair for the period 2023–2024. The Working Group also elected the Permanent Representative of France to the Conference on Disarmament, Camille Petit, and the Deputy Permanent Representative of Georgia to the United Nations Office at Geneva, Irakli Jgenti, as its Vice-Chairs. The Chair will update the annual meetings of States parties on the work of the Working Group.

8. The second meeting of the Working Group was held from 7 to 18 August. At the meeting, States parties discussed three of the topics mentioned in paragraph 4 above (measures on international cooperation and assistance under article X, measures on scientific and technological developments relevant to the Convention and measures on national implementation of the Convention). They also discussed the establishment of the mechanisms mentioned in paragraph 5 above. The third meeting of the Working Group will be held from 4 to 8 December 2023 and will serve to discuss measures regarding confidence-building and transparency, measures on compliance and verification and measures on organizational, institutional and financial arrangements. For subsequent years, the meetings of States parties will set the dates of the substantive meetings of the Working Group, as appropriate, with the understanding that one of the meetings each year will be held consecutively with the meeting of States parties.

9. At the completion of its work, the Working Group will adopt a report, by consensus, that includes conclusions and recommendations according to its mandate. The adopted report will be submitted to States parties for their consideration at the tenth Review Conference, or earlier at a special conference if it is requested according to the procedure established by the third Review Conference (see [BWC/CONF.III/23](#)), to decide on any further action.

### **C. Annual exchanges of information**

10. The second Review Conference, in 1986, agreed that States parties were to implement, on the basis of mutual cooperation, measures in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions and in order to improve international cooperation in the field of peaceful bacteriological (biological) activities. Those measures included annual exchanges, which have become known as confidence-building measures. Originally covering four areas, they were expanded to eight in 1991 and were revised again in 2011 to cover: (a) data on research centres and laboratories, as well as national biological defence research and development programmes; (b) outbreaks of infectious diseases and similar occurrences caused by toxins; (c) encouragement of the publication of results and promotion of the use of knowledge; (d) legislation, regulations and other measures; (e) past activities in offensive and/or defensive biological research and development programmes; and (f) vaccine production facilities. The modalities for exchanging information were developed at an ad hoc meeting in 1987, were revised to enable electronic exchanges in 2006 and were again revised in 2011. In 2018, an electronic platform for the submission of confidence-building measures was introduced, which also acts as a

repository containing all confidence-building measures submitted since 1987. The annual deadline for the submission of data covering the previous calendar year is 15 April.

#### **D. Institutional support**

11. In contrast to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Biological Weapons Convention has no international organization to implement it. The Implementation Support Unit is housed in the Geneva branch of the Office for Disarmament Affairs but is entirely funded by the States parties to the Convention. The Unit was created at the sixth Review Conference, in 2006, to provide administrative support to meetings agreed by the Review Conference, as well as support for the comprehensive implementation and universalization of the Convention and the exchange of confidence-building measures. Its mandate was renewed at the seventh, eighth and ninth Review Conferences, in 2011, 2016 and 2022, respectively, and its tasks were expanded to include creating and running a database on requests for and offers of assistance and supporting the implementation of the decisions and recommendations of those Review Conferences. The ninth Review Conference decided to increase the size of the Unit from three to four staff members.

## **II. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Middle East**

#### **A. Membership status**

12. Eighteen States in the Middle East region are party to the Biological Weapons Convention: Algeria, Bahrain, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, State of Palestine, Sudan, Tunisia, United Arab Emirates and Yemen. Three States in the region have signed but not ratified the Convention: Egypt, Somalia and Syrian Arab Republic. Two States in the region have neither signed nor ratified the Convention: Djibouti and Israel.

#### **B. Participation in meetings**

13. All 24 States in the region have participated in at least one meeting of the Biological Weapons Convention: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, State of Palestine, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

14. Twenty States in the region participated in the ninth Review Conference: Algeria, Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

## **C. Confidence-building measures**

15. Sixteen States in the region have submitted a confidence-building measure at least once since 1987: Algeria, Bahrain, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, State of Palestine, Tunisia, United Arab Emirates and Yemen.

16. Eight States in the region have regularly submitted confidence-building measures in the past five years: Algeria, Iraq, Jordan, Lebanon, Morocco, Qatar, Saudi Arabia and United Arab Emirates.<sup>1</sup>

17. Ten States in the region have submitted confidence-building measures in 2023 so far: Algeria, Iraq, Jordan, Libya, Morocco, Oman, Qatar, Saudi Arabia, State of Palestine and United Arab Emirates.

## **D. Compliance reports**

18. At the five-yearly Review Conferences, States parties provide reports on their compliance with their obligations under the Biological Weapons Convention. At the ninth Review Conference, in 2022, two States in the region provided reports: Qatar and Saudi Arabia.

19. At Review Conferences, States parties also provide information on the implementation of article X. At the ninth Review Conference, three States in the region provided such information: Iraq, Qatar and Saudi Arabia.

20. At the eighth and ninth Review Conferences, States parties also provided information on the implementation of article VII. At the ninth Review Conference, one State in the region provided such information: Saudi Arabia.

## **E. National contact points**

21. The sixth Review Conference, in 2006, decided that each State party should designate a national contact point for coordinating national implementation of the Convention, communicating with other States parties and relevant international organizations, preparing the submission of confidence-building measures and facilitating the exchange of information on universalization efforts. Sixteen States parties in the Middle East region have informed the Implementation Support Unit of the details of their national contact points: Algeria, Bahrain, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, State of Palestine, Sudan and Yemen.

# **III. Contribution of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction to peace and security**

## **A. Collective security**

22. The Biological Weapons Convention is an important forum for cooperation in meeting international security obligations. It is a core component of the international

<sup>1</sup> For the purposes of the present document, “regularly submitted” means having provided information in at least three of the past five years.

community's efforts to address weapons of mass destruction. Biological weapons can be used to attack not only humans but also livestock and crops. They can kill and incapacitate both civilians and military personnel and can also have devastating economic effects. All States are potentially at risk from such weapons and all can benefit from becoming parties to the Convention. Universal adherence to the Convention will strengthen the global norm against the use of biological agents and toxins as weapons, reinforcing the international community's determination that such use would be, as stated in the preamble to the Convention, repugnant to the conscience of humankind. The Convention complements Security Council resolution [1540 \(2004\)](#), and ratifying or acceding to, and subsequently implementing, it will help in meeting the requirements of the resolution.

23. Compared with other weapons of mass destruction, biological weapons are relatively easy to develop, transfer and conceal. The struggle against biological weapons must, as with the diseases involved, cross geographical boundaries and involve the security, scientific, public health and agricultural sectors. The Convention provides a useful focal point to bring such a diverse range of actors together.

24. There is also a growing risk that biological weapons may be obtained and used by non-State actors, including terrorist groups. Wider adherence to the Convention will ensure that there are fewer places where bioterrorists can work with impunity. Becoming a party to the Convention is a step that all States can take to help to reduce the threat of terrorism.

## **B. Strengthening national implementation, public health, veterinary, agricultural and emergency response capacities**

25. The Biological Weapons Convention supports the development of the peaceful uses of biological science and technology. Under article X of the Convention, States parties are required 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 biological agents and toxins for peaceful purposes. Bilateral or regional assistance and cooperation may be available under the Convention that is not available through other channels or not available to non-parties.

26. States parties to the Convention meet regularly to advise and assist each other in developing their national capacities in such areas as: disease monitoring, detection and diagnosis; biosafety and biosecurity; education, training and awareness-raising; emergency response; and legal, regulatory and administrative measures, including licensing, registration, customs, law enforcement and transport. In terms of training and capacity-building in the Middle East, with funding from the European Union, the Implementation Support Unit organized a regional workshop on scientific and technological developments related to the Convention in Amman in 2018 and, also with European Union funding, provided capacity-building assistance upon request to Iraq and Lebanon. In 2021 and 2022, similar capacity-building assistance was provided to the State of Palestine and the Sudan, also with funding from the European Union. Another regional workshop for national contact points for the Convention from the Middle East and North Africa is scheduled for November 2023.

27. In terms of training and capacity-building in the Middle East region, with funding from the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, the United Nations Office for Disarmament Affairs is implementing a four-year project aimed at strengthening the universalization and national implementation of the Convention in Africa. Kenya held a regional workshop on the universalization and effective implementation of the Convention in Eastern Africa in October 2022, in which the following States of the Middle East region

participated: Comoros, Djibouti, Somalia and Sudan. Morocco held a regional workshop on the universalization and effective implementation of the Convention in Northern Africa in June 2023, in which the following States of the Middle East region participated: Comoros (observer), Libya, Mauritania, Morocco and Tunisia. Several national capacity-building activities are planned to be carried out by 2026 with the aim of promoting the universalization of the Convention, providing assistance for the development of legislation for implementing the Convention, supporting the preparation and submission of confidence-building measures and facilitating the establishment or designation of national contact points.

### **C. Progress towards universalization**

28. Five States have become parties to the Biological Weapons Convention since 2017, and over 94 per cent of the world is now bound by its terms. All the permanent members of the Security Council are States parties, as are all the States members of the European Union, all the States of the former Soviet Union, all but one State in Latin America and the Caribbean and the large majority of States in Africa and Asia. The number of parties to the Convention continues to grow, which is a significant achievement for a treaty of its age. The most recent country to become a State party is South Sudan, which became the 185th State party on 15 February 2023.

### **D. Becoming a party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction**

29. There are minimal financial costs involved in becoming a party to the Biological Weapons Convention. States parties pay a share of the cost of the intersessional programme that is calculated according to the United Nations scale of assessments. There is no waiting or qualification period to become a State party, and no special procedure is required: the Convention comes into force as soon as the instrument of ratification or accession is deposited in London, Moscow or Washington, D.C.

30. Support is available to help with the implementation of the obligations of the Convention. Other States parties, in every region, are ready to assist with drafting or amending implementing legislation, establishing regulations, building administrative capacity and other aspects of national implementation. Administrative support and advice on all aspects of accession, ratification and implementation are also available from the Implementation Support Unit (for further information, see <https://disarmament.unoda.org/biological-weapons>).