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الجمعية العامة مجلس الأمن



مجلس الأمن
السنة السابعة والسبعون

الجمعية العامة
الدورة السابعة والسبعون
البند 106 من جدول الأعمال
اتفاقية حظر استحداث وإنتاج وتكديس الأسلحة البكتريولوجية
(البيولوجية) والتكسينية وتدمير تلك الأسلحة

رسالة مؤرخة 12 تشرين الأول/أكتوبر 2022 موجهة إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

أودّ ذكر ما يلي عطفًا على الرسالتين السابقتين، التي وجّهناها بشأن البرامج البيولوجية العسكرية التي تقودها الولايات المتحدة على أراضي أوكرانيا، والمؤرختين 27 أيار/مايو 2022 (A/76/851) و 13 أيار/مايو 2022 (S/2022/393)، وعطفًا كذلك على الرسائل الموجهة سابقًا، وبالإشارة إلى الرسالة الأخيرة الموجهة من الممثلة الدائمة للولايات المتحدة الأمريكية لدى الأمم المتحدة المؤرخة 16 أيلول/سبتمبر 2022 (S/2022/697) بشأن الاجتماع الاستشاري الرسمي للدول الأطراف في اتفاقية حظر استحداث وإنتاج وتكديس الأسلحة البكتريولوجية (البيولوجية) والتكسينية وتدمير تلك الأسلحة الذي عقد بناءً على مبادرة من الاتحاد الروسي في جنيف في 26 آب/أغسطس ومن 5 إلى 9 أيلول/سبتمبر 2022:

مما يؤسف له أن الرسالة المشار إليها أعلاه التي وجهتها الولايات المتحدة تتضمن عددا من الافتراضات المضللة والانتهاكات الباطلة التي تهدف إلى تقديم صورة محرّفة وغير كاملة عن نتائج الاجتماع الاستشاري إلى مجلس الأمن.

ويشير الجانب الأمريكي إلى أنه سبق له أن أوضح موقفه من هذه المسألة في "العديد من اجتماعات مجلس الأمن". وفي الواقع، دعونا إلى عقد اجتماع لمجلس الأمن في 11 آذار/مارس 2022 عندما كشفت وزارة الدفاع في الاتحاد الروسي لأول مرة الحقائق المقلقة التي اكتشفتها عن الأنشطة البيولوجية للولايات المتحدة على أراضي أوكرانيا، وذلك لتُقدم الولايات المتحدة وأوكرانيا التوضيحات اللازمة. غير أنهما امتنعا عن فعل ذلك ورفضاً الأدلة الواقعية المقدمة في قاعة المجلس باعتبارها "دعاية روسية".



وأَساليب التهريب وصرف الانتباه هذه نفسها طُبِّقَتْ على اجتماع مجلس الأمن المعقود بصيغة آريا في 6 نيسان/أبريل 2022 الذي قرَّر ممثلو الولايات المتحدة عدم حضوره، وفي اجتماع مجلس الأمن المعقود في 13 أيار/مايو 2022. وعُقد كلا الاجتماعين بمبادرة من الاتحاد الروسي في ظل الكشف عن المزيد والمزيد من الحقائق عن أنشطة بلدان منظمة حلف شمال الأطلسي (الناتو) في أوكرانيا. وإذا كانت الولايات المتحدة تأسف، كما يدعي الجانب الأمريكي، "لأن وقتاً طويلاً للغاية قد أنفق على هذا الموضوع"، فما كان عليها إلا أن تقدم توضيحات منذ وقت طويل، فقد أُتيحت لها فرص كثيرة لفعل ذلك.

ووفقاً لإجراءات اتفاقية الأسلحة البيولوجية، تواصلنا مع الولايات المتحدة وأوكرانيا على صعيد ثنائي أيضاً طالبن هذه التوضيحات مرة أخرى. وفي ظل عدم تقديم تفسيرات معقولة، اضطررنا إلى الدعوة إلى عقد اجتماع استشاري للدول الأطراف في الاتفاقية. وقد حظيت المناقشات التي دارت في الاجتماع الاستشاري بشأن البرنامج البيولوجي العسكري في أوكرانيا باهتمام عالمي كما اتضح من المشاركة الفعلية للدول الأطراف في الاجتماع، وهو ما يعكس بوضوح أن المجتمع الدولي ككل قلق جداً من هذه المسألة.

ومن المؤسف للغاية أن تستمر الولايات المتحدة في زعمها بأن "ادعاءات الاتحاد الروسي الخادعة بشأن وجود برنامج مزعوم للأسلحة البيولوجية الهجومية في أوكرانيا تدعّمه الولايات المتحدة" هي ادعاءات "لا أساس لها من الصحة". وفي هذا الصدد، أودّ أن أقدم قائمة تتضمن كامل الأسئلة بشأن الأنشطة البيولوجية للولايات المتحدة في أراضي أوكرانيا التي طرحها الاتحاد الروسي في الاجتماع الاستشاري والتي ظلت دون جواب، والبيانات التي أدلى بها الممثلون الرسميون للاتحاد الروسي في إطار متابعة المسألة والتي تتضمن تفسيرات مفصلة (انظر المرفق)*. وقد عُرض الكم الهائل من المواد بالتفصيل من أجل إتاحة الفرصة للمشاركين في الاجتماع الاستشاري لتحليلها، ومن أجل تمكين الولايات المتحدة وأوكرانيا من معالجة الشواغل بطريقة شاملة.

وأودّ أن أشير إلى أن الاتحاد الروسي ظل شفافاً كل الشفافية طوال هذه العملية. فقد عقد نائب وزير خارجية الاتحاد الروسي، سيرغي أ. ريابكوف، مؤتمراً صحفياً حول نتائج الاجتماع الاستشاري في 13 أيلول/سبتمبر 2022. ولتزويد العضوية الواسعة في الأمم المتحدة بمعلومات إضافية، أودّ أن أوجه انتباهكم أيضاً إلى العرض الذي قدمته وزارة الدفاع في الاتحاد الروسي في 19 أيلول/سبتمبر 2022 والذي يتضمن تحليلاً شاملاً لوقائع الاجتماع ونتائجه**.

ويُذعّر تضليلاً في الرسالة التي وجهتها ممثلة الولايات المتحدة أنه خلال الاجتماع "أعربت الدول الأطراف في الاتفاقية بأغلبية ساحقة عن آرائها بأن ادعاءات الاتحاد الروسي لا أساس لها من الصحة وأن الادعاءات قد عولجت بصورة شاملة من جانب الولايات المتحدة وأوكرانيا". والواقع أن عدداً مذهباً من الأسئلة التي طرحها الاتحاد الروسي ظل دون إجابة أو قبول بالتجاهل ببساطة، حيث حاولت الولايات المتحدة وأوكرانيا مرة أخرى التهريب من الإجابة بلعبهما دور ضحيّتي "حملة تضليل" أو بتحويلها مسار المناقشات إلى مسائل أخرى لا علاقة لها بالموضوع.

* يعمّم باللغة التي قُدِّم بها فقط.

** يمكن الاطلاع على العرض والمواد بشأن نتائج الاجتماع الاستشاري للدول الأطراف في اتفاقية الأسلحة البيولوجية على الرابطين التاليين: <https://disk.yandex.ru/d/TKGwwWG-0kfcBQ> و <https://disk.yandex.ru/d/4tvvGx3vcbUWwYw>.

وتأكيداً على هذه النقطة، نود أن نسترعي الانتباه إلى البيان المشترك الصادر عن الاتحاد الروسي وبيلاروس والجمهورية العربية السورية وزمبابوي والصين وفنزويلا وكوبا ونيكاراغوا بشأن نتائج الاجتماع الاستشاري. ويُخلص في تلك الوثيقة إلى أن "المسائل المتعلقة بالأنشطة البيولوجية العسكرية التي تقوم بها الولايات المتحدة في سياق تشغيل المختبرات البيولوجية على الأراضي الأوكرانية لا تزال عاقلة، ولم نتلق تقسيرات مستفيضة يمكن أن تبدد تماماً الشكوك المحيطة بتلك الأنشطة وبالتالي تصويب الوضع الذي دفع الجانب الروسي إلى عقد الاجتماع الاستشاري".

ويرد بوضوح كذلك في التقرير النهائي للاجتماع الاستشاري أنه "لم يُتوصل إلى توافق في الآراء بشأن نتائج الاجتماع الاستشاري الرسمي". وبما أن التقرير نفسه اعتمد بتوافق الآراء في 9 أيلول/سبتمبر 2022، ننظر إلى الوضع من منطلق الفهم أن ممثل الولايات المتحدة في الاجتماع وافق على هذا التقييم.

ففي حين تسعى رسالة ممثلة الولايات المتحدة على ما يبدو إلى إعطاء انطباع بأن المسألة أُغلقت وسُوّيت، الواقع أن الحقيقة أبعد ما يكون عن ذلك، لأن الأسئلة الموجهة إلى الولايات المتحدة وأوكرانيا بشأن الوفاء بالتزاماتهما بموجب اتفاقية الأسلحة البيولوجية ظلت دون إجابة للأسف، وذلك حتى بعد الاجتماع الاستشاري. وتمشياً مع البيان المشترك، نود أن ندعو مرة أخرى إلى استغلال جميع الفرص المتاحة في إطار الاتفاقية، بما في ذلك الآلية المنصوص عليها في المادة السادسة منها، لتيسير إيجاد حل بسرعة للحالة الراهنة.

وبالإضافة إلى ذلك، نود أن نشدد على أن نتائج الاجتماع الاستشاري أكدت مرة أخرى الحاجة إلى تعزيز نظام اتفاقية الأسلحة البيولوجية بطرق منها استئناف المفاوضات بشأن بروتوكول ملزم قانوناً يُلحق بالاتفاقية ويُقرن بآلية تحقق فعالة. ومع أن الولايات المتحدة تعرقل هذه العملية منذ عام 2001، ما زلنا نأمل أن تتمكن الدول الأطراف خلال المؤتمر التاسع المقبل لاستعراض الاتفاقية من التفاوض والاتفاق على مزيد من التدابير والمبادرات لتعزيز عملية تنفيذ اتفاقية الأسلحة البيولوجية.

وأرجو ممتناً تعميم هذه الرسالة ومرفقها باعتبارهما وثيقة من وثائق الجمعية العامة، في إطار البند 106 من جدول الأعمال، ومن وثائق مجلس الأمن.

(توقيع) فاسيلي نيبينزيا

مرفق الرسالة المؤرخة 12 تشرين الأول/أكتوبر 2022 الموجهة إلى الأمين العام ورئيس
مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

BWC/CONS/2022/WP.26

**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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2022 Meeting

Geneva, 26 August and 5-9 September 2022

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

**Questions of the Russian Federation to the United
States and Ukraine regarding the compliance with
their obligations under the Convention on the
Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on Their Destruction (BTWC) in the
context of the activities of biological laboratories in
the territory of Ukraine**

Submitted by the Russian Federation

**I. Questions to Ukraine regarding compliance with obligations
under Part 1 of Article I of the BTWC**

1. What activities with pathogenic biomaterials were carried out at the I.Mechnikov Anti-Plague Institute in Odessa in the period from 2017 to 2018, if, according to the report of the commission of the Ministry of Health of Ukraine, there were over two thousand storage units of pathogenic biomaterials at that time, while in 2018 only one research work was officially conducted involving the tularemia strains in the collection of the Institute, and no report on the use of the collection for 2017 was submitted?

2. Why, as of December 28, 2018, there was no documented information at the I.Mechnikov Anti-Plague Institute in Odessa regarding the actual status of strains, and there was not an evidence base regarding the need to maintain a large number of pathogen test tubes with the same strains of different passages presented to the committee?

3. What is the reason for the choice of pathogens studied in Ukraine as part of the Threat Reduction Program? Why in a number of cases the nomenclature of studied pathogens is not related to relevant public health problems and can hardly be explained by preventive or protective purposes (for example the TAP-6 project to study the causative agent of glanders, cases of which have never been recorded by veterinary and sanitary and epidemiological services of Ukraine)? Why, under the conditions of the gravest state of sanitary and epidemiological well-being system, threatened by the spread of infections defeated in most countries of WHO European region and an unsatisfactory level of



population immunization, in Ukraine the attention was not paid to actual health problems, but to anthrax, highly pathogenic influenza and other especially dangerous pathogens?

4. How should the accumulation of especially dangerous infection strains and their transfer to other countries help to improve the infectious disease situation?

5. Why is it necessary to store 422 containers with cholera bacteria at the I.Mechnikov Antiplague Institute in Odessa, if the genetic diversity of cholera-causing vibrios is limited to only two serogroups?

6. Why was emphasis placed on the study of naturally occurring and especially dangerous infections, which, according to the U.S. Centers for Disease Control and Prevention lists, are considered to be potential pathogens for biological weapons?

7. Why is the study of pathogens of especially dangerous infections, including those that overcome the protective effect of vaccines and possessing the ability to control them, instead of improving the system of epidemiological surveillance, developing anti-epidemic action plans, conducting public health education, establishing the supply of vaccines and expanding immunization, the collection of information on the infection rate, biological samples of humans and their export, the export of national collections containing pathogenic microorganisms, considered to be a priority?

II. Questions to Ukraine regarding compliance with obligations under Part 2 of Article I of the BTWC

8. What kind of life- and health-threatening research is referred to in the UP-8 project (Circulation of Crimean-Congo hemorrhagic fever virus and hantaviruses in Ukraine and the potential need for differential diagnosis of patients with suspected leptospirosis)?

9. What was the reason for the involvement of specialized U.S. military professionals in the research within the framework of the UP-2 project (Mapping of Especially Dangerous Infectious Diseases in Ukraine)? What tasks were solved by them in the course of the project? Considering that the epidemiological situation with anthrax in Ukraine remains favorable, why was the conducted research necessary and what are its true objectives?

10. What tasks were solved by the specialists of research organizations of the Ministry of Defense of the USA (researches were carried out by the specialists of the Walter Reed Army Institute of Research, the Naval Medical Research Institute) within the framework of fulfilled projects UP-1 (Implementation of geoinformation systems, remote detection and laboratory diagnostics while monitoring tularemia and anthrax in sanitary-epidemiological and veterinary practice in Ukraine) and UP-2? What justifies the necessity of their involvement as participants in research aimed at solving, as declared, "purely peaceful" tasks?

11. What is the reason for the interest of the Ukrainian company "Motor Sich" in the supply of an unmanned aerial vehicle "Bayraktar Akinji" (request of December 15, 2021)? How does this request correlate with Ukraine's obligations under Part 2 of Article I of the BTWC?

III. Questions for Ukraine regarding compliance with its obligations under Article IV of the BTWC

12. For what reasons was the proper level of biological protection in organizations and institutions working with pathogens in Ukraine not ensured, and why is there a lack of national legislation regarding the control of particularly dangerous pathogens?

13. Why was the Ukrainian side not taking into account the recommendations of the Ukrainian security service in the context of ensuring the safety of Ukrainian bio-objects?

14. Why, despite the revealed gross violations of biological safety requirements and prerequisites for theft of pathogenic materials, were the activities of Ukrainian biolaboratories continued in the normal mode?

IV. Questions for the United States regarding the compliance with its obligations under Article IV of the BTWC

15. Is it an established practice for the U.S. Patent and Trademark Agency to grant, after peer review, patents for inventions directly related to the delivery and use of biological and toxin weapons?

16. How does the granting of patents on inventions, the technical description of which implies their use as a means of delivery of biological and toxin weapons, relate to the U.S. obligations under Article IV of the BTWC?

17. Does the United States consider the inventions featured in these patents to be tools that could be used to deliver biological and toxin weapons?

18. What explains the necessity of the centralization of collections and transfer to the U.S. of the strains of dangerous pathogens isolated in the territory of Ukraine, as stipulated by Article IV of the 2005 Agreement "On cooperation in the field of prevention of the spread of pathogens, technologies and knowledge that may be used in the development of biological weapons" (Agreement)?

19. What is the reason for giving the results of works, obtained within the framework of the implementation of the Threat Reduction Program in Ukraine, a limited and closed nature? How does this requirement under the Agreement contribute to transparency and confidence-building within the BTWC?

20. How was the U.S. assistance, as implemented, intended to ensure a sanitary and epidemiological well-being of the population of Ukraine? What are the objectives and goals of the U.S. assistance in the area of ensuring a sanitary and epidemiological well-being of the population of Ukraine? What are the key indicators of its effectiveness?

21. What public health indicators have improved over the past 10-15 years due to the U.S. assistance in Ukraine? Has the sanitary and epidemiological situation in Ukraine improved as a result of the interaction with the United States: has the incidence of infectious diseases decreased, has the immunization coverage increased, has testing for infections become more accessible, are there more specialists (epidemiologists, microbiologists, sanitary doctors), have there been new developments of tests and vaccines, has the recording of infectious diseases improved?

**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**

**Statement by the Head of the delegation of the
Russian Federation at the Consultative meeting of
the States Parties to the Convention on the
Prohibition of Biological and Toxin Weapons
(BTWC) under BTWC Article V**

Submitted by the Russian Federation

Mr. Chairperson,

1. We congratulate you on the appointment to this important position and wish you success in your work. We are certain that under your leadership the Consultative meeting can reach the goals set in the mechanism of Article V of the Convention and rectify the current situation. We reaffirm that the Russian delegation will support this work.
2. The Consultative meeting was convened on the request of the Russian Federation in connection with its legitimate questions to the United States and Ukraine concerning the fulfillment of their respective obligations under the Convention in the context of the operation of biological laboratories on the Ukrainian territory.
3. For a long time, the Russian Federation has openly expressed its complaints and concerns regarding the military biological activities of the United States and its allies outside their national territories, including in laboratories in the territories of the former Soviet Union Republics in the vicinity of Russian borders, with direct assistance and participation of military agencies and affiliated organizations. Such activities pose a direct threat to the biological security of the Russian Federation.
4. In the last ten years, through the statements and comments of the MFA of Russia we have regularly drawn attention to the military biological activities of the United States and its allies in the post-Soviet space, regarding the so-called reports of the US Department of State on the fulfillment of and compliance with the agreements and obligations in the field of arms control, disarmament and non-proliferation. In recent years, this issue has been increasingly mentioned in our statements at the BTWC forum, as well as at various relevant international conferences and seminars.
5. In the US reports submitted annually within the framework of the BTWC confidence building measures that were developed by the States Parties "in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions" there is no information on the programs and projects implemented outside the national territories or their funding. Ukraine's

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reports contain no relevant information on its cooperation with the United States. Our multiple calls to Washington to provide exhaustive clarifications regarding these activities have been left without any satisfactory answers of substance.

6. In the course of the special military operation in Ukraine, the Russian Federation has obtained a number of documents and evidence that shed light on the true nature of the interaction of the Pentagon and its contractors with Ukraine in the military biological sphere. The analysis of these materials testifies to the non-compliance by the United States and Ukraine with the BTWC provisions.

7. Outstanding questions of the Russian Federation to the United States and Ukraine concerning the fulfillment of their respective obligations under the Convention in the context of the operation of biological laboratories on the Ukrainian territory along with the copies of the documents we have obtained have been distributed among the States Parties to the Convention with a courtesy translation into English. We are ready to present these materials in detail during the consultative meeting along with the results of our analyses and thoroughly discuss any questions that States Parties might have.

8. Yet, first of all, we expect to receive all necessary explanations from the representatives of the United States and Ukraine regarding the substance of our concerns and prod Washington and Kiev to take comprehensive exhaustive measures to rectify the situation. Depending on the results of the Consultative meeting Russia will build its further policy to ensure national, regional and global security, including specific steps to strengthen the BTWC taking into account the forthcoming BTWC Ninth Review Conference to be held at the end of the year.

9. When organizing the consultative meeting, Russia acted in strict compliance with the understandings of the BTWC States Parties reflected in the final documents of the BTWC Second and Third Review Conferences.

10. At first, we took all necessary actions to settle the situation within the bilateral formats. In mid-June 2022, we sent relevant memos to the US and Ukraine with a list of concrete questions and a request to provide an exhaustive response to them, as well as a notification about the possibility to start procedures under BTWC Article V. We received no coherent answers.

11. Given the remaining unacceptable biological security situation, in late June 2022, we sent to the two depositaries of the BTWC a request to initiate the procedure of convening a Consultative meeting along with a mass of documents attached to substantiate our concerns. Informal consultations for an introductory discussion of organizational matters of the forthcoming meeting took place at the end of July 2022.

12. Under BTWC Article V, the States Parties may "undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention". When agreeing and approving the agenda of today's meeting, the Russian side believed that the delegations concerned would be committed, with the support of their experts, to rigorously sort out the situation, exchange assessments, formulate professional questions and receive comprehensive answers. We are sure they have such an opportunity.

13. We expect the Consultative meeting to achieve the set objectives and resolve the situation related to the military biological activities in the territory of Ukraine.

Thank you.

**Formal Consultative Meeting of the States Parties
to the Convention on the Prohibition of the
Development, Production and Stockpiling
of Bacteriological (Biological) and
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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**

**Questions to the United States regarding compliance
with the obligations under the Convention on the
Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on Their Destruction (BTWC) in the
context of the activities of biological laboratories in the
territory of Ukraine**

Submitted by the Russian Federation

1. For a long time, the Russian Federation openly made claims and expressed its concerns over the military-biological activities conducted with the most direct assistance and involvement of the US Department of Defense (DoD) in the laboratories in the territory of former USSR republics, away from the North American continent and close to the Russian borders. Such activities are conducted *inter alia* indirectly through the Pentagon's Defense Threat Reduction Agency (DTRA) and private companies that are permanent contractors of the US DoD, including *Black & Veatch Special Projects Corp.*, *CH2M Hill*, and *Metabiota*.
2. The US reports provided annually within the BTWC confidence building measures that have been developed by the States Parties "in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions" miss the data on the programs and projects implemented outside the national territory, or on the financing thereof. Our repeated appeals to the American side to provide exhaustive explanations with respect to such activities remain without due feedback in essence. Such a secrecy and neglect of Russian claims by the United States are but confirm their validity.
3. In the course of the special military operation in Ukraine the Russian Federation obtained a number of documents and evidences that cast a light upon the genuine nature of interaction between the Pentagon and its contractors with the Ukrainian side in the military-biological area. The data analysis points to the non-compliance by the United States with the BTWC provisions.
4. Under the 2005 Agreement between the US DoD and the Ministry of Health of Ukraine Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise that could be Used in the Development of Biological Weapons (hereinafter "the Agreement") the Pentagon may "provide the Ministry of Health of Ukraine with assistance" in the area of "cooperative biological research, biological threat agent

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detection and response” with regard to “dangerous pathogens located at the facilities in Ukraine” (Article 3). Article 4 of the Agreement prescribes to store all dangerous pathogens at the laboratories assisted by the US DoD as well as transfer to the United States the copies of all strains collected in Ukraine and data generated by the infectious disease surveillance in that country. The deliverables under the Agreement as well as the information on its implementation become sensitive by default under Article 7. At the same time, pursuant to Article 5, the Pentagon’s representatives shall have the right to participate in all aspects of implementation of the Agreement.

5. The direct involvement of the US DoD in financing the military-biological activities in Ukraine is reflected in the 2018 Plan concerning the provision of technical assistance to certain recipients of the Ministry of Defense to the 2005 Agreement. The real recipients of funds are the laboratories of the Ministry of Defense of Ukraine located in Kiev, Lvov, Odessa, and Kharkov. *Black & Veatch Special Projects Corp.* was designated as an implementation contractor.

6. By 2020, the number of Ukrainian laboratories involved in the works financed by the Pentagon through the DTRA and *Black & Veatch Special Projects Corp.* private contractor company reached 30 (located in 14 communities), as specified in the corresponding registration card. According to our available information from various sources the US citizens (including biological weapons experts) while enjoying the diplomatic immunity (including from criminal prosecution) were involved in handling dangerous pathogens.

7. The final report upon review of the microorganism strain collection at the I. Mechnikov Anti-Plague Scientific and Research Institute in Odessa gives the most vivid insight in the scale and focus of the military-biological activities on the territory of Ukraine. According to this document, the Institute had 422 cholera storage units and 32 anthrax storage units. Notable is a large number of test tubes that contained the same strains of different passages. Absent mass outbreaks of these diseases in Ukraine in recent years, the range and accumulated volumes of bioagents challenge their alleged prophylactic, protective or other peaceful uses.

8. At the same time, the list of the studied pathogens disagrees with the current Ukraine’s health issues, as outlined in the World Health Organization documents (measles, poliomyelitis, tuberculosis and other socially significant infections), but includes pathogens of dangerous infectious diseases that are potential agents of biological weapons.

9. The documents obtained contain the descriptions of UP-4 and P-781 projects to study the possibility to spread dangerous infections (including highly pathogenic influenza and Newcastle disease) through migratory birds and bats (including pathogens of plague, leptospirosis, brucellosis as well as coronaviruses and filoviruses that are potentially infectious to humans) that can be considered as delivery means. The geographic scope of both projects affected the Russia-bordering regions of Ukraine as well as the territory of Russia itself.

10. At the same time, the available information suggests the DTRA’s leading role in those projects.

11. Unanswered remains the question on the U.S. patent No. 8,967,029 B1 as of 3 March 2015 issued by the US Patent and Trademark Office for an unmanned aerial vehicle for the aerial release of the infected mosquitoes, i.e. for a device (unit) designed to be applied as a technical means of delivery and use of a biological weapon – “biological and immunobiological agents, bacteria and viruses” (including highly contagious) “that could wipe out 100 percent of the enemy troops.”

12. According to the Description an unmanned aerial vehicle transports a container housing a huge number of infections transmitting mosquitoes to release them at a designated area. The attacked people get infected with highly contagious diseases via mosquito bites. The description clearly states that an infected military man will not be able to fulfill the assigned mission, therefore “[s]ickness can be a very valuable military tool [...] than the most up-to-date military guns and equipment.” It is indicated that infecting an enemy manpower in such a way would be of a significant military effect.

13. In accordance with the US law a patent cannot be issued in the United States unless a complete description of the actual machine is provided. Therefore, it follows that a container as a bioagent delivery means has been developed and can be manufactured on the fly.

14. The above circumstances and the nature of military-biological activities carried out in Ukraine testify to the violations of the BTWC Article I provisions. Taking into account the above information on the close cooperation between the US DoD, American private companies and Ukrainian laboratories it becomes obvious that the military-biological activities carried out by the Pentagon and its contractors in the territory of Ukraine as well as the above described invention fall in full under the prohibitions of Article IV of BTWC.

15. Such assessments are additionally confirmed by the analytical reports of the Kherson Department of the Security Service of Ukraine dated 30 June 2016 and 28 February 2017. It is indicated therein that the DTRA programs implemented through *Black & Veatch Special Projects Corp.* were intended to establish control over the functioning of microbiological laboratories in Ukraine conducting research on pathogens of infectious diseases that can be used to create or modernize biological weapons. It is indicated that the projects being subordinate to the military department of a foreign State created prerequisites for the foreign specialists to penetrate into the regional biolaboratories and familiarize themselves with the strategic developments.

16. The BTWC came into effect for the United States in 1975 with its entry into force. The Convention (in particular, the mentioned Article IV) imposes obligations on the United States to prevent prohibited activities anywhere within its territory, in the territory under the jurisdiction or control of a State anywhere by anyone, including individuals and legal entities. The status of the United States as a depositary State renders particularly important the compliance with its provisions.

17. The above stated facts clearly contradict the specified obligations of the United States provided for in the BTWC. We believe it is required to expeditiously take measures to remedy the situation.

The annexed documents are available through the following link:

<https://documents.unoda.org/wp-content/uploads/2022/09/WP2-annexes-for-website.pdf>

**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**

**Questions to Ukraine regarding compliance with
obligations under the Convention on the Prohibition
of the Development, Production and Stockpiling of
Bacteriological (Biological) and Toxin Weapons and
on Their Destruction (BTWC), in the context of the
activities of biological laboratories**

Submitted by the Russian Federation

1. Over a long time, the Russian Federation has openly made claims and expressed concern over military biological activities carried out in laboratories in the territories of the former Soviet republics near Russian borders, including with the most direct assistance and participation of third countries' military departments and related organizations. Such activity in neighboring countries and regions has a direct impact on the biological safety of the Russian Federation.
2. Information from various sources prove the leading role of the Pentagon's Defense Threat Reduction Agency (DTRA), as well as that of US private companies continuously contracted by the US Department of Defense (DoD), including Black & Veatch Special Projects Corp., CH2M Hill, Metabiota, in financing and conducting military biological research on the territory of Ukraine.
3. In the course of the special military operation in Ukraine, the Russian Federation obtained a variety of documents and evidence that shed light on the true nature of military biological activities on the territory of Ukraine. The mentioned materials give evidence of Ukrainian side's non-compliance with the BTWC provisions.
4. A Final Report upon Review of the Microorganism Strain Collection at the I. Mechnikov Anti-Plague Scientific and Research Institute in Odessa gives a most vivid insight in the scale and focus of the military biological activities on the territory of Ukraine. According to this document, the Institute had 422 cholera storage units and 32 anthrax storage units. Notable is a large number of test tubes that contained the same strains of different passages. Absent mass outbreaks of these diseases in Ukraine in recent years, the range and accumulated volumes of bioagents challenge their alleged prophylactic, protective or other peaceful purposes.
5. At the same time, the list of studied pathogens disagrees with the current Ukraine's health issues, as outlined in the World Health Organization documents (measles,

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poliomyelitis, tuberculosis and other socially significant infections), but includes pathogens of dangerous infectious diseases that are potential agents of biological weapons.

6. The documents obtained contain descriptions of international projects (UP-4, Flu-Flyway and P-781) with the participation of Ukrainian specialists to study potential spread of dangerous infections through migratory birds and bats as means of delivery. Both projects affected the territory of Russia or regions lying in close proximity to it.

7. The UP-4 project (timed for the period of up to 2020) involved laboratories in Kiev, Odessa and Kharkov. It aimed at exploring the possible spread of especially dangerous infections through migratory birds, including highly pathogenic influenza A (H5N1), whose lethality for humans reaches 50 percent, as well as Newcastle disease. Due to Ukraine's unique geographical position at the intersection of transcontinental bird migration routes, 145 biological species have been studied within this project, identifying at least two species of migratory birds whose migration routes pass mainly through the territory of Russia.

8. Within the Flu-Flyway project, the Kharkov Institute of Veterinary Medicine studied wild birds as vectors for carrying of "avian flu" (the virus has a high epidemic potential and is able to overcome the interspecies barrier). Simultaneously, the conditions under which transfer processes could become uncontrollable, cause economic damage, create food security risks were assessed, and strains of "avian influenza" viruses with a high epidemic potential and able to overcome the interspecies barrier were collected.

9. The P-781 project considered bats as carriers of potential biological weapons agents. Studying bacterial and viral pathogens that can be transmitted from them to humans – the causative agents of plague, leptospirosis, brucellosis, as well as coronaviruses and filoviruses – was designated among the priorities. The studies were carried out in the immediate vicinity of Russian borders – in the Black Sea coast areas and in the Caucasus.

10. In addition, on March 9, 2022, on the territory of the Kherson region, the Armed Forces of the Russian Federation discovered three unmanned aerial vehicles equipped with 30-liter containers and equipment which can be used to spray bioagents. In late April 2022, 10 more of the same were found in the area of Kakhovka. These facts are of particular importance considering a confirmed request from the Ukrainian side to the Bayraktar UAV manufacturer about the maximum payload of Bayraktar Akinci UAVs (flight range up to 300 km) and the ability to equip it with an aerosol generating system with a 20+ liters capacity.

11. The direct US DoD involvement in the financing of military biological activities in Ukraine is reflected in the 2018 Plan for the provision of technical assistance to certain recipients of the Ministry of Defense of Ukraine to the 2005 Agreement between the Department of Defense of the United States of America and the Ministry of Health of Ukraine concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise that could be used during the Development of Biological Weapons (hereinafter referred to as the Agreement). The real recipients of funds are laboratories of the Ukrainian Ministry of Defense located in Kiev, Lvov, Odessa and Kharkov. Black & Veatch Special Projects Corp. was designated as the implementation contractor. By 2020, the number of Ukrainian laboratories involved in the work funded by the Pentagon through the DTRA and Black & Veatch Special Projects Corp. has reached 30 (located in 14 communities), as set out in the relevant registration card.

12. The above circumstances and the nature of the military biological activities carried out in Ukraine testify to violations of the provisions of BTWC Article I.

13. Such assessments are additionally confirmed by the analytical reports of the Kherson Department of the Security Service of Ukraine dated 30 June 2016 and 28 February 2017. It is indicated therein that the DTRA programs implemented through Black & Veatch Special Projects Corp. were intended to establish control over the functioning of microbiological laboratories in Ukraine conducting research on pathogens of infectious diseases that can be used to create or modernize biological weapons. It is indicated that the projects being subordinate to the military department of a foreign State created prerequisites for the foreign specialists to penetrate into the regional biolaboratories and familiarize themselves with the strategic developments.

14. Article 4 of the 2005 Agreement, requires to store pathogens only in laboratories assisted by the US DoD, and transfer samples of all strains collected in Ukraine to the United States. The deliverables of work under the Agreement, as well as information on its implementation, become by default “sensitive” or “restricted” in accordance with Article 7. At the same time, representatives of the Pentagon or its contractors, in accordance with Article 5, shall have the right to participate in all activities related to the implementation of the Agreement.

15. The implementation of this document, taking into account the above circumstances and the nature of the military biological activities carried out in Ukraine, questions the fulfillment by Ukraine of the requirements of BTWC Article IV.

16. Ukraine fails to mention data on the ongoing since 2016 programs and projects (including UP-4, Flu-Flyway and P-781) and funding of Ukrainian laboratories by a foreign state’s military department in its annual reporting under the BTWC confidence-building measures developed by the States Parties “in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions”. This raises the question of a violation of political obligations regarding the submission of data on confidence building measures adopted by the States Parties to the BTWC.

17. For Ukraine, the BTWC entered into force in 1975. Article I of the Convention imposes on Ukraine a ban on development, production, stockpiling or acquisition in any other way or retention of 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, as well as bacteriological (biological) and toxin weapons, equipment or means of their delivery. Article IV provides for the need for Ukraine to take any necessary measures to prevent the prohibited activities within its territory, under its jurisdiction or under its control anywhere and by anyone, including individuals and legal entities.

18. In our assessment, the above facts clearly challenge Ukraine's obligations arising from the provisions of BTWC Articles I and IV. We believe that immediate action is required to remedy the situation.

The annexed documents are available through the following link:

<https://documents.unoda.org/wp-content/uploads/2022/09/WP3-annexes-for-website.pdf>

**Formal Consultative Meeting of the States Parties
to the Convention on the Prohibition of the
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
**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**

**Questions to Ukraine and the United States in
connection with the information provided in the
framework of the confidence-building measures of the
Convention on the Prohibition of the Development,
Production and Stockpiling of Bacteriological
(Biological) and Toxin Weapons and on Their
Destruction (BTWC) in the context of the activities of
biological laboratories on Ukrainian territory**

Submitted by the Russian Federation

1. Confidence-building measures are an integral part of the international security and stability system and of the prevention of risks associated with the proliferation of biological threats. Their main purpose is to prevent or reduce the occurrence of ambiguities, doubts and suspicions among the BTWC States Parties and to improve international cooperation in the field of peaceful biological activities.
2. In accordance with the decision of the Second BTWC Review Conference, States Parties voluntarily submit annual declarations on the implementation of the Convention. The relevant reporting forms have been approved and have been in effect since the Third Review Conference in 1991.
3. Since that time, it has been agreed that States Parties, in the interest of increasing the transparency of national biological defense research and development programs, should provide details of such programs, including those undertaken by contractors, on an annual basis. In the event that no such projects are implemented, a null report shall be submitted.
4. Analysis of Ukraine's Form "A" reporting received under Confidence-Building Measures for the period from 2015 to 2020 shows the following:
 - Part 2 (Information Exchange on National Biodefense Research and Development Programs): "There are no national biological defense research and development programs in Ukraine".
 - Part 2 (i) (Announcement of national biological defense research and development programs): "There are no research and development activities in the field of biological protection."

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- Part 2 (ii) (National biological defense research and development programs):
"Nothing to declare."

5. At the same time, projects of UP series (UP-2, UP-4, UP-6, etc., altogether 10 projects), implemented by the Defense Agency for Threat Reduction (DATR) of the US Military Department on the territory of Ukraine, have obvious attributes of research and development in the field of biological protection, as they are directed to study pathogens of especially dangerous and economically significant infections (anthrax, Congo-Crimean fever, leptospirosis etc.). This also applies in full measure to the projects funded through the Ukrainian Scientific and Technical Center (USTC), such as P-444, P-781, etc.

6. Declaring the absence of research and development in the field of biological protection, in Part 2 (iii) (National Research and Development Programs in the field of biological protection. Objects) of announcements for 2020 Ukraine, however, indicates the executor of such a program - the State Scientific-Control Institute of Biotechnology and Microbial Strains (30 Donetskaya St., Kiev, Ukraine). At the same time, the area of laboratory space by isolation level (BL2 - 731 sq.m.), does not correspond to the previously declared in Form A, part 1 (i) (Exchange of data on research centers and laboratories) values for this facility (BL2 - 1374.5 sq.m.).

7. In turn, in 2017, two new laboratories with a high level of biosafety, funded by the DTRA since 2015, but not previously specified in the confidence-building measures, appeared in Form A, part 1 (i) of the announcement of Ukraine. These are the Kharkiv Institute of Experimental and Clinical Veterinary Medicine with more than 1,000 square meters of laboratory space. According to the information provided by Ukraine, the laboratory collected, stored and maintained strains of economically significant animal diseases - highly pathogenic avian influenza, brucellosis, bovine leukosis. The Institute of Veterinary Medicine of the National Academy of Agrarian Sciences in Kiev, which has laboratories with a total area of over 2400 square meters, is also included. The institute carries out work with strains of anthrax, leptospirosis, African swine fever.

8. A similar lack of clarity is present in other reporting forms. In particular, in Form B (Exchange of information on outbreaks of infectious diseases and similar phenomena caused by toxins), Ukraine has provided information only for the past two years regarding veterinary infections: African swine fever and highly pathogenic avian influenza.

9. For other infectious diseases of humans and animals (including abnormally high incidence of measles, tuberculosis, hepatitis) no information was provided. It is also noteworthy that such information was not submitted to WHO in the framework of implementation of international medical and sanitary rules.

10. As for Form F (Declaration of past activities in offensive and/or defensive biological research and development programs), in the announcement for 2020. Kyiv declares: "The Government of Ukraine has not conducted and does not conduct any offensive and/or defensive activities within the framework of bacteriological and biological research and development programs. The Government of Ukraine has no information about such activities of the former USSR on the territory of Ukraine since January 1, 1946. There is nothing to declare".

11. This contradicts a number of fundamental documents of the Ukrainian Scientific and Technical Center, declaring that activities in Ukraine are aimed at "...prevention of dissemination of knowledge and experience related to technologies of nuclear, chemical and biological weapons...".

12. Besides, this does not correlate with the statements of US officials, in particular, with the statement of the US delegation at the OSCE meeting on May 20, 2022. In the speech it was noted that the US and Ukrainian cooperation is aimed at "...reduction of biological and veterinary danger and also at securing the illegal stock of biological weapons, left after the USSR...".

13. Such reporting by Kiev raises a lot of questions and gives reasonable cause for suspicion that information on military-biological activities on Ukrainian territory was not fully provided.

14. In the US national reporting provided annually as part of the BWC confidence-building measures, there is no information on the programs and projects conducted (including those under the Pentagon) outside the national territory and their funding. Our repeated appeals to the U.S. side to provide comprehensive explanations of such activities go unanswered.

15. Moreover, the United States has consistently blocked the initiative put forward by Russia in 2016 to modernize the BTWC's confidence-building measures by providing participating States with information on military and biological activities outside the national territory.

16. This reticence and U.S. disregard for Russian claims only confirms their validity.

**Formal Consultative Meeting of the States Parties
to the Convention on the Prohibition of the
Development, Production and Stockpiling
of Bacteriological (Biological) and
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**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**

**Questions for the United States regarding compliance
with obligations under Article IV of the Convention on
the Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on Their Destruction (BWC) in the
context of activities of biological laboratories in
Ukrainian territory**

Submitted by the Russian Federation

1. The legal grounds for conducting projects financed by the USA in the territory of Ukraine is the 2005 Agreement between the U.S. Department of Defense and the Ministry of Health of Ukraine "On Cooperation in Preventing the Spread of Pathogens, Technologies and Knowledge that Can Be Used in the Development of Biological Weapons." We would like to elaborate on some of the provisions of this agreement.
2. According to Article III the US Department of Defense can support the Ministry of Health of Ukraine in joint biological research, determination of threats from biological agents and development of response to them with regard to dangerous pathogens, located in the territory of Ukraine".
3. Article IV of the Agreement prescribes storage of pathogens only in those laboratories, which are supported by the US military department and the list of which will be approved in writing as central laboratories. The Department of Defense is committed to providing molecular diagnostics, communications, and transportation equipment for pathogens.
4. At the same time the requirements of Article IV also prescribe to send strains of dangerous pathogens to the laboratories located in the territory of the United States, if Ukraine receives a corresponding request. If the criterion of such requests will be such properties of microorganisms, as increased virulence, pathogenicity, antibiotic resistance, the wording in Article IV will create legal prerequisites for violation of the requirements of Article I of the Convention in terms of accumulation of dangerous pathogens with highly damaging properties in volumes that do not meet the preventive, peaceful or other protective purposes.
5. Article V stipulates that representatives of the U.S. military department or its contractors may participate in all activities related to the implementation of the agreement,

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even if they go beyond the scope of the 1993 basic treaty between Ukraine and the United States regarding assistance to Ukraine in eliminating strategic nuclear weapons and preventing the proliferation of weapons of mass destruction.

6. According to Article VII, the results of work under the Agreement, as well as information on its implementation may have a limited and closed nature. At the same time, in accordance with Clause B of Article VII, when the US Department of Defense establishes such a restrictive label, the information must be withdrawn from public sources by the Government of Ukraine and free access to it is terminated. The requirement to minimize the number of specialists with access to this information is emphasized separately.

7. We believe that such non-transparency and deliberate classification of the research, which is potentially prohibited under the international agreements on non-proliferation of biological weapons, creates conditions for unhindered violation of the obligations under the BTWC.

8. The aforementioned agreements of August 29, 2005 and November 25, 1993 served as the basis for implementation of the Plan for Providing Technical Assistance to Certain Recipients of the Ministry of Defense of Ukraine, registered on August 8, 2018. This document was the basis for direct interaction in the biological sphere between the U.S. and Ukrainian defense agencies. It provides funding from the Defense Threat Reduction Agency (DTRA) for 30 facilities of the Ministry of Defense of Ukraine, located in 14 localities.

9. In accordance with the 1993 Agreement, the United States, their personnel, contractors and contractor personnel are exempt from the obligation to pay any taxes or similar charges levied in Ukraine in connection with activities under the said Agreement.

10. Thus, despite the fact that the underlying 2005 Agreement is between the U.S. Military Department and the Ukrainian Ministry of Health, the evidence we have cited confirms that the real beneficiary and ultimate recipient of funds is the laboratories of the Ukrainian Ministry of Defense.

11. According to the Technical Assistance Plan, it is the U.S. Department of Defense, in cooperation with Ukrainian public authorities, that is tasked with setting objectives for projects in Ukraine and determining lists of necessary equipment.

12. For its part, the Ministry of Defense of Ukraine is obliged to ensure timely access of representatives of the U.S. military department and its contractors to laboratories on Ukrainian territory in order to carry out work under the projects, as well as to provide access to these facilities for foreign scientists.

13. Extensive authority has been delegated to the U.S. DOD contractors. These include such well-known American companies as "Black & Veatch Special Projects Corp", "Metabiota", and "CH2M Hill". Their activities in Ukraine also raise a number of questions in the context of BTWC requirements.

14. "Black & Veatch Special Projects Corp" has been working on behalf of the Pentagon since 2008 as part of projects to study potential biological weapons agents. These include the UP-1 project to study rickettsiae and tick-borne encephalitis virus in arthropods in northwestern Ukraine.

15. For the purpose of global control of the biological situation, during the UP-2 project the company implemented a system of remote monitoring of tularemia and anthrax incidence at Ukrainian bioobjects.

16. The presented materials testify to the company's participation in the UP-8 project aimed at studying the spread of the Crimean-Congo hemorrhagic fever virus and hantaviruses in Ukraine, as evidenced by the document signed by L.Lippenkot, the project manager.

17. It should be noted that the activities of "Black & Veatch" raised many questions even among the Ukrainian security services. Thus, back in 2015, the Kherson Department of the Security Service of Ukraine stated in its memo: "...We should mention the projects of the US Department of Defense Program (through the "Black & Veatch Special Projects Corp.") aimed at establishing control over the functioning of Ukrainian microbiological laboratories

for researching pathogens of particularly dangerous infectious diseases, which can be used to create new types of biological weapons...".

18. Specialists of Kherson department of SSU also note that under conditions of broad rights and powers guaranteed by the new program the foreign side will study its own test systems, which will create potential threats to epidemiological and epizootic security both in individual regions and the country as a whole.

19. The memo concludes: "...subordination of the projects of the DTRA Program in Ukraine and the new Biological Engagement Program to the US Department of Defense - the military department of a foreign country - creates prerequisites for penetration into the regional microbiological laboratories of foreign specialists and their familiarization with domestic strategic developments. It also does not exclude the possibility of using the data obtained for accusing our country of involvement in the development of biological weapons on its territory...".

20. The document recommends to establish a special regime of monitoring of the company's activities by special services in order to ensure the stability of the biological protection of Ukraine.

21. "Metabiota" and "CH2M Hill" are also among the key contractors of the US military department in Ukraine. They are tasked with overseeing the programs, construction of bio-facilities and supplying equipment.

22. Previously, "Metabiota" was engaged by the Pentagon in modeling the epidemiological situation in the former Soviet Union. The participation of company representatives (M. Gutierri, D. Mustra) in the audit of UP and TAP projects in Ukraine is documented, which is confirmed by the schedule of control activities.

23. The submitted information confirms the direct participation of the contracting organizations of the American military department in the planning and implementation of projects in Ukraine that have signs of violations of the BTWC requirements. These documents testify to the failure of the US administration to take measures to prevent research and development aimed at the creation of biological weapons.

24. The information about the emergency destruction of documentary evidence of the implementation of threat reduction and biological activities programs in Ukraine deserves special attention of the BTWC member states. The seriousness of the situation was confirmed by remarks made by Under Secretary of State for Political Affairs, Victoria Nuland during a hearing of the Senate Foreign Affairs Committee on March 8 this year.

25. In particular, she reported the presence in Ukraine of bio-laboratories where biosecurity research had been conducted and expressed concern that these bio-laboratories and the materials they contain could be taken over by the Russian Armed Forces. Such reactions by U.S. officials may indicate that undercover research programs that do not correlate with BTWC obligations are being conducted in Ukraine.

26. The documents cited confirm the involvement of US government agencies, contracting organizations and officials in financing, organizing and supporting research and development in Ukraine, which were carried out in violation of the BTWC. This evidences the failure of the U.S. to take the necessary measures to prohibit and prevent the development, production and stockpiling of biological weapons within the framework of Article 4 of the Convention.

27. In view of the materials provided, we would like to receive separate explanations from the U.S. side on the following questions:

- What explains the necessity of centralization of collections and transfer of strains of dangerous pathogens isolated in the territory of Ukraine to the USA, as it is provided by Article IV of the said Agreement?
- What is the reason for making the results of works obtained within the framework of the threat reduction program implementation in Ukraine restricted and confidential, and does this requirement, regulated by the 2005 Agreement on Cooperation in the Field of Prevention of Spread of Pathogens,

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Technologies and Knowledge That May Be Used for Development of
Biological Weapons, allow ensuring the transparency regime in the context of
the US and Ukrainian implementation of the BTWC requirements?

**Formal Consultative Meeting of the States Parties
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**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**

**Questions for the United States regarding the
compliance with obligations under Article IV of the
Convention on the Prohibition of the Development,
Production and Stockpiling of Bacteriological
(Biological) and Toxin Weapons and on their
Destruction (BWC) in the context of the development
of means of delivery of biological weapons**

Submitted by the Russian Federation

1. The United States representatives have repeatedly stated, the American side takes its obligations under the BTWC seriously, and, in particular, implements a comprehensive domestic legal regime to meet its obligations under Article IV of the BTWC. They also stressed that all of their biological activities were for peaceful purposes and fully consistent with BTWC obligations.
2. The U.S. Code (Title 18, Part I, Chapter 10, Section 175) contains similar language. It also clearly states that the development and production of biological weapons is prohibited by the U.S. law. It should be taken into account that similar restrictions are imposed on the development of means of delivery and use of biological weapons.
3. The U.S. is one of the most in-demand countries in the world for registering patents for inventions. The US Patent and Trademark Office (USPTO) is a federal agency of the US Department of Commerce authorized in the field of patent law.
4. It is known that one of the conditions for obtaining a patent for an invention in the United States is to undergo an examination by the U.S. Patent and Trademark Office. The examiners of the office check each filed application against the criteria of patentability:
5. First, the prior art. Data on the invention must not be published in the public domain, be published at exhibitions, or be on sale. Second is the inventive step. A patent application must contain an inventive step, that is, the solution, device, or algorithm must not be obvious to an expert in the field with an average level of knowledge. And third, utility. The claimed invention must be practically applicable and of benefit to society.
6. Thus, according to the American legislation, a patent in the USA cannot be granted in the absence of a comprehensive description of the "actual machine" and expert evaluation.

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7. Legitimate questions arise. How does an agency subordinate to the U.S. administration, which declares a strict adherence to the BTWC and conducting exclusively peaceful research in the field of biology, grants a patent for inventions directly linked to delivery and use of biological and toxin weapons, after an expert evaluation?
8. I would like to highlight a few patents issued by the U.S. Patent and Trademark Agency.
9. Please note document number US 8,967,029 B1 for an unmanned aerial vehicle for spreading infected insects in the air. According to the description, an unmanned aerial vehicle delivers a container with large numbers of mosquito vectors to a given area and releases them. When biting, the mosquitoes infect the attacked humans with disease-causing agents such as malaria. The explanation emphasizes that an infected serviceman is unable to perform their assigned tasks. The conclusion is drawn that the disease could be a more valuable military tool than the most advanced weapons and military equipment.
10. The description of the project states that with this device, enemy troops could be destroyed or incapacitated. It is pointed out that such a contamination of enemy troops militarily would have a significant effect.
11. Other patents are related to various types of munitions for delivering chemical and biological formulations. The description notes their "...low unit cost of destruction and no need for contact with enemy manpower...." This is in line with Washington's "no-contact warfare" concept. The possibility of equipping the capsules with poisonous, radioactive and narcotic substances, as well as with infectious disease agents and toxins, is shown.
12. Please note patent number US 8,794,155 B1, dated August 5, 2014, for hollow point firearm ammunition with poisonous substances or infectious agents. The goal of this invention is that a capsule containing a poison or infectious agent is inserted into the cartridge. Even if the gunshot wound would not be fatal, the person so struck must die either as a result of the action of the poison or the development of an infection. In the latter case, the infected person themselves becomes a source of infection. The device is positioned as being of interest for the armed forces in general and special operation forces in particular.
13. Of particular interest is the following invention, which also seems to belong to "peaceful research" in the field of biology. This is U.S. Patent No. 9,052,175 B1, dated June 9, 2015, for a cartridge trap with a poisonous substance.
14. It involves the manufacture of cartridges that look indistinguishable from conventional ammunition, but are in fact filled with a poisonous substance. When the striker of the weapon hits the capsule, the cartridge is destroyed and releases the poisonous substance, which affects the shooter. Poisonous ammunition is proposed to be used for sabotage operations in the location of enemy troops. It is emphasized that such ammunition is suitable for the Kalashnikov AK-47.
15. The following are just some of the patents for inventions issued by the U.S. Patent and Trademark Office. The claimed scope of the U.S. patents presented raises serious questions that require clarification.
16. These inventions meet the definitions of biological and chemical weapons prohibited by the BTWC. Article IV of the BTWC imposes obligations on the United States to prevent prohibited activities anywhere in its territory, territory under its jurisdiction or control anywhere and by anyone, including individuals and entities, to develop means of delivery of biological and chemical weapons.
17. Contrary to its international obligations, the United States has retained the ability to conduct biological weapons activities.
18. The U.S. ratification of the 1925 Geneva Protocol was accompanied by a number of reservations, one of which allows for retaliatory use of chemical and toxin weapons. The conduct of biological research by U.S. specialists on behalf of a defense agency outside the U.S. national jurisdiction may not incur any liability at all.
19. Thus, the U.S. administration with regard to research in the field of development of biological and toxin weapons implements the principle of priority of the domestic legislation

over the international one. The greatest interest from the point of view of their ethical conduct first and foremost arises from research carried out outside of national jurisdiction.

20. The Russian Federation has already asked the United States government for clarification on the merits of the issues at hand. In 2018, the Russian Foreign Ministry sent to the U.S. Department of State a memo with a request for a legal assessment of the development of the previously mentioned technical devices from the point of view of the compliance with the Conventions on the prohibition of chemical and biological weapons. The U.S. side only gave a formal response, cynically thanking the Russian side for drawing attention to the issue. The response stated that "... the development and production of biological and chemical weapons are prohibited by the national legislation, but the decision to issue a patent does not violate the obligations of the USA under the BTWC and the CWC...".

21. The above information clearly indicates a violation by the U.S. of Article IV of the BTWC. In the framework of its national legislation Washington does not take necessary measures to efficiently meet its obligations under the BTWC, including those that would allow for the restriction of all the activity of subjects under the U.S. jurisdiction violating the above Convention.

22. This raises a number of questions on which we would like to hear a reasoned position of the U.S. side:

- How does the granting of patents on inventions, the technical description of which implies their use as a means of delivery of biological and toxin weapons corresponds to U.S. obligations under Article IV of the BTWC?
- Does the U.S. consider inventions, described in the above-mentioned patents, to be means of delivery of biological and toxin weapons?
- How did an agency subordinate to the U.S. administration decide, after an examination, to grant a patent on such inventions?

**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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**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**

**Questions to Ukraine regarding compliance with
obligations under Part 1 of Article I of the Convention
on the Prohibition of the Development, Production
and Stockpiling of Bacteriological (Biological) and
Toxin Weapons and on Their Destruction (BTWC), in
the context of activities of biological laboratories**

Submitted by the Russian Federation

1. Today, the occurrence of atypical and often disparate outbreaks of zoonotic diseases with high epidemic potential, such as COVID-19, monkey pox, as well as economically relevant diseases like the African swine fever and avian influenza all over the world inadvertently leads one to think about the intentional nature and look at their causes from the BTWC perspective.
2. The deteriorating epidemic situation acquires a special resonance in view of the attempts by a number of states (first of all, the United States) to unbalance the global security system that has been formed over decades, undermine the principles of its equality and indivisibility, and strengthen their military and political presence. Under the guise of providing assistance in developing national sanitary and epidemiological surveillance systems and combating the threat of bioterrorism and biological weapons proliferation, they have extended their influence to many states in various regions of the world, including some of the states of the former Soviet Union.
3. This enabled the United States to establish control over the sanitary and epidemiological situation, intellectual resources and ongoing biosafety research in strategically important regions, build large collections of pathogens, implement a system for their surveillance and replenishment from national collections of other countries.
4. The creation across the former Soviet Union of a network of biolaboratories that can be used to develop and store components of biological weapons directly threatens the national security of the Russian Federation. Unlike nuclear weapons, which are deployed on the territory of US partner countries from NATO, such policy in the biological sphere in fact allows Washington to approach the Russian borders unimpeded.
5. Reports from various sources claim that biological research activities have been carried out on the territory of Ukraine, including those commissioned by and in the interests of the United States. We have retrieved evidence, including more than two thousand pages

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of documents, confirming that under control of the US administration, research was conducted in 46 laboratories in Ukraine involving pathogens of particularly dangerous and economically significant infections.

6. We would like to focus just on the key findings confirming the violation of BTWC Article I regarding the stockpiling of pathogens of types and in quantities that are inconsistent with prophylactic, protective or other peaceful purposes.

7. The scope and focus of the biological activities carried out on the territory of Ukraine that point to the breach of Article I (1) of the Convention are clearly visible in the internal document of the I.Mechnikov Anti-Plague Scientific and Research Institute in Odessa entitled "Report on the results of the inspection of the microbial strain collection of 8 February 2018."

8. A routine inspection of the institute was conducted by a group of experts from the Ukrainian Health Ministry on 27-28 December 2018. The report on the structure and condition of the research facility says that the total number of microbial strains in the national collection is 654, including pathogens of anthrax – 32 strains, brucellosis – 11 strains, tularemia – 189 strains, cholera – 422 strains.

9. There were eight cryogenic containers in the storage facility not belonging to the national collection, which contained viral pathogens, including tick-borne encephalitis viruses as well as unidentified arboviruses, of a total number of 596 items.

10. There were 66 containers with 497 cholera agents' storage units, 149 tularemia agents' storage units, 279 brucellosis agents' storage units, 32 anthrax agents' storage units at the storage facility.

11. The report notes that the Institute has no documented information regarding the actual condition of the strains in the collection, nor does it have any evidence to support the need to store a large number of tubes with the same strains of different passages.

12. In the absence of aggravation of the situation with these diseases in Ukraine in recent years, the assortment and accumulated volumes of biological agents cast doubt as to their intended use for preventive, protective or other peaceful purposes in the framework of routine research work. Despite such a significant amount of accumulated disease-causing biological materials, there is no convincing evidence of their use for such research purposes. The report concludes that the Institute conducted only three research studies as part of its core research activities in 2018, with only one of them using the living cultures collection (bacterial museum), namely tularemia strains.

13. At the same time, the absence of a report on research results achieved using the facility in 2017 was noted, which also raises questions about the nature and focus of the activities carried out by the Institute during that period.

14. Some of the stored biological materials had been transferred from the liquidated enterprise "Bioprom" and were used for the production of diagnostic and/or immunological preparations. The transfer was made in accordance with joint order of the Institute and the enterprise "Bioprom Odessa Plant" No. 24/37 "On the organization of work on the deposition of strains that are maintained in working condition at the enterprise" of 7 June 2002 providing that a commission was to be formed in order to determine, by 14 June 2002, the scope of work in verifying the actual qualitative properties of the strain material against the materials handed over and the feasibility of their further storage and use. However, the report noted that this work had not been carried out.

15. Thus, the absence of the need for such accumulation which could be justified by prophylactic, protective or other peaceful purposes allows one to assert that Ukraine has violated its obligations under Article I (1) of the BTWC.

16. In addition to the unwarranted amounts, the very assortment of pathogens studied and accumulated does not correspond with the main public health challenges and threats in Ukraine, where an increased number of cases of rubella, diphtheria and tuberculosis have been recorded.

17. Moreover, the list of pathogens under the study includes pathogens of dangerous infectious diseases that are potential agents of biological weapons.
18. As stated in the Report on the Implementation of the Biological Threat Reduction Program in Ukraine of 27 June 2019, 10 biological research projects and 9 biological surveillance projects had been implemented since the start of the contract in 2008.
19. We would like to underscore that the stated objective of the program is to enable effective detection and diagnosis of infectious diseases in Ukraine.
20. It is specified that only those infections considered a priority by the U.S. Defense Threat Reduction Agency (DTRA) would be studied as part of the collaborative effort.
21. Such language implies a situation where the objects of research are pathogens that are of interest to the Pentagon's DTRA, but, in fact, are not current threats to Ukrainian health care. Yet the real threats to public health remain unaddressed.
22. Priority projects are aimed at studying the potential biological weapons agents: the Crimean Congo fever, Hantaviruses, anthrax, and tularemia.
23. An example is the situation with measles and rubella that are not considered a priority by the DTRA, despite their extreme urgency in the context of the complex epidemiological situation in Ukraine.
24. The situation is opposite in the case of the pathogen of glanders: cases of this disease have never been reported on the territory of Ukraine. Despite this fact, a separate project on glanders was funded by the DTRA and completed as part of the Program.
25. The list of infections of animals studied within the Threat Reduction Program in Ukraine includes severe anthroponozoonotic diseases, such as highly pathogenic avian influenza, as well as economically significant infections with a high pandemic potential that could cause damage to the agricultural sector, including African swine fever and classical swine fever, and Newcastle disease.
26. If we talk about African swine fever, the direct economic damage from this disease in the Russian Federation from 2008 to 2021 was more than 47 billion rubles. And more than 1.7 million pigs were destroyed from 2016 to 2021 alone.
27. As an example, we would also like to mention the TAP-6 project aimed at analyzing the spread of African and classical swine fever in wildlife populations on the territory of Ukraine. The stated goal of the project is to assess the epizootic status of the wild boar population in regions bordering the Russian Federation and the Republic of Belarus.
28. Such a focus of activities and the DTRA's interest in their results contradicts their prophylactic, protective or other peaceful purposes.
29. In the context of determining the nature of biological activities on Ukrainian territory, the very fact that the U.S. and Ukrainian military agencies participate in the Program implemented by the DTRA is indicative. According to the Report on the Implementation of the Biological Threat Reduction Program in Ukraine, the participants from the U.S. side are the Walter Reed Army Institute of Research, the Naval Medical Research Center, and the Ministry of Defense from the Ukrainian side.
30. We would like to emphasize that we consider such non-transparent activities with the use of agents of particularly dangerous and economically significant infections, carried out by representatives of military agencies in the immediate vicinity of the state borders, as a direct threat to the national security of the Russian Federation.
31. The above circumstances, the scale and nature of military and biological activities carried out in Ukraine reveal violations of the provisions contained in the first part of Article I of the BWC.
32. In this regard we would like to ask the Ukrainian side to provide clarifications on the following issues:
 - what kind of activity involving pathogen materials was conducted in I.Mechnikov Anti-Plague Institute from 2017 to 2019 if according to the report

of the Ukrainian Ministry of Health' commission, there were more than two thousand storage units of pathogenic biomaterial while in 2018 only one official research work involving tularemia strains from the institute's collection was conducted and no official report on the use of the collection in 2017 was provided

- why as of December 28, 2018, the I. Mechnikov Anti-Plague Institute in Odessa lacked documented information regarding the actual status of strains, and the commission was not provided with evidence base regarding the need to contain a large number of pathogenic microorganism test tubes with the same strains of different passages;
 - what is the reason for the choice of pathogens studied in Ukraine under the threat reduction program, and why in a number of cases the nomenclature of pathogens studied is not related to relevant public health issues and can hardly be explained by preventive or protective purposes (for example, the TAP-6 project to study the causative agent of glanders, cases of which have never been recorded by the veterinary and sanitary and epidemiological services of Ukraine).
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**Formal Consultative Meeting of the States Parties
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
**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**

**Questions to Ukraine regarding the observation of the
obligations under Part 2 of Article I of the Convention
on the Prohibition of the Development, Production
and Stockpiling of Bacteriological (Biological) and
Toxin Weapons and on their Destruction (BTWC), in
the context of biological laboratories' activities**

Submitted by the Russian Federation

1. The examination of the results of the research, conducted on the territory of Ukraine by the U.S. Defense Threat Reduction Agency (DTRA) and the Science and Technology Center in Ukraine (STCU) demonstrates a clear interest in zoonotic infections, as well as the mechanisms of transport and vectors of pathogen transmission (insects, arthropods, birds, and mammals). We would like to focus only on the most obvious ones.
2. Materials of the UP-4 project indicate that it was aimed at studying the risk of spread of certain particularly dangerous pathogens by birds, including pathogens of highly contagious quarantine infections posing a threat to agriculture (highly pathogenic avian influenza, Newcastle disease). Despite the seemingly peaceful nature of this work, special attention should be paid to the fact that the report materials obtained indicate bird species whose migration routes mainly pass through the territory of the Russian Federation, as well as the timing, directions and distances of similar routes.
3. The risks posed by diseases similar to highly pathogenic avian influenza for the agricultural industry are well known: if even a single case of the disease is detected, the entire livestock of the poultry farm must be slaughtered. In 2021 alone, more than 6 million poultry were killed in the Russian Federation as a result of this infection.
4. Only direct economic damage from bird flu in Russia from 2016 to 2021 amounted to almost 9 billion rubles (about 140 000 000 U.S. dollars), and for the three months of 2022, 498 million rubles (7 600 000 U.S. dollars). At the same time about 17 million poultry were destroyed during the period of anti-epizootic measures.
5. At the same time, UP-4 is not the only project to study the migration routes of birds that are vectors of economically significant infections. We are aware of another similar project (Flu-Fly-Way), which was also implemented in Ukraine.
6. The UP-8 project involved the study of vectors of Crimean-Congo hemorrhagic fever and hantaviruses. The vectors were collected, as well as studies involving volunteers and

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blood sampling for detection of antibody titers. In accordance with the project, blood samples were taken from four thousand volunteer servicemen for antibodies to hantaviruses and four hundred for antibodies to the Crimean-Congo fever virus. The hantaviruses Puumala and Dobrava, considered to be potential agents of biological weapons, were identified as priority targets for study.

7. Also noteworthy is the June 12, 2019 decision of the ethics committee of the UP-8 project. The document directly testifies to the research with unknown risks to the life and health of the participants. If the research program of this project involves only a standard diagnostic blood sampling procedure, it begs the question: what kind of life-threatening trials we are talking about. Moreover, it is unclear why the document prescribes that 'minor incidents involving volunteers must be reported to the US Bioethics Committee within 72 hours of the event, and serious incidents, including death of subjects, within 24 hours...'.

8. We would like a detailed explanation from the Ukrainian side, including what life- and health-threatening research is involved in this project.

9. Project UP-2 "Mapping of particularly dangerous infectious diseases in Ukraine" and its continuation - project "Studying the risks of anthrax reoccurrence in Ukraine" were sent to identify burial sites of dead animals and to take soil samples from anthrax burial sites.

10. These projects involved the collection of tularemia and anthrax vectors - ticks and small mammals - between 2012 and 2013. According to the submitted documents, the decision to approve the project was made by U.S. Department of Defense officials, and the U.S. Defense Department's dedicated scientific institution, the Walter Reed Army Institute of Research, was involved in its implementation.

11. This raises a legitimate question about the need to involve specialized military professionals in this study and the tasks that were performed while carrying out the project. Taking into account that the epidemiological situation with anthrax in Ukraine remains favorable, the question arises in general regarding the necessity of the conducted research and its true purposes.

12. The study of transmissible rickettsioses and *Coxiella burnetii* was devoted to the UP-1 project, subsequently reformatted into UP-6: Ecological and epidemiological assessment of natural reservoirs of infections caused by rickettsiae and *Coxiella burnetii* in different landscape zones of Ukraine. The work also included selection of arthropods and mammals that are carriers of rickettsial infections and Q fever.

13. According to the documents approved by the officials from the Office of the U.S. Secretary of Defense, it was noted that a laboratory of the third level of biological safety maximum for Ukraine is necessary for conducting the research. The curator of the project is the Ukrainian Research Center, and a specialized organization of the U.S. Department of Defense, the Naval Medical Research Center, is involved in the research.

14. The need for such participation raises serious questions and complaints in the context of the fulfillment of obligations under the BTWC. We would like to reiterate the thesis that it is unacceptable for the Russian Federation to have representatives of foreign military agencies working with pathogens and vectors of especially dangerous infections in the immediate vicinity of Russian borders.

15. The STCU was directly involved in Project P-781, «Risk of New Infections from Insectivorous Bats in Georgia and Ukraine». The priorities include the study of bacterial and viral pathogens that can be transmitted from bats to humans: there was also a study of coronaviruses and filoviruses, apart from the agents of plague, leptospirosis, brucellosis

16. The STCU research in this area is systematic and has been carried out since at least 2009 under the direct supervision of U.S. specialists in the framework of projects P-382, P-444 and P-568. According to reports, in the course of their implementation, representatives of six families of viruses (including coronaviruses) and three types of pathogenic bacteria (plague, brucellosis and leptospirosis pathogens) were isolated from vectors.

17. Serious complaints are caused by the fact that studies contrary to the BTWC have been conducted in the immediate vicinity of Russia's borders - in areas along the Black Sea coast and in the Caucasus.

18. Summing up the results of activities to study vectors of potential biological weapons agents, we would like to dwell on projects to study economically significant diseases - African and classical swine fever.

19. In addition to the TAP-6 project, which evaluated the epizootic potential of the wild boar population, including the regions bordering Russia and Belarus, the UP-9 project aimed at studying the genome and phylogenetic features of agents, and the UP-10 project dedicated to the study of the spread of the African swine fever virus through the territory of Ukraine by trade routes.

20. Thus, the coverage of the research program of the Pentagon Defense Threat Reduction Agency, implemented in Ukraine, of the entire spectrum of vectors and the natural reservoir of especially dangerous pathogens, which are potential biological weapons agents, geographical localization of places of selection of field material, as well as participation in research of specialized professionals from the U.S. military department indicate the violation by Ukraine of obligations under Part II of Article I of the BTWC, since the mentioned vectors can be used as a medium of warfare.

21. Separately, we would like to mention documentary evidence of Ukraine's interest in acquiring equipment and means of delivery designed for the use of biological agents or toxins for hostile purposes and armed conflicts.

22. As an example, we would like to mention the materials concerning the inquiry of the Ukrainian company "Motor Sich", which deals with the production, repair and maintenance of aircraft engines, to the Turkish manufacturer of unmanned aerial vehicles "Bayraktar Akinci" dated December 15, 2021 regarding the possibility of equipping this UAV with aerosol dispersion systems and mechanisms with a capacity of over 20 liters, to which the Turkish side gave a negative answer.

23. "Bayraktar Akinci" is a high-altitude unmanned aerial vehicle designed for air strikes against enemy ground facilities and operational-strategic aerial reconnaissance. If it is equipped with aerosol spraying mechanisms and the declared maximum payload mass - up to 1350 kg, there is a real threat of large-scale use of biological weapons on the territory of the Russian Federation.

24. The above document shows signs of violation by Ukraine of the obligations in Part 2 of Article I of the BTWC, which prohibits States Parties from acquiring equipment and means of delivery designed for the use of biological agents or toxins for hostile purposes and armed conflicts.

25. In the light of the information provided, we would like to hear detailed explanations from the Ukrainian side on the following issues that require clarification:

- what tasks were solved by the specialists from the research organizations of the US Department of Defense (the research was conducted by the specialists from the Walter Reed Army Institute of Research, Naval Medical Research Institute) within the framework of the implemented UP-1 and UP-2 projects, and is there a justification of their involvement as participants of the research, aimed, as it is declared, at performing "purely peaceful" tasks?
- what is the reason for the interest of the Ukrainian Enterprise "Motor Sich" in supplying an unmanned aerial vehicle "Bayraktar Akinci" (request dated December 15, 2021) and how does document correlate with the obligations of Ukraine within the framework of Part 2 of Article I of the BTWC?

26. In this connection, we would request the Ukrainian side to provide detailed explanations.

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**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**

**Questions to Ukraine regarding the compliance with
obligations under Article IV of the Convention on the
Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on Their Destruction (BWC) in the
context of activities of biological laboratories in the
Ukrainian territory**

Submitted by the Russian Federation

1. The Russian Federation, as a responsible party to the Biological and Toxin Weapons Convention (BTWC), is fully aware of the full range of threats associated with the possible consequences of violating it if the necessary measures are not taken to prohibit and prevent the development, production and stockpiling of biological weapons. We note the facts of conducting military-biological research in conditions, which do not allow to provide the appropriate level of biological protection.
2. The Science and Technology Center of Ukraine (STCU) was the coordinator of military and biological projects in Ukraine. This is an international intergovernmental organization formally established to prevent the dissemination of knowledge and expertise related to weapons of mass destruction.
3. The legal status of the STCU is defined by the October 25, 1993 Agreement between the Governments of Ukraine, Canada, the United States and Sweden, and the Protocol amending the Agreement of July 7, 1997. The STCU headquarters is located in Kiev and has offices in Baku, Chisinau and Tbilisi as well as in Kharkiv and Lviv.
4. In recent years alone, Washington has spent over \$350 million on STCU projects. The US Department of State and the Pentagon are the customers and sponsors of the STCU. Funding has also been arranged through the Environmental Protection Agency and the U.S. Departments of Agriculture, Health, and Energy.
5. Between 2014 and 2022, the STCU has been funded through the U.S. Department of State. The STCU has implemented more than 500 R&D projects in post-Soviet countries. U.S. customers were primarily interested in dual-use research.
6. Many of the ongoing projects are aimed at studying potential components of biological weapons formulations (plague and tularemia pathogens) and pathogens of

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economically significant infections (pathogenic avian influenza, African swine fever). For example, project 9601 "Transfer of Ukrainian technologies for production of complex dual-use materials to the European Union".

7. Projects R-364, R-444 and R-781, aimed at studying the spread of dangerous pathogens through insect vectors, wild birds and bats, were financed directly in the interests of the military department.

8. The document prepared by the STCU on March 11 this year draws our attention. It is noted in the document that "...there is an outflow of scientific experts in the field of development of delivery systems and modern armament, who used to work in Ukrainian institutions, as well as experts in the field of biological, radiological, chemical and nuclear weapons. The most qualified specialists having experience in work with dual purpose materials and technologies (they number from 1000 to 4000 people) found themselves in unfavorable professional and financial circumstances. This makes them vulnerable to being involved in other states' programs to develop weapons of mass destruction, means of delivery and other weapons...".

9. Using such wording, the STCU supervisors actually acknowledge the work of Ukrainian experts on the creation of means of delivery and use of biological weapons, as well as recommend the continuation of further financing of this work. We consider this to be a direct violation by Ukraine of Article IV of the BTWC.

10. The military-biological nature of the activities of the Pentagon and affiliated organizations is confirmed by the Analytical Report of the Kherson Department of the Security Service of Ukraine dated June 30, 2016. It notes that the programs of the Defense Threat Reduction Agency of the US military department, carried out through the "Black and Veatch" company, were aimed at establishing control over the functioning of microbiological laboratories in Ukraine. The work conducted on research of pathogens could have been used to create or modernize biological weapons. It is noted that subordination of the projects to the military department of a foreign state creates prerequisites for penetration to the laboratories of foreign specialists and their familiarization with strategic developments.

11. Specialists of SSU repeatedly noted potential risks of biolaboratories' operation. In the analysis prepared by the SSU in spring 2013 it was noted: "...certain steps of foreign representatives can be regarded as actions to undermine the relevant scientific and technical potential... The demands of the American side to create a single storage facility for pathogens contradict the principles of the veterinary control system existing in Ukraine, which provides for permanent work with pathogens in the field... Implementation of these proposals carries risks for the relevant research potential".

12. In April 2013, an interdepartmental commission consisting of representatives of the SSU, Ministry of Health, Ministry of Foreign Affairs, National Academy of Medical Sciences, National Academy of Agrarian Sciences, State Epidemic Service and State Veterinary Service, established under the instruction of the Prime Minister of Ukraine dated December 4, 2012 № 763t, decided on the need to amend the Agreement of 2005 and to communicate the Ukrainian position to the American side.

13. The document of the SSU states the following: "... Based on the findings of the Commission, the above initiatives of the American side have a negative impact on the implementation of the Agreement and are unacceptable for Ukraine in the context of its own vision of an effective system of epidemiological and epizootological surveillance, adopted on 01.04.2013 by the Cabinet of Ministers of Ukraine № 620 "On approval of the State Target Biosafety Program 2015-2020."

14. It is noted that SSU shares the state position of the Ministry of Agrarian Policy and the State Veterinary and Phytosanitary Service of Ukraine on the inexpediency of continuing the project to reduce the biological threat in Ukraine".

15. In addition, it is stated that the continuation of interaction in these programs poses a threat to the national interests in the biological sphere.

16. At the same time, despite the warnings of the SSU, the cooperation in the biological sphere was continued, including the cooperation between the defense agencies of Ukraine and the United States, which is also documented.

17. Of particular interest is the above-mentioned Report on the results of the inspection of the collection of microbial strains at the I. Mechnikov Institute in Odessa. During this inspection the fact of the inoperative system of access control to the collections of pathogens was established. Potentially dangerous biological (field) material was stored in the stairwell.

18. Based on the results of the inspection, the working group recommended that the issue of moving the freezing equipment for storing hazardous biological material to the laboratory premises be resolved. The experts drew attention to the lack of documentation, which confirms the evaluation of the effectiveness and proper regulation of the supply and exhaust ventilation system in the virology laboratory premises.

19. According to the available documents, in April 2017 an accident occurred in the laboratory while working with the museum strain of tick-borne encephalitis virus, which led to the infection of an employee. This indicates an insufficient level of biological safety requirements when working with biological material in the laboratories of the institute. There is no doubt that conditions were created for an unauthorized access to pathogenic biomaterials in the course of work on their accumulation.

20. There is a risk of theft of biomaterials and their subsequent use, including in military and subversive purposes, which is a violation of Article IV of the BTWC. Such disregard of key safety requirements for the biolaboratory creates risks to the life and health of the personnel, as well as the threat of uncontrolled leakage of pathogens outside the laboratory.

21. This problem is systemic in nature, as evidenced by the 2016 Defense Threat Reduction Agency (DTRA) Report on Health, Veterinary and Biosecurity Systems Performance in Ukraine, prepared by a team of experts for the Pentagon's Defense Threat Reduction Agency (DTRA) leadership. According to the Report, gross violations in restricting access to biohazard facilities are common in most of them. Typical violations include unlocked perimeter fences, unlatched windows, and broken or inactive access control and alarm systems.

22. Although many institutions have bars on windows on the first and even second floors, there are windows without security, allowing intruders to enter. The electronic access control system in some institutions does not work, and there are no mechanical locks, which poses a serious threat to laboratories and the integrity of microbial strain collections.

23. Several institutions maintain extensive collections of highly dangerous pathogens, but records of these collections are limited. Strains are recorded on paper, and inventory records are not always kept accurately. At least one institution lacked equipment for long-term storage of pathogens. Frequent culturing of pathogens increases the risk of incidents or theft.

24. Thus, DRTA experts conclude that the country has no legislation for the control of especially dangerous pathogens, there are significant deficiencies in biosafety, and the current state of resources makes it impossible for laboratories to respond effectively to emergency situations in the public health system.

25. In view of the above, we would like to hear explanations from the Ukrainian side on the following questions:

- For what reasons has Ukraine failed to ensure an adequate level of biological protection in organizations and institutions that work with pathogens, as well as the lack of national legislation regarding the control of particularly dangerous pathogens?
- Why didn't the Ukrainian side take into account the recommendations of the Security Service of Ukraine in the context of ensuring the safety of Ukrainian bio-objects?
- Why, despite the revealed gross violations of biological safety requirements and preconditions for the theft of pathogenic materials, did the activities of the laboratories continue as normal?

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**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**

**On the sanitary and epidemiological situation in
Ukraine**

Submitted by the Russian Federation

1. In order to determine the nature of activities conducted in Ukraine in the context of Article I, paragraph 1 of the Convention on the Prohibition of Biological and Toxin Weapons (BTWC), it is important to be aware of the actual public health situation in Ukraine. Judging by the data of the World Health Organization and national health authorities, during the last 15 years, the situation in Ukraine in this area has been indicative of the unsatisfactory state of the system for the prevention and detection of infectious diseases and the system for the prevention of outbreaks of infectious diseases, low epidemic preparedness, and poorly managed immunization of the overall population and, in particular, children.
2. The most urgent public health problems in Ukraine include vaccine preventable diseases: measles, poliomyelitis, diphtheria, the spread of tuberculosis and HIV infection, outbreaks of dangerous infections, including cholera and acute enteric infections of unknown etiology.
3. In 2015, there was a polio outbreak in Transcarpathia, while less than 14% of children were vaccinated.
4. On 21 October 2015, a polio vaccination campaign started in Ukraine in response to the outbreak, 2.3 million children were to be vaccinated. UNICEF used funds donated by Canada to purchase the vaccines and delivered 3.3 million doses to Ukraine. Only 64.6% of the children (1,462,122 children) ended up vaccinated during the first round. The second round was to begin on 30 November 2015, covering children under six during two weeks, the third round – a month after the second one, covering children under ten (4.75 million children). However, by 2017, the immunization rate was only 48%.
5. In 2019, the World Health Organization declared Ukraine at high risk of a polio outbreak due to unsatisfactory implementation of the Polio Eradication Programme and low herd immunity.
6. In 2021, the coverage of children under one with polio vaccines was extremely low – only 53% during 8 months in 2021. The lowest vaccination coverages were in the Kherson (40.7%), Ivano-Frankovsk (42.2%), Transcarpathia (43.1%), Zaporozhye (46.2%), Kharkov (46.5%), Odessa and Kiev (both 47.5%), Chernovtsy and Lvov (both 48.5%), and Rovno

* Reissued for technical reasons on 15 September 2022.



(48.9%) regions. In 2021, 20 cases of the disease, which had been eradicated in the WHO European region over 20 years ago, were registered in the Transcarpathia and Rovno regions.

7. The situation with measles in Ukraine is equally preoccupying. In 2017, there were 70 times more cases of measles among the Ukrainian population than in 2016. In 2018, Ukraine already had more cases of measles than any other country in the WHO European Region – 35 thousand cases and 14 deaths in 10 months of 2018 (five times more people were infected than in Serbia, that had the second largest number of cases). The WHO recorded 55% of all the cases of measles on the territory of Ukraine.

8. According to the WHO, Ukraine is experiencing a severe shortage of diphtheria and measles vaccines in Ukraine. In 2019, there were 20 cases of diphtheria in Ukraine. Five cases were confirmed by laboratory tests: in the Lugansk, Khmelnytskyi, Transcarpathia, Ternopol, and Kiev regions. In 2021, vaccination covered 37.9% of adult population.

9. Poor results of the fight against vaccine preventable diseases are due to extremely low immunization rates, especially of children, which, according to the Public Health Center of Ukraine's Ministry of Health, did not exceed 40%, while the WHO prescribes at least 95%. And these are just the official numbers. With no systematic epidemiological control, registration and recording of diseases due to the consistent destruction of the State sanitary and epidemiological service in 2012 – 2017, the situation is unknown, and thus unpredictable.

10. The viral hepatitis situation is highly dangerous. In 2017, the mission of the WHO Regional Office for Europe acknowledged the inadequacy of the measures implemented to prevent hepatitis B in Ukraine. Here is a quote from the mission report:

"...at the national level hepatitis response is currently fragmented. There is no clear and empowered focal point, nor well-defined and functioning lines of responsibility, for proper planning and decision-making with respect to hepatitis control. More gaps were identified in the areas of blood safety, infection prevention and control. Poor compliance with standard rules and precautions may be a consequence of an insufficient supply of disposable equipment, together with a lack of proper training for medical personnel. The most alarming situation was observed with respect to hepatitis B vaccination, where coverage was very low for various reasons. Coverage with hepatitis B birth-dose and third-dose vaccine was 37% and 26%, respectively, in 2016."

11. According to Ukraine's Ministry of Health, there was a high incidence of viral hepatitis A, including in organized groups of children, educational institutions, and public catering and trade facilities. In January 2018, there was an outbreak of viral hepatitis A in the Nikolayev region, with 47 people falling ill, of whom 38 were hospitalized, including 6 children, and severe infection in 2 cases.

12. The epidemiological situation with cholera is adverse. In 2011 Ukraine had an emergency situation in the field of sanitary and epidemiological well-being of the population - an outbreak of cholera in Donetsk region. In May-August 2011 in four districts of Mariupol 54 cases of cholera were recorded, mostly in a severe form. The toxigenic agent El Tor was detected in seawater, fresh water, fish and shrimp. The ever-increasing risks of the emergence and spread of cholera from Ukraine in the WHO European region forced to strengthen anti-epidemic measures and ensure increased preparedness in the territories bordering Ukraine. These risks were particularly high given the high migration of the population.

13. However, despite these sad statistics, the work of Ukrainian scientists on cultivation and passivation of cholera vibrio strains, as well as maintenance and preservation of an extensive collection of retrospective isolates raises reasonable questions about the direction of such activities, given that the genetic diversity of cholera-causing vibrios is limited to only two serogroups. If previously (30–40 years ago) the passivation of microorganisms on media was necessary to preserve the collection stock, then today it is known that cholera vibrios are resistant to freezing and storage in a frozen state at 70°C in the presence of cryoprotectors. They can be preserved for many years without additional relocations. This means that collections of particularly dangerous infections can be stored frozen without human involvement and do not require laboratory procedures to maintain collection collections.

14. The situation with rabies is dangerous. There is a steady increase in the number of animals in the country - stray dogs and cats infected with rabies (stray animals), the number of victims of animal bites is also growing. Outbreaks of rabies are registered in all regions and natural-geographical zones of Ukraine, which leads to unsatisfactory work on the prevention of this zoonotic disease by specialized agencies.
15. In the last 10-15 years, unusual outbreaks of infections have also been registered in Ukraine. Thus, in June 2016, a major outbreak of acute intestinal infection was registered 200 km from Odessa, in Ismail, Broska and Matroska villages in June-July 2016. The number of ill people was 779, including 449 children. Enteropathogenic *E. coli* of various serovars and rotavirus A/G3P8, previously not registered in Ukraine, were isolated from patients. The presence of the virus was detected in samples obtained from open water bodies and water pipes.
16. The situation with HIV and tuberculosis co-infection is adverse. In 2019, tuberculosis caused about half of all AIDS-related deaths in Ukraine. The country also has a high burden of tuberculosis and ranks fourth in the world for multidrug-resistant tuberculosis.
17. Of the 238,000 people infected with HIV, only 31% reportedly receive antiretroviral therapy. The highest rates of HIV infection are registered in the Odessa (898.3 per 100,000 people), Dnepropetrovsk (792.6) and Nikolayev (743.5) regions, the city of Kiev (479.0), the Kiev (447.9), Kherson (420.1) and Chernigov (420.4) regions. Every hundredth Ukrainian aged 15 to 49 years old is infected with HIV, which is one of the highest rates among the European countries.
18. This tragic situation in the field of ensuring the sanitary and epidemiological well-being of the population was caused by the complete collapse of the state sanitary and epidemiological service, which was actually liquidated in 2014-2017.
19. In 2014, the functions of the State Sanitary and Epidemiological Service were divided between the Ministry of Agrarian Policy and Food and the Ministry of Health, under which a public health center was created. By Decree of the Cabinet of Ministers of Ukraine № 348 of March 29, 2017, the sanitary-epidemiological service was liquidated, and its functions were transferred to the State Service for Food Safety and Consumer Protection. This decision was made at a time when the healthcare system of Ukraine was actually under external control and the acting Minister of Health was U.S. citizen U. Suprun.
20. The new structures, subordinated to different ministries, could not properly coordinate their actions. Moreover, they were not given the right to conduct inspections of compliance with epidemiological safety requirements. The work of the new services is actually limited to monitoring the situation and writing reports, without any possibility to somehow prevent epidemics.
21. The negative dynamics of the sanitary and epidemiological situation observed in Ukraine clearly demonstrates that the biological activities implemented in the Ukrainian territory are not aimed at improving the situation in this area and solving peaceful, preventive and protective tasks.
22. As for such infections as anthrax, tularemia, brucellosis, West Nile fever, they are not a priority public health problem in Ukraine today. Anthrax: since 2003, sporadic cases have been registered in Kharkiv, Odessa, Chernivtsi and Cherkasy regions.
23. Natural foci of tularaemia are spread throughout Ukraine. At present, however, the incidence is sporadic. The same situation is with brucellosis, with 0-5 cases annually over the past 30 years.
24. Natural outbreaks of West Nile fever have been registered in Ukraine, mainly in the following regions: Kherson, Zaporozhye, Zakarpattia, Poltava, Cherkassy and Odessa. In 2020 1 case was registered in Poltava region, in 2021 - 5 cases, in 2022 - 1 case.
25. Nevertheless, a reasonable question arises as to why in the conditions of severe state of sanitary and epidemiological well-being system, threatening a spread of infections defeated in most countries of the WHO European region, an unsatisfactory level of the population's immunization, in Ukraine the authorities paid such attention not to actual public health problems, but to anthrax, highly pathogenic flu and other highly dangerous pathogens?

26. The presentation of data on the current epidemiological situation in Ukraine convincingly shows a significant difference between the priority problems faced by the health care system of the country and the tasks that the US-supported institutions and laboratories in Ukraine were designed to address.

27. Based on the results of its analysis the Russian Federation brings up a number of questions.

28. How should the accumulation of strains of especially dangerous infections and their transfer to other countries help to improve the situation with infectious diseases? Why was the main focus on the study of naturally focal and especially dangerous infections, which, according to the U.S. Centers for Disease Control and Prevention lists, are considered to be potential pathogens for biological weapons? Why, instead of improving the system of epidemiological surveillance, developing plans for anti-epidemic measures, conducting public health education, establishing vaccine supplies and expanding the immunization, priority is given to collecting information on infection rates, biological samples of humans and their export, exporting national collections containing strains of pathogenic microorganisms, studying pathogens of especially dangerous infections, including those that overcome the protective effect of vaccines and are resistant to antibiotics?

29. The above facts about the sanitary and epidemiological situation in Ukraine confirm the inconsistency of the list of pathogens under study with the current public health issues and the interests of public health in Ukraine. The nomenclature and accumulated volumes of bioagents cast doubt on their purpose for preventive, protective and other peaceful purposes, as well as their compliance with the BTWC obligations.

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**Respective outstanding questions by the Russian Federation
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of the operation of biological laboratories in Ukraine**

**On the Goals and Objectives of U.S.-Ukraine
Cooperation in Ensuring Sanitary and
Epidemiological Welfare of the Population**

Submitted by the Russian Federation

1. According to the statements and comments of the American side (including within the framework of the Convention on the Prohibition of Biological and Toxin Weapons - BTWC, as well as the UN Security Council), cooperation of the US military department and its affiliated Defense Threat Reduction Agency (DTRA) with the Ukrainian side is of "exclusively peaceful nature", and its main goal is allegedly assistance in the establishment of the sanitary and epidemiological surveillance system in Ukraine, destroyed after the USSR collapse and protection of the Ukrainian population against epidemiological threats.

2. At the same time, these assertions are completely refuted by the facts that indicate:

- The systematic destruction of the state sanitary and epidemiological service of Ukraine;
- concentration of research in laboratories on Ukrainian territory only on a group of dangerous pathogens considered as a threat to biological security or as potential agents for the development of biological weapons;
- implementation as a priority of collection of information on infectious diseases, as well as biological samples of people and their export, export of national collections containing strains of pathogenic microorganisms, including those that overcome the protective effect of vaccines and are resistant to antibiotics;
- Unsatisfactory and significantly worse than in other post-Soviet countries in terms of infectious morbidity, the organization of monitoring of current infections, immunization of the population, and the organization of care for infectious patients.

3. Analysis of the events of recent years (including those in the post-Soviet space) shows that the United States has been cooperating according to a certain algorithm. First, the system of sanitary and epidemiological surveillance is destroyed, then control of the situation is lost and no necessary preventive measures are taken. Then the laboratory base is reconstructed (several centers are created and the remaining network is destroyed) and the flow of pathogens from both human material and environmental samples is concentrated. Specialists are retrained and as a result the system of internal interactions and all monitoring of biological

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threats are restructured, and the response system falls under the control of another state. This is done literally online, using U.S.-developed software for recording infectious diseases and the results of laboratory tests of microorganisms. Such "concentration" laboratories are mostly formed on the basis of institutions that previously dealt with especially dangerous infections and were part of the structure of sanitary and epidemiological services.

4. The thesis of cooperation of the U.S. military department to ensure sanitary and epidemiological well-being is also refuted by the results of the analysis of the agreement between the parties on cooperation to prevent the spread of technology, pathogens and information that can be used to develop biological weapons as of 2005. This cooperation was aimed exclusively at studying dangerous pathogens. This is evidenced by the fact that under this agreement, the Pentagon supports the Ministry of Health of Ukraine in the field of joint biological research, determination of threats from biological agents in relation to dangerous pathogens deployed on facilities on Ukrainian territory. The agreement also prescribes storage of pathogens only in the laboratories, which are assisted by the American military department, as well as sending samples of strains collected in Ukraine and data on the spread of infectious diseases in this country to the United States. The results of work under the agreement are confidential, but Pentagon representatives can participate in all activities related to the implementation of the agreement.

5. Contrary to the sound assurances of the U.S. side, in practice the result of cooperation, supposedly aimed at ensuring the sanitary and epidemiological well-being of the population, was on the contrary consistent steps to weaken the Ukrainian sanitary and epidemiological service and its laboratory base, which, with the advisory support of U.S. experts, eventually led first to the reorganization of the sanitary and epidemiological service (SES) in 2014 and subsequently to its complete liquidation in 2017. After 2014, the functions of the SES were divided between the Ministry of Agrarian Policy and Food and the Ministry of Health, under which a public health center was created.

6. By Decree No. 348 of the Cabinet of Ministers of Ukraine dated March 29, 2017, the Sanitary and Epidemiological Service was liquidated, and its functions were transferred to the State Service for Food Safety and Consumer Protection. This decision was made at a time when the Ukrainian healthcare system was actually under external control and the acting Minister of Health was U.S. citizen U.Suprun.

7. The new structures, subordinated to different ministries, could not properly coordinate their actions. Moreover, they were not given the right to conduct inspections to check the compliance with epidemiological safety requirements. The work of the new services was actually reduced to just monitoring the situation and writing reports, without any possibility to somehow prevent epidemics.

8. In addition, the system for training specialists for the State Sanitary and Epidemiological Service was completely destroyed. By the start of the COVID-19 pandemic in 2020, according to Ukrainian professionals themselves, epidemiologists had not been graduating from universities of Ukraine for five years.

9. In 2020, the Kiev District Administrative Court opened proceedings to appeal the government's liquidation of the State Sanitary and Epidemiological Service. According to the plaintiff, liquidation of the competent body for sanitary and epidemiological well-being of the population excluded the possibility of implementing the provisions of the law of Ukraine "On protection of population against infectious diseases", contributes to their spread and violates constitutional rights of citizens to protection of as of the highest social value.

10. However, we do not know the court's decision on this issue.

11. Another result of so called "assistance" by the U.S. in ensuring sanitary and epidemiological well-being in Ukraine was a measles epidemic, a polio outbreak, a tuberculosis emergency, and diphtheria.

12. In terms of the number of measles cases in 2018, Ukraine ranked first among all countries in the WHO European region - 35 thousand cases in 10 months of 2018 and 14 deaths.

13. The extremely low immunization coverage, especially among children, which, according to the Center for Public Health of the Ministry of Health of Ukraine, did not exceed 40%, while the World Health Organization required at least 95%, led to a deplorable result. For example, an outbreak of polio occurred in Transcarpathia in 2015, with child immunization coverage of less than 14%. Cases of the disease, which had been eradicated in the WHO European Region more than 20 years ago, were recorded in Ukraine in 2021 as well.

14. Nevertheless, the prevention of these infections and expansion of immunization programs were not among U.S. priorities for cooperation. The centers and laboratories that cooperated and received funds from the Pentagon did not focus on immunization, prevention of vaccine-preventable infections, or the development of surveillance networks for measles, rubella, polio, and diphtheria, nor did they train specialists in these fields. Work was focused exclusively on dangerous infections of interest to American researchers.

15. Taken together, the analysis of the current sanitary and epidemiological situation and the contents of the 2005 agreement convincingly show that the U.S. participation in financing biological laboratories in Ukraine, joint research programs with the participation of the Pentagon were not intended to strengthen the system of epidemiological surveillance to reduce risks to public health. The scope of U.S. interests in Ukraine included only work with particularly dangerous pathogens typical of this territory and the territories bordering the Russian Federation.

16. Such work was also planned at the laboratory in Simferopol, the capital of the resort region with an annual tourist influx of about 9 million people from the entire Commonwealth of Independent States.

17. In 2014, after Crimea's reunification with Russia and during the formation of the peninsula's sanitary and epidemiological service, documents were found on the adoption of projects to construct a laboratory building on the basis of a half-destroyed anti-plague station. Samples of field material (ectoparasites, internal organs of rodents) and human sera were found collected in Crimea and prepared for shipment abroad to France to study the spread of dangerous diseases (e.g., Crimean-Congo hemorrhagic fever). Specialists from Crimea were trained in the U.S. to select, sort, and prepare for transport of various samples, and there were plans to install special software products developed in the U.S. to control the work of the personnel.

18. The nature of U.S.-Ukrainian cooperation in the field of infection control is clearly demonstrated by the analysis of publications by U.S. and Ukrainian researchers.

19. A review of scientific articles published in foreign scientific journals included in Web-of-Science and Scopus databases shows that Ukrainian institutions cooperating with the Ukrainian Ministry of Defense conducted joint research with American specialists on various human and animal infections (including dangerous ones), studying pathogen vectors, prevalence and genetic characteristics of microbial strains. Publications were searched using the keywords "microbiology," "virology," "infectious diseases," and "vectors."

20. As a result of the most superficial research, we have found out that only four institutions (Institute of Veterinary Medicine, Kyiv; Daniel Galitsky Research Institute of Epidemiology and Hygiene, Lviv; Institute of Experimental and Clinical Veterinary Medicine, Kharkiv; Odessa Anti-Plague Institute named after M.I. Mechnikov, Lviv). Mechnikov) published in 2019-2022 17 articles on the mentioned topics together with researchers from the USA.

21. List of publications:

22. Institute of Veterinary Medicine, Kiev:

- i. enzootic Teschen's disease (article 2022 co-authored with researchers from the USA from the University of Alaska and Battelle Memorial Institute in Columbus).
- ii. Highly pathogenic H5N8 avian influenza viruses (paper 2021, co-authored with researchers from the US - University of Alaska and UK - Cambridge).

- iii. Microbiota of *Ixodes ricinus* and *Dermacentor reticulatus* ticks collected in densely populated cities (paper 2021, co-authored with researchers from the University of Texas, USA).
 - iv. Rabies in domestic carnivores and wild animals in Ukraine (article 2021 in Co-authorship with researchers from the USA from the Battelle Memorial Institute in Columbus, Poland from Warsaw University and Switzerland - SAFOSO AG, an FAO partner organization).
 - v. Metagenomic analysis of *Ixodes ricinus* ticks from Eastern Europe (paper 2021 co-authored with researchers from the University of Texas, Texas Genomics Institute, from the University of Science and Technology, China).
23. Research Institute of Epidemiology and Hygiene, Daniel Galitsky Research Institute of Epidemiology and Hygiene, Lviv:
- i. hantaviruses of the Old World and CCHFV viruses (article 2020 co-authored with researchers from the University of Florida, University of Tennessee, USA).
24. Institute of Experimental and Clinical Veterinary Medicine, Kharkov:
- i. Genomic sequences of siciniviruses from North America (paper 2021 co-authored with researchers from the United States and Kenya).
 - ii. Whole-genome sequencing of avian coronavirus (2019 article, co-authored with researchers from the United States).
 - iii. Full genome sequence of *Brucella abortus* 68 (paper 2021, co-authored with researchers from the United States).
 - iv. Influenza A virus analysis of H1N1 and H7N9 strains (2020 article, co-authored with researchers from the United States).
 - v. Genotyping of Newcastle disease viruses of subgenotypes Vc and VIn in domestic chickens and nearly healthy wild birds (2019 article, co-authored with researchers from the United States, Mexico).
 - vi. Genotyping of a tuberculosis pathogen isolated from patients in the Kharkiv region, Ukraine, identified as the Beijing strain (article 2019, co-authored with researchers from the USA).
 - vii. Complete genome sequence of a Newcastle disease virus isolate (2019 article, co-authored with researchers from USA, Tanzania).
 - viii. Newcastle disease vaccine viruses in wild birds (2016 article, co-authored with researchers from USA, Bulgaria, Brazil).
 - ix. Complete genome sequence of the virulent African swine fever virus from domestic pigs in Ukraine (article 2019, co-authored with researchers from the USA)
25. Odesa Anti-Plague Institute named after M.V. Lomonosov, Mechnikov:
- i. Characterization of tick-borne encephalitis virus isolates from ticks in southern Ukraine (2017 article, co-authored with researchers from the United States).
 - ii. Phylogenetic analysis of tick-borne encephalitis virus strains found in a soaked tick and in a traveler returning from Russia (article 2021, jointly with researchers from the USA).
26. In conclusion, we should like to emphasize once again: the statements that the assistance and financing by the United States of America of research on biological facilities on Ukrainian territory was aimed at ensuring sanitary and epidemiological well-being are untrue. The work and research did not address the urgent issues of protecting the health of the population of Ukraine from infectious threats, but were aimed solely at the study of particularly dangerous pathogens, including those typical of this region, which includes the territory of Russia.
27. The analysis raises the following specific and substantiated questions:

- How was the U.S. assistance, as implemented, supposed to ensure the sanitary and epidemiological well-being of the population of Ukraine?
- What were the goals and objectives of such assistance, and what were its key performance indicators?
- What public health indicators have improved over the past 10-15 years due to the U.S. assistance in Ukraine?
- Has the sanitary-epidemiological situation in the country become better? Has the infectious morbidity decreased, has immunization coverage increased, has testing for infections become more accessible, are there more epidemiologists, microbiologists, sanitary doctors, have there been new developments of tests, vaccines, has the accounting of infectious morbidity improved?

28. It is obvious that during the period of cooperation and implementation of the agreement, not only has the epidemiological situation in Ukraine not improved, but, unfortunately, it has become one of the worst in the WHO European Region.

29. We would ask the Ukrainian and American sides to provide the necessary explanations.

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**Response to the statements of Ukraine and the
United States in the context of the questions of the
Russian Federation on the compliance by these
states with their obligations under the BTWC in
the context of the activities of biolaboratories**

Submitted by the Russian Federation

1. We would like to respond to the statements by Ukraine and the United States on the substance of the questions posed by the Russian Federation in the context of these States' compliance with their obligations under the BTWC.
2. The materials presented by the delegations of the Ukraine and the United States contain information on the declared goals and objectives of the Defense Threat Reduction Program in the territory of foreign states; historical aspects of the implementation of this program, efforts undertaken by the Ministry of Health of Ukraine to strengthen national measures aimed at ensuring the security of biological materials, Ukrainian civil health projects, and other information that is mostly unrelated to the questions posed by the Russian Federation.
3. We would like to dwell on certain points and show that the statements by the American and Ukrainian delegations are an attempt to avoid answers to specific, clearly formulated questions concerning the provisions of Articles I and IV of the BTWC and to shift the attention of the consultative meeting to issues that are not directly related to these points on the agenda of the event.
4. Today, we have heard a lot about the Russian Federation's participation in the threat reduction program, which was completed about 10 years ago. Let us note that one of the reasons for the termination of this interaction is that it was not mutually beneficial for the Russian side and was aimed at addressing narrowly focused issues of interest only to the DTRA. Moreover, the declared nature of cooperation corresponds to Article X of the BTWC (international cooperation) only externally, since the implementation of this program did not result in real improvement of the disease situation and the improvement of diagnostic capabilities of public health. There were no other attributes included in the understanding of the term "peaceful cooperation" in the context of the BTWC. At the same time, the focus of work within the framework of the DTRA projects was aimed at obtaining information of interest to the United States in the field of the current state of biosafety, ongoing research and developments in the field of diagnosis, prevention and treatment of infectious diseases.

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5. This is well illustrated by the results of the implementation of the Program in Ukraine, which we have seen today, and the presentation of which has been reduced to a demonstration of photographs of several renovated laboratory facilities. Apart from these achievements, no other real results have been demonstrated. Unfortunately, neither the delegation of Ukraine nor the delegation of the United States provided information on how cooperation had helped improve the sanitary and epidemiological situation in Ukraine, which has been steadily deteriorating for the past 15 years.

6. Much of the U.S. delegation's presentation focused on the historical aspects of the program, without pointing out that the real goal of the program, which was to reduce the threat posed by the potential of the former Soviet Union, was achieved back in 2008. Let me remind you that in 2008 the U.S. Congress changed the mandate of the Program and expanded it to other regions of the world, outside the territory of the former Soviet Union. In this regard, it is not quite clear what kind of threats the DTRA is currently fighting in the post-Soviet space.

7. Almost all of the statements of the USA and Ukraine were focused on the fact that all the arguments and data presented by Russia are lies and misrepresentation. We would like to get a clarification from the Ukrainian and American Sides as to which of the documents presented by us at the meeting on September 5 are disinformation, if these papers have the signatures of real officials and the seals of organizations, and a significant portion of them are in the public domain.

8. In spite of the categorical nature of such allegations, out of the total volume of documents presented, real claims for authenticity concerned only two of them - a memo from the Security Service of Ukraine, as well as an appeal of the "Motor Sich" enterprise to the Turkish manufacturer of unmanned aerial vehicles "Bayraktar Akıncı". The speculative argument used to prove that the document is a forgery is that Ukrainian state institutions do not use the Russian language in their correspondence. We would like to remind you that "Motor Sich" is not a Ukrainian state institution and uses Russian and English for interaction with the Turkish side, in which the mentioned document was drawn up.

9. We would like to dwell on certain points of the speech of the representatives of the U.S. Department of Defense and the DTRA.

10. In the context of the implementation of paragraph 5 of article IV of the 2005 Agreement "On cooperation in preventing the spread of pathogens, technologies and knowledge that can be used in the development of biological weapons", the thesis was heard that the transfer of samples of pathogenic biomaterials by the Ukrainian side to the United States, quote "... was infrequent...". Apparently, in the absence of any other presented evidence, we have to be satisfied with such a subjective formulation, without understanding whether we are talking about tens, hundreds or thousands of samples.

11. With regard to Article VII of the 2005 Agreement, there was an attempt to reproach us for misinterpreting the provisions on making the information obtained during the implementation of the DTRA projects restricted or classified. It was emphasized that this information, although not classified by default, *can* be recognized as such. In this connection, we should like to ask a counter question: what closed results were supposed to be obtained during the implementation of projects in Ukraine if they are known to be allegedly "peaceful" in nature and are intended to achieve the goals set out in Article X of the Convention?

12. In our opinion, the explanations by the American side regarding the participation in the Ukrainian projects of the citizens of the USA, whose names we have cited, do not stand up to criticism. The assertion that they only monitored the implementation of the projects, being members of the United States diplomatic missions in Ukraine, does not exempt them from the obligation, despite their diplomatic status, to observe the requirements of Article IV of the BTWC with regard to assistance in implementing projects with signs of violation of the Convention.

13. Regarding the statement by representatives of the Ministry of Health of Ukraine, we would like to express our surprise that the lack of interpretation of the term "biological laboratory" prevented Ukrainian experts from understanding the essence of the documents we presented and from interpreting them correctly.

14. In the presentation and additional comments, unfortunately, the nature of the use of the collection during the period from 2017-2018 in the Anti-Plague Institute named after Mechnikov in Odessa was not disclosed as well as the activities carried out with pathogens, though we repeatedly asked the Ukrainian delegation to do so. At the same time, the Mechnikov Institute in Odessa is designated as a leading institution in the field of pathogenic microorganisms. The institute is designated as a leading scientific and methodological center and an example of national control over biosafety compliance. Given the violations that were identified during a routine inspection of the institute in 2018, which included storage of pathogenic biomaterials in the stairwells and the lack of a functioning access control system for pathogens, the effectiveness of such national control is questionable and creates preconditions for theft and non-transparent trafficking of pathogens.

15. The presentation also mentioned the activities of Russian scientific organizations and their participation in projects to study vectors of particularly dangerous and economically significant infections, including highly pathogenic avian influenza. The Russian Federation has never concealed the fact of participation of profile institutes in research of such issues; they are carried out by the institutions of the Ministry of Agriculture of Russia and Rosselkhoz nadzor. Such studies have been and are being conducted by specialized professionals, just as in Ukraine, but with one significant exception. In Russia these studies are not funded by the Ministry of Defense, much less by the Ministry of Defense of another country, and their results and isolated strains are not transferred to a third party. Their implementation does not involve sensitive or classified information that is withdrawn from public access.

**Formal Consultative Meeting of the States Parties
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Development, Production and Stockpiling
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**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**

**Reaction to statements of the interested
participating States at the Consultative meeting of
States Parties to the Biological and Toxin
Weapons Convention (BTWC) under Article V of
the BTWC**

Submitted by the Russian Federation

Mr. Chairperson,

1. The Russian Federation rejects the unfounded, unsubstantiated and completely politicized accusations made by the delegations of U.S. allies in connection with the special military operation in Ukraine, as well as with regard to the materials and evidence we have provided covering the biological and military activities carried out by Ukraine and the U.S. in contravention of the BTWC provisions.
2. The reasons for launching the special military operation in Ukraine are well known. These are the need to protect the long-suffering population of the DNR and LNR, which have been subjected to aggression by the Kiev regime for eight years, and also the need to demilitarize and denazify Ukraine and eliminate threats to the security of our country coming from its territory.
3. The Russian Federation has requested the convening of the Consultative meeting with the specific purpose of strengthening the BTWC regime: to remove substantiated questions that have arisen regarding Ukraine's and the United States' compliance with obligations under the Convention in the context of the activities of biological laboratories in Ukrainian territory. As enshrined in Article V of the BTWC, States Parties "may consult and cooperate with each other in resolving any issues that might arise in relation to the objective of, or in connection with, the implementation of the provisions of the Convention". The Russian side assumed that the consultative meeting would enable interested delegations, with the support of their experts, to gain a thorough understanding of the situation, to exchange assessments, to ask professional questions and to receive detailed answers.
4. During the Consultative meeting itself, we made all the necessary efforts to provide detailed inputs and arguments to ensure that the Consultative meeting achieves its objectives and resolves the situation related to the military and biological activities on the territory of Ukraine.

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Please recycle



5. However, based on the results of the exchange of views among the participating States, we note that the overwhelming majority of the questions put forward by Russia remained without a proper response. Instead of detailed substantive arguments, we have witnessed an attempt to cover up with "good intentions", allegedly motivated by concern for the health and sanitary and epidemiological well-being in Ukraine in the context of the implementation of Article X of the BTWC, the true aims of this military biological activity in violation of Articles I and IV of the Convention, and also the unsightly sanitary and epidemiological situation in that country, which has steadily deteriorated over the past 15 years.

6. These issues were presented in detail by the Russian Federation at the meetings. They concern the scale and focus of the military and biological activities carried out in the territory of Ukraine, the involvement of the United States Department of Defense in these activities, the granting by the United States authorities of patents for inventions originally designed to produce means of delivery of biological weapons, and also the non-transparent nature of the United States-Ukrainian co-operation.

7. We consider the policy pursued by the United States and Ukraine during the Consultative meeting to be aimed at ensuring the continued unhindered implementation by the Pentagon of military and biological research outside the national territory (including in the immediate vicinity of the Russian borders) under the guise of allegedly "purely peaceful" and "having nothing to do" with bioweapons. This is yet another attempt to misrepresent the situation in order to distract the attention of the international community from the real risks and threats posed by the U.S. military's Cooperative Threat Reduction Program.

8. The ostensibly "open and transparent" nature of the cooperation that the U.S. is trying to convince the world of is nothing more than hypocrisy. Despite Russia's repeated calls, Washington refrains from providing specific, comprehensive information on military and biological activities outside the national territory, limiting itself to selective general information on the financial and material assistance provided. No data on such activities is being shared by the Americans as part of the BTWC's confidence-building measures. And this is not accidental, because traditionally the U.S. concludes a standard cooperation agreement with the recipient countries, which provides for making cooperation in the biological sphere closed and confidential.

9. A clear indication that the Cooperative Threat Reduction Program has a pronounced military orientation and has little in common with Article X of the BTWC on international cooperation is its implementation in violation of the Convention in Ukraine. The Russian Federation presented documents and evidence that shed light on the true nature of interaction of the U.S. military and its contractors with the Ukrainian side in the military and biological sphere. An analysis of the projects carried out in Ukrainian laboratories gives all grounds for an unequivocal conclusion that the development of biological weapons components was carried out in the immediate vicinity of the Russian borders.

10. This is not an isolated case of Ukraine. Under the guise of well-intentioned goals of assisting in the development of national systems of sanitary and epidemiological surveillance and combating the threat of bioterrorism and the spread of biological weapons, the United States has dragged many countries in different regions of the world, including the former Soviet Union, into its sphere of unscrupulous influence.

11. The information we presented during the Consultative meeting contains a host of special subjects to which not all participating States have given the necessary attention at the expert level. In particular, the issue of controlling the use and movement of pathogens in large collections was left without comment, and a number of countries limited themselves to purely politicized statements.

12. The risks of violations of the BTWC by the U.S. and concerns about negligence in the storage and movement of pathogens and control over the implementation of biosafety requirements have been repeatedly emphasized by the Russian Federation in recent years. A striking example is the State Department's project to study the highly pathogenic avian influenza agent H5N1 in order to enhance its virulence, which received scandalous publicity in 2012. The issue was extensively discussed in the BTWC intersessional program, but was never properly evaluated by the participating States. The "accidental" dispatch of anthrax

spores to several countries and the "accidentally forgotten" vials of smallpox virus raise doubts about the reliability of biosecurity controls in the United States and the alleged biosecurity "leadership" role it is trying to play.

13. Why isn't the international community asking questions about the 300 U.S.-controlled microbiological laboratories around the world, the activities of which are not reported by Washington as part of the confidence-building measures? In fact, this is a network of which the operations remain closed. Could this be why the U.S. is in no hurry to withdraw its reservations to the 1925 Geneva Protocol?

14. We urge BTWC States Parties to consider the following:

- Why is the U.S. Department of Defense all over the world, including the former Soviet Union, seeking biosecurity information, studying pathogens, collecting biological material, and installing infection monitoring software?
- why are civilian "public health and infectious disease epidemiology" projects funded by the U.S. military?
- why does the Pentagon need to support hundreds of biological laboratories around the world?
- what happens to pathogens exported from Ukraine and other countries? What research are the Pentagon institutes doing with them?

15. No country can feel safe until we have full transparency of the U.S. activities, including those outside the national territory. In the current situation, the whole world should be prepared for new epidemics, as the U.S. itself warns. At the same time, it should be taken into account that the pathogens identified may surprise experts with their "new" properties.

16. The Russian Federation, as a Depositary State of the BTWC, reaffirms its commitment to its obligations under the Convention, including Article X. We welcome the cooperation of countries and the exchange of experience in the field of biological research for peaceful purposes. We note the need for and desirability of continuing these activities. Russia takes an active part in such activities in the biological sphere. We provide advice, send mobile medical teams and supply test systems, vaccines, personal protective equipment and laboratory equipment to other countries.

17. However, as the documents and evidence we have cited demonstrate, the U.S.-assisted military and biological activities in Ukrainian territory have nothing to do with Article X cooperation. We must draw a clear line between preventive measures, strengthening response systems to potential biological threats, and the activities that have taken place in Ukraine.

18. We are grateful to delegations sharing Russia's assessments and arguments and seeking to understand the issues raised by Russia for the responsible position presented. We note that, apart from the U.S. allies, none of the delegations questioned the Russian arguments and materials. We state with regret that the Consultative meeting failed to meet its objectives and address the questions raised by the Russian Federation. We highlight that the participating States differed in their assessments of the information provided.

19. In order to resolve the current situation regarding the military and biological activities in Ukrainian territory, we see a need to continue the consultative process within the BTWC. However, taking into account the unfortunate precedent of 1997, when the issues raised by Cuba with regard to the United States were never resolved, and the results of the current Consultative meeting, we consider it necessary not to limit ourselves to consultations and exchange of views only. All instruments available under the Convention, including Article VI of the BTWC, should be used to investigate violations of the Convention by Ukraine and the United States.

20. Moreover, the Consultative meeting demonstrated the urgent need to strengthen the BTWC regime. Above all, this concerns the resumption of negotiations on a legally binding Protocol to the Convention with an effective verification mechanism, which has been blocked by the US since 2001. The reason is clear: Washington does not want its military and biological activities carried out in violation of the BTWC to become known to the world community and the public.

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21. Other steps are also required. The Russian Federation has long been proposing the inclusion of information on military and biological activities carried out abroad in the reports submitted annually by the States Parties to the Convention as part of the confidence-building measures.

22. Only such comprehensive measures will make it possible to place the military and biological activities of the United States and its allies in various regions of the world, including the post-Soviet space, under close international control and ensure verifiable compliance by States Parties to the BTWC with their obligations.

Thank you for your attention.

**Formal Consultative Meeting of the States Parties
to the Convention on the Prohibition of the
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**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**

**On the statements by Ukraine and the United States
foreign to the topic of the Consultative meeting of
States Parties to the Convention on the Prohibition of
Biological and Toxin weapons on Article V of the
BTWC**

Submitted by the Russian Federation

1. The Russian Federation considers a number of statements made by the United States and their allies during the Consultative meeting (CM) and published on the web portal of the BTWC as working documents to be completely foreign to the matter under discussion and the agenda of the CM. Thus, these statements are inconsistent with paragraph 2 of Article XVI of the rules of procedure of the Eight Review Conference of the BTWC adopted as the rules of procedure of the Consultative meeting. In this regard, we consider them to be negligible in the context of the aims of this meeting.
2. Such outbursts by Ukraine and the United States, which have nothing to do with the topics of the Convention and reality in general, are aimed at undermining the CM and the authority of the BTWC platform. Instead of substantively discussing the issues raised by the Russian Federation concerning Ukraine's and the United States' compliance with the BTWC obligations in the context of military and biological activities in the Ukrainian territory, these States are trying to divert the attention of the international community to topics that are not related to the CM. At the same time, the real risks and threats associated with the development of biological weapons components in violation of the BTWC with the assistance of the United States in laboratories in Ukraine in the immediate vicinity of Russia's borders are simply ignored.
3. In view of this unconstructive line of Ukraine and the United States, the questions raised by Russia regarding the military and biological activities of Ukraine and the United States, respectively, remain relevant and require a proper response. They have not been answered comprehensively, which makes it impossible to resolve the situation that has caused the Russian side to convene the CM under Article V of the BTWC.



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**Statement by K.V.Vorontsov, Head of the
Delegation of the Russian Federation at the
Consultative Meeting of States Parties to the
Biological and Toxin Weapons Convention on
Article V of the BTWC**

Submitted by the Russian Federation

Mr. Chairman,

1. We are grateful for your efforts to arrange a constructive dialogue during the Consultative meeting to address reasonable questions posed by the Russian Federation to the United States and Ukraine regarding their compliance with the BTWC in the context of the activities of biological laboratories in Ukrainian territory. We are grateful to the States that participated in this event for their contribution to the work and their desire to fully resolve the situation that had arisen.
2. The Russian Federation assumed that the Consultative meeting would let the delegations concerned, with the support of their experts, gain a thorough understanding of the situation, exchange assessments, ask professional questions and receive detailed answers. During the consultations, we made all the necessary efforts to provide detailed materials and arguments to enable the Consultative meeting to achieve its objectives and resolve the situation related to military and biological activities in the territory of Ukraine.
3. However, based on the results of the exchange of views among participating States, we note that the overwhelming majority of the claims put forward by Russia have gone unanswered. As stated in the final report of the Consultative Meeting, it was not possible to reach consensus on the questions we raised, they remain open and require resolution. This is regrettable, since it undermines the authority of the Article V consultative mechanism and the BTWC regime as a whole.
4. We regard the policy pursued by the United States and Ukraine during the Consultative meeting as being aimed at ensuring the continued unhindered implementation by the Pentagon of military and biological research outside the national territory (including in the immediate vicinity of the Russian borders) under the guise of allegedly "purely peaceful" and "nothing to do with bioweapons" activities. This is yet another attempt to misrepresent the situation in order to distract the attention of the international community from the real risks and threats posed by the Cooperative Threat Reduction Programme carried out by the United States military in contravention of the BTWC.

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5. In order to resolve the current situation with regard to military and biological activities in Ukrainian territory, we see the need to continue the consultation process within the framework of the BTWC and to consider its results at the Ninth Review Conference.

6. However, taking into account the precedent of 1997, when the issues raised by Cuba with respect to the United States were never resolved, and the disappointing results of the current Consultative meeting in the lack of consensus on the issues we put forward, we consider it necessary to go beyond consultations and exchanges of views. All instruments available under the Convention, including Article VI of the BTWC, should be involved to investigate Ukraine's and the U.S.' violations of the Convention.

7. The Consultation meeting demonstrated the urgent need to strengthen the BTWC regime. Above all, this concerns the resumption of negotiations on a legally binding Protocol to the Convention with an effective verification mechanism, which has been blocked by the US since 2001.

8. Other steps are also required. The Russian Federation has long been proposing the inclusion of information on military and biological activities conducted abroad in the reports to be submitted annually by the States Parties to the Convention as part of the confidence-building measures.

9. Only such comprehensive measures will make it possible to place the military and biological activities of the United States and its allies in various regions of the world, including the post-Soviet space, under a close international control and ensure a verifiable compliance by States Parties to the BTWC with their obligations.

Thank you for your attention.

BWC/CONS/2022/WP.63

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**Respective outstanding questions by the Russian Federation
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of their respective obligations under the Convention in the context
of the operation of biological laboratories in Ukraine**

**Joint Statement on the Results of the Consultative
meeting of the States Parties to the Convention on
the Prohibition of Biological and Toxin Weapons
(BTWC) under BTWC Article V**

**Submitted by Belarus, China, Cuba, Nicaragua, Russian Federation,
Syrian Arab Republic, Venezuela, Zimbabwe**

Mr. Chairman,

1. Thank you for your tireless efforts that have made it possible to hold this Consultative meeting in a constructive and professional manner in the interests of proper implementation of the provisions enshrined in Article V of the BTWC. We are grateful to the States that took part in this event for their contribution and commitment to resolving the existing situation.
2. We have to conclude that the questions as to the military biological activities conducted by the United States in the context of the functioning of biological laboratories on the Ukrainian territory still remain unresolved. We have not received exhaustive explanations that could completely allay the doubts concerning the said activities and thus straighten out the situation that had prompted the Russian side to convene the Consultative meeting under BTWC Article V. This is regrettable.
3. As we see it, the States Parties to the BTWC should continue sharing expert opinions and further technical assessments and transmit their comments to the Chairman after the meeting is over. We invite you, Mr. Chairman, together with the Vice-Chairmen to hold further consultations in order to summarize these comments and present a relevant report to the Convention's Ninth Review Conference. In light of this, we believe it necessary for the Chairman and the Vice-Chairmen to remain in their respective capacities until the end of the Ninth Review Conference of the BTWC.
4. In addition, given the outcomes of the Consultative meeting as well as to facilitate the resolution of the existing situation, we call for making use of all opportunities available within the framework of the BTWC, including the mechanism under Article VI of the Convention.

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5. The outcomes of the event demonstrate the potential for strengthening the BTWC and improving its efficiency. The consultative meeting has confirmed the need to resume the negotiations on a legally binding protocol to the Convention, which should have a comprehensive nature and offer an effective verification mechanism. We hope that the States Parties will be able to adopt a relevant decision during the Ninth Review Conference of the BTWC.

Thank you.

BWC Formal Consultative Meeting

26 August and 5-9 September 2022

Final report – ADVANCE VERSION

1. As agreed at the Informal Meeting held on 27 July 2022 and subsequently confirmed in a letter sent by Ambassador Aidan Liddle of the United Kingdom of Great Britain and Northern Ireland to all States Parties on 28 July 2022, the Formal Consultative Meeting of States Parties to the 1972 Biological Weapons Convention (BWC) requested by the Russian Federation was convened at the Palais des Nations, Geneva, on 26 August 2022 by the Depositary Governments. The Meeting was reconvened from 5 to 9 September 2022. The States Parties held eight meetings during that period under the Chairmanship of Ambassador Gyorgy Molnar of Hungary who was elected on 5 September 2022.
2. The States Parties also elected four Vice-Chairs from the following countries: Canada, China, Republic of Moldova and the United Kingdom of Great Britain and Northern Ireland. Mr. Daniel Feakes, Chief of the BWC Implementation Support Unit, Office for Disarmament Affairs, served as Secretary of the Meeting.
3. In accordance with the understandings in the letter dated 28 July 2022 from Ambassador Liddle, the Formal Consultative Meeting took place in private and only States Parties and Signatory States to the Convention participated. In addition, there was no public broadcast of the Formal Consultative Meeting, and no summary records were prepared. States Parties and Signatory States could request that their national positions or other documents be published on the BWC website as official working papers of the Meeting.
4. States Parties adopted the agenda of the Formal Consultative Meeting (BWC/CONS/2022/1), as contained in Annex I¹ to this report, and agreed to be guided by the provisional programme of work (BWC/CONS/2022/2), as proposed by the Chairperson.
5. States Parties decided to apply, mutatis mutandis, the rules of procedure of the Eighth Review Conference, as contained in document BWC/CONF.VIII/2.
6. The following 89 States Parties to the Convention participated in the Meeting: Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Ghana, Guatemala, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam.

¹ Annex I will be added to the final version of this report.

7. The following Signatory State to the Convention also participated in the Meeting: Syrian Arab Republic.
8. On 5 September 2022, the Meeting heard, under agenda item 6, the presentation by the Russian Federation of its Article V consultation request regarding 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 (see relevant Working Papers). On 5 and 6 September 2022, the Meeting heard the response by the delegations of Ukraine and the United States (see relevant Working Papers). Each delegation then made further statements amplifying points raised in their statements.
9. On 7 September 2022, the Meeting considered the issues for which the Meeting was requested by the Russian Federation and heard national statements from the following 42 States Parties: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Brazil, Canada, Chile, China, Cuba, Czech Republic (on behalf of the European Union), France, Georgia, Germany, India, Indonesia, Iran (Islamic Republic of), Ireland, Japan, Kazakhstan, Lithuania (on behalf of Lithuania, Latvia and Estonia), Mexico, Nicaragua, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Türkiye, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam. One Signatory State also took the floor: Syrian Arab Republic. There then followed an opportunity to respond for the Russian Federation, the United States and Ukraine. States Parties welcomed the fact that the delegations of the Russian Federation and Ukraine and the United States had sought to clarify their positions with respect to the concerns raised by the Russian Federation. States Parties noted that the consultation was fully in conformity with the conclusions of the final document of the Third Review Conference relevant to the application of Article V of the Convention.
10. No consensus was reached regarding the outcome of the Formal Consultative Meeting.
11. A list of official documents of the Formal Consultative Meeting, including the working papers submitted by States Parties, is contained in Annex II² to this report. All documents on this list are available on the Convention's website at <https://meetings.unoda.org/section/bwc-fcm-2022-documents/> and through the United Nations Official Document System (ODS), at <http://documents.un.org>
12. At its closing meeting on 9 September 2022, the Meeting adopted its report by consensus, as contained in document BWC/CONS/2022/3.

² Annex II will be added to the final version of this report. Several documents are still being processed. As they are issued, official documents will also be posted at <https://meetings.unoda.org/section/bwc-fcm-2022-documents/>

COURTESY TRANSLATION

**Briefing by the Chief of Nuclear, Biological and Chemical Protection Troops
of the Russian Federation Armed Forces
Lieutenant General I.A.Kirillov on the Consultative Meeting
of the BTWC States Parties**

September 19, 2022

On September 5-9, 2022 the Consultative Meeting of the State Parties to the Biological and Toxin Weapons Convention (BTWC) in regards to the violation of the Articles I and IV of the abovementioned Convention by the U.S. and Ukraine took place in Geneva under the initiative of the Russian Federation.

The Ministry of Defence of Russia has analysed the data of U.S. and Ukrainian representatives' speeches, the working documents of the States Parties, joint statements and the outcome document of the Meeting.

The Russian Federation has raised over 20 questions related to the illegal activity of Kiev and Washington within the BTWC. Here are some of these questions.

What was the reason for choosing the pathogenic microorganisms examined in Ukraine within the Biological Threat Reduction Programme and why was the range of the studied pathogens not related to current healthcare problems as, for example, Tap-6 project dedicated to examining agents of glanders that had never been recorded at the territory of Ukraine?

How should the accumulation of most dangerous infections' strains and sending them to other countries contribute to improving the situation related to the contagious morbidity?

Why was the main emphasis made on examining the natural focal and most dangerous infections that, according to the lists of the U.S. Centres for Disease Control and Prevention, are considered possible agents of biological weapons?

What researches that supposed using agents of contagious diseases and toxic substances were Ukrainian servicemen and mental patients involved in, being one of the most vulnerable categories of citizens?

And, finally, why do the U.S. and Ukraine obscure the military-biological cooperation in international reports under the Biological and Toxin Weapons Convention (BTWC), while the U.S. has been blocking the development of its verification mechanism since 2001?

The participants of the Meeting received the copies of genuine documents previously mentioned by Russian Defence Ministry, as well as the physical evidence that proved the implementation of works within military-biological programmes' in Ukraine.

There was no delegation that doubted the authenticity of the presented documents, including those related to the accumulation of pathogenic materials in Ukrainian laboratories counting the Mechnikov Anti-Plague Institute.

Ukraine has recognised the fact of inspecting the Institute by a commission from Healthcare Ministry, emphasising that '...80% of infringements have been eliminated...'. At the same time, Ukrainian party has totally ignored the questions related to unreasonable volume of storing dangerous biological agents at the establishment and the detected gross infringements of their storage conditions: accumulating biological materials at staircases, absence of proper control system that provides access to pathogenic microorganisms.

No explanations on the range of the accumulated strains of dangerous pathogens have been received, though there had been implemented 19 researches related to examining possible agents of biological weapons (Congo-Crimean fever, hantaviruses, anthrax and tularemia) within UP and Tap projects since 2008 in Ukraine, as well as economically important infections (African and classical swine fever, Newcastle disease).

Neither Ukraine, nor the United States have presented convincing evidence to prove that the cooperation contributed to improving the sanitary-epidemiological situation after recent 15 years of its steady deterioration.

The outcome of the activity carried out by the U.S. Defence Department's DTRA in Ukraine presented at the meeting was limited by showing several pictures of repaired laboratory premises. There have probably been no results achieved, apart from the abovementioned pseudo-'achievements'.

The US and Ukrainian explanations regarding the export of strains and biological materials of Ukrainian citizens, as well as the observance of ethical standards while conducting research on military personnel, low-income citizens and one of the most vulnerable categories of the population, patients of psychiatric hospitals, looked extremely unconvincing.

While discussing this issue, the U.S. delegation recognised these facts emphasising that the pathogenic biological materials were '...seldom...' sent to the United States.

Apart from this statement that does not allow to evaluate the volume and the frequency of sending biological assays, the participants of the meeting have received no other explanations.

The questions related to the reasons of emergency elimination of documentary evidence of the military-biological activity have also remained with no comment. At the same time, Ukrainian delegation stated that '...it is not a trial and we are not at a cross-interrogation...!'

Russia presented the documents that proved Ukraine's interest in receiving technical equipment for delivering biological weapons.

This refers to a request by the Ukrainian company Motor Sich to the Turkish manufacturer of unmanned aerial vehicles Bayraktar Akinci, dated 15 December 2021, to equip the UAV with aerosol spraying systems and mechanisms with a capacity of over 20 litres, to which the Turkish party responded negatively.

Having no other points, Ukraine expressed doubts about the authenticity of this document, with the far-fetched argument that Ukrainian state institutions do not use Russian language in their correspondence. I would remind that Motor Sich is not a Ukrainian state-run company and it uses Russian and English languages to communicate with the Turkish party, that were the languages of the document we have presented. However, Motor Sich itself refrained from commenting.

I would like to particularly focus on the U.S. response to patents on technical equipment for delivering and using biological weapons, including an unmanned aerial vehicle to spread infected insects in the air.

The U.S. delegation stated that '...the development and production of biological weapons is prohibited in the U.S., and any violation is punishable by penalties ranging from fines to imprisonment. However, the decision to grant the patent does not violate U.S. obligations under the BTWC and does not mean that the U.S. government condones the inventors' claims ...'.

This statement is fundamentally contrary to the U.S. patent code that clearly states that a patent in the U.S. cannot be granted in the absence of a full description of the '...the device actually existing...' and its expertise.

Attempting to evade the raised questions, Kevin Garrett, Deputy Director of the Biological Threat Reduction Programme, spoke exclusively about the historical aspects of the programme.

However, Garrett haven't pointed out that the real goals of the programme, which were aimed at reducing the weapons of mass destruction potential of the former Soviet Union, and which had been achieved as early as 2008. Within the congressional hearings, it was reported that the goals of the programme had been achieved, after which it was extended to other regions of the world. Within the congressional hearings, it was reported that the goals of the programme had been achieved, after which it was extended to other regions of the world.

I would like to pay attention to documents confirming Ukraine's attempts to end its cooperation with DTRA. Thus, in April 2013, an interdepartmental commission consisting of representatives of the Security Service of Ukraine, Ministry of Agrarian Policy and Food and the State Veterinary Service of Ukraine jointly decided that it was unreasonable to continue DTRA projects in Ukraine, but the US administration continued to impose them on Kiev.

A confirmation of the US administration's pressure is the address on the slide from US Ambassador to Ukraine John Tefft, dated 8 February 2013, in which he demands the Head of Ministry of Agrarian Policy and Food to influence his subordinates to extend the DTRA project for another four years.

Even though the Ministry of Agrarian Policy and Food tried to refuse to participate in the Biological Threat Reduction Program in its response of 13 March 2013, the project continued.

We have said that in the run-up to the event, the US persistently demanded from the participating states on a joint statement on the supposedly "peaceful nature" of the Biological Threat Reduction Program, and some countries signed the statement. Fearing the US reaction and the threat of sanctions, many countries abstained from attending the meeting, as a result of which only 89 countries out of 184 BWC member states participating.

Only 43 delegations took the floor during the event, of which more than half (22 states) either supported the Russian position or took a neutral position. 21 states, among them Ukraine, the US and most of their NATO allies opposed, but even among them there was no unanimity.

Thus, the Russian speeches have caused many states to pay attention to the risks of cooperation with the Pentagon in the military-biological sphere, as well as to take a fresh look at the necessity and feasibility of such relations.

The emotional pro-American speeches were directed by the head of the US delegation, Kenneth Ward, who is currently the US special representative to the BTWC.

I would like to recall that he was the US Permanent Representative to the Organisation for the Prohibition of Chemical Weapons from 2015 to 2019. Before his arrival, the work of the organisation was constructive and focused on specific issues. One of the results of Ward's work has been to transform the professional, highly technical organisation into a politicised structure, with roles for the foreign policy goals of Washington and its NATO allies.

Within his time at the OPCW, Ward worked closely with the so-called White Helmets, who staged the use of chemical weapons by Syrian forces in Khan Sheikhoun in 2017. Using this provocation as a pretext, and without waiting for an investigation to be launched, the Americans launched a missile attack on the Shayrat airbase, thereby grossly violating international law. In the coming year, following another White Helmets provocation in Duma, a missile strike was launched against a Syrian scientific research centre, already a well-established scenario.

It is clear that Ward's destructive activities on the BTWC platform are aimed at achieving similar goals and will help "tweak" the Convention mechanisms to suit Washington's goals.

We have repeatedly spoken about the true nature of the Pentagon's military-biological programmes outside national territory.

While the stated goals are to monitor infectious diseases and assist developing countries, in reality we see a capacity-building of US military and biological capabilities to circumvent BTWC commitments.

This manifests itself in the construction of military laboratories along the borders of geopolitical adversaries; the collection of strains of particularly dangerous micro-organisms specific to certain territories; and the testing of toxic drugs on humans.

In the case of Ukraine, we see that the declared nature of interaction was only superficially in line with Article X of the BTWC (international cooperation and information exchange for peaceful purposes). As a result of the DTRA projects, there has been no improvement in the disease situation and the situation in the countries

bordering Ukraine has deteriorated in a lot of aspects. Other signs of "peaceful cooperation" were also absent.

As the event resulted in a "zero", non-binding report, we proposed initiatives to strengthen the BTWC.

The first is the resumption of negotiations on a legally binding protocol to the Convention that includes lists of microorganisms, toxins, equipment (similar to the CWC control lists), is comprehensive and has an effective verification mechanism. I would like to recall that the draft protocol was prepared by an international expert group, VEREX, back in 2001.

The second is the establishment of a scientific advisory committee with broad geographical representation and equal rights of participants, while respecting the so-called "principle of ten", according to which a decision must be taken taking into account the alternative viewpoint, even if it is expressed by only one state.

The third is the expansion of confidence-building measures with mandatory declaration by states of their activities in the biological field outside national territory.

As questions remain about the US and Ukrainian military-biological programmes, the Russian Defence Ministry will continue to take further steps to clarify the situation.
