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

### **Report of the First Committee**

*Rapporteur:* Mr. Pēteris **Filipsons** (Latvia)

### **I. Introduction**

1. At its 2nd plenary meeting, on 13 September 2024, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-ninth session the item entitled “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction” and to allocate it to the First Committee.

2. At its 1st meeting, on 3 October 2024, the First Committee decided to conduct its work in three phases. The first phase would be a general debate on all disarmament and international security items allocated to it, namely items 90 to 106, as well as a general debate on the working methods of the Committee and programme planning, namely items 121 and 140; the second phase would be dedicated to thematic discussions; and the third phase would be for action on all draft proposals.

3. At its 2nd to 10th meetings, from 7 to 10 and from 14 to 17 October, the Committee held its general debate on items 90 to 106. At its 11th meeting, on 17 October, the Committee also held its debate on items 121 and 140. On 18 October, at its 12th meeting, the Committee held exchanges with the Under-Secretary-General and High Representative for Disarmament Affairs and other high-level officials in the field of arms control and disarmament nominated by regional groups. The Committee also held 15 meetings (12th to 26th), on 18, from 21 to 25 and from 28 to 30 October, for thematic discussions and panel exchanges with independent experts. At those meetings, as well as during the action phase, draft resolutions and decisions were introduced and considered. At its 27th meeting, on 30 October, the Committee held a joint panel discussion with the Fourth Committee on possible challenges to space



security and sustainability. The Committee took action on all draft resolutions and decisions at its 28th to 33rd meetings, on 1 and from 4 to 8 November.<sup>1</sup>

4. No documents were submitted for consideration under this item.

## **II. Consideration of proposals**

### **A. Draft resolution [A/C.1/79/L.54](#)**

5. On 16 October, the delegation of Hungary submitted a draft resolution entitled “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction” ([A/C.1/79/L.54](#)).

6. At its 29th meeting, on 4 November, the Committee adopted draft resolution [A/C.1/79/L.54](#) without a vote (see para. 9, draft resolution I).

### **B. Draft resolution [A/C.1/79/L.73](#)**

7. On 17 October, the delegations of Kazakhstan, Kiribati and Saudi Arabia, also on behalf of Kyrgyzstan, Tajikistan and Uzbekistan, submitted a draft resolution entitled “Strengthening and institutionalizing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction” ([A/C.1/79/L.73](#)).

8. At its 29th meeting, on 4 November, the Committee adopted draft resolution [A/C.1/79/L.73](#) without a vote (see para. 9, draft resolution II).

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<sup>1</sup> For an account of the Committee’s discussion of the item, see [A/C.1/79/PV.2](#), [A/C.1/79/PV.3](#), [A/C.1/79/PV.4](#), [A/C.1/79/PV.5](#), [A/C.1/79/PV.6](#), [A/C.1/79/PV.7](#), [A/C.1/79/PV.8](#), [A/C.1/79/PV.9](#), [A/C.1/79/PV.10](#), [A/C.1/79/PV.11](#), [A/C.1/79/PV.12](#), [A/C.1/79/PV.13](#), [A/C.1/79/PV.14](#), [A/C.1/79/PV.15](#), [A/C.1/79/PV.16](#), [A/C.1/79/PV.17](#), [A/C.1/79/PV.18](#), [A/C.1/79/PV.19](#), [A/C.1/79/PV.20](#), [A/C.1/79/PV.21](#), [A/C.1/79/PV.22](#), [A/C.1/79/PV.23](#), [A/C.1/79/PV.24](#), [A/C.1/79/PV.25](#), [A/C.1/79/PV.26](#), [A/C.1/79/PV.27](#), [A/C.1/79/PV.28](#), [A/C.1/79/PV.29](#), [A/C.1/79/PV.30](#), [A/C.1/79/PV.31](#), [A/C.1/79/PV.32](#) and [A/C.1/79/PV.33](#).

### III. Recommendations of the First Committee

9. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### **Draft resolution I**

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

*The General Assembly,*

*Recalling* its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and on their destruction,

*Noting with satisfaction* the increase in the number of accessions to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,<sup>1</sup> and stressing at the same time that there is a continuing need to achieve its universalization,

*Reaffirming its call upon* all signatory States that have not yet ratified the Convention to do so without delay, and calling upon those States that have not signed the Convention to become parties thereto at the earliest possible date, thus contributing to the achievement of universal adherence to the Convention, which will facilitate its success,

*Bearing in mind* its call upon all States parties to the Convention to participate in the implementation of the recommendations of the review conferences of the parties to the Convention, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, later amended by the Final Declaration of the Seventh Review Conference, and to provide such information and data in conformity with the standardized procedure to the Implementation Support Unit within the Office for Disarmament Affairs of the Secretariat on an annual basis and no later than 15 April,

*Welcoming* the reaffirmation made in the Final Declarations of the Fourth, Sixth, Seventh and Eighth Review Conferences that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

*Recognizing* the importance of ongoing efforts by States parties to enhance international cooperation, assistance and the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes, recognizing also that there still remain challenges to be overcome in order to enhance international cooperation, and recognizing further the value of building capacity through international cooperation as well as strengthening coordination and coherence of efforts of all relevant international organizations, in line with the Final Document of the Ninth Review Conference,<sup>2</sup>

*Reaffirming* the importance of national measures, in accordance with constitutional processes, in strengthening the implementation of the Convention by States parties, in line with the Final Document of the Ninth Review Conference,

<sup>1</sup> United Nations, *Treaty Series*, vol. 1015, No. 14860.

<sup>2</sup> [BWC/CONF.IX/9](#).

*Reaffirming also* the importance of the review of developments in the field of science and technology related to the Convention,

*Encouraging* the equitable participation of women and men in the framework of the Convention,

*Recalling* previous intersessional processes carried out under the Convention,

*Noting with satisfaction*, in the decisions and recommendations of the Final Document, that the Ninth Review Conference reaffirmed the utility of having an intersessional programme and decided that States parties would hold annual meetings between 2023 and 2026 in Geneva, in an in-person format in accordance with the regular practice under the Convention, for a duration of three days each year, that the first such meeting was held from 11 to 13 December 2023, and that the next such meeting will be held from 16 to 18 December 2024,

*Welcoming*, in the decisions and recommendations of the Final Document, that the Ninth Review Conference reaffirmed that Review Conferences constitute an effective method of reviewing the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized, and the previous decision that Review Conferences be held at least every five years,

*Noting*, in the decisions and recommendations of the Final Document, that the Ninth Review Conference decided that the meetings of States parties would be responsible for managing the intersessional programme in support of the Convention, including taking necessary actions with respect to budgetary, financial and organizational matters, with a view to ensuring the proper implementation of the intersessional programme, that the meetings of the States parties would also consider, on an annual basis, progress on universalization of the Convention, the annual report of the Implementation Support Unit and, as appropriate, the implementation of decisions taken by the Conference and that the Tenth Review Conference would consider the work and outcomes of these meetings and decide on any further action,

*Noting also* the Formal Consultative Meeting of the States Parties to the 1972 Biological Weapons Convention requested by the Russian Federation and convened at the Palais des Nations, Geneva, on 26 August 2022 and reconvened from 5 to 9 September 2022, the presentation by the Russian Federation of its article V consultation request regarding outstanding questions by the Russian Federation to the United States of America and Ukraine concerning the fulfilment of their respective obligations under the Convention in the context of the operation of biological laboratories in Ukraine, the responses by Ukraine and the United States of America, that no consensus was reached regarding the outcome of the Formal Consultative Meeting, and the final report of the Formal Consultative Meeting,<sup>3</sup>

*Noting further* that, on 24 October 2022, the Russian Federation submitted a letter to the President of the Security Council lodging a complaint,<sup>4</sup> pursuant to article VI of the Convention, regarding outstanding questions by the Russian Federation to the United States of America and Ukraine concerning the fulfilment of their respective obligations under the Convention in the context of the operation of biological laboratories in Ukraine and requesting the consideration of a proposed draft resolution to set up a commission to investigate its claims against the United States of America and Ukraine, that on 27 October 2022,<sup>5</sup> the Security Council considered this complaint, and that on

<sup>3</sup> [BWC/CONS/2022/3](#).

<sup>4</sup> [S/2022/796](#).

<sup>5</sup> See [S/PV.9171](#).

2 November 2022,<sup>6</sup> the Council took action on the draft resolution<sup>7</sup> submitted by the Russian Federation and that it was not adopted,

*Recalling with appreciation* the decision of the Ninth Review Conference<sup>8</sup> that the Tenth Review Conference shall be held in Geneva in an in-person format in accordance with the regular practice under the Convention, not later than 2027, and that the Review Conference should review the operation of the Convention, taking into account, inter alia, new scientific and technological developments relevant to the Convention, the progress made by States parties on the implementation of the Convention and progress of the implementation of decisions and recommendations agreed upon at the Ninth Review Conference, taking into account, as appropriate, decisions and recommendations reached at previous Review Conferences,

*Recalling* that 2025 marks the fiftieth anniversary of the entry into force of the Biological Weapons Convention, which remains a cornerstone of the efforts of the international community to prevent the development, production and stockpiling of biological and toxin weapons and to ensure their destruction,

1. *Notes* the consensus reached at the Ninth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and calls upon States parties to the Convention to participate and actively engage in the continued implementation;

2. *Notes with regret* that the Ninth Review Conference was not able to reach consensus on a draft Final Declaration;

3. *Notes with appreciation* that, determined to strengthen the effectiveness and to improve the implementation of the Convention in all its aspects, the Conference decided to establish a Working Group open to all States parties;

4. *Also notes with appreciation* that the aim of the Working Group is to identify, examine and develop specific and effective measures, including possible legally binding measures, and to make recommendations to strengthen and institutionalize the Convention in all its aspects, to be submitted to States parties for consideration and any further action, that these measures should be formulated and designed in such a manner that their implementation supports international cooperation, scientific research and economic and technological development, avoiding any negative impacts, and that in this context the Working Group will address the following:

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

5. *Notes with satisfaction* that the Ninth Review Conference decided to develop with a view to establishing a mechanism open to all States parties to facilitate and support the full implementation of international cooperation and assistance under

<sup>6</sup> See [S/PV.9180](#).

<sup>7</sup> [S/2022/821](#).

<sup>8</sup> See [BWC/CONF.IX/9](#).

article X of the Convention, and that in order for this mechanism to be established, the Working Group on the strengthening of the Convention would make appropriate recommendations, and encourages States parties to provide, at least biannually, appropriate information on their implementation of article X and to collaborate to offer assistance or training, upon request, as contained in specific proposals, in support of the legislative and other implementation measures of States parties needed to ensure their compliance with the Convention;

6. *Also notes with satisfaction* that the Ninth Review Conference decided to develop with a view to establishing a mechanism to review and assess scientific and technological developments relevant to the Convention and to provide States parties with relevant advice, and that in order for this mechanism to be established, the Working Group on the strengthening of the Convention would make appropriate recommendations;

7. *Notes* that the decision by the Ninth Review Conference to establish the Working Group on the strengthening of the Convention is without prejudice to the mandate of the Ad Hoc Group established by the Special Conference of 1994,<sup>9</sup> nor does it supersede, supplant or change it;

8. *Also notes* that, in fulfilling its mandate, the Working Group will continue to take into account, inter alia, as appropriate, all documents agreed by the States parties under the Convention as well as work already done by States parties to strengthen the Convention without prejudice to any decision or position;

9. *Notes with appreciation* that, recognizing the need to balance an ambition to improve the intersessional programme within the constraints – both financial and human resources – faced by States parties, the Conference allocated 15 days to the Working Group for its substantive meetings, every year for the period from 2023 to 2026, and that the Working Group will meet in Geneva, in an in-person format in accordance with the regular practice under the Convention;

10. *Also notes with satisfaction* that, in line with paragraph 9, the Working Group has so far convened four sessions in Geneva, on 15 and 16 March, from 7 to 18 August and from 4 to 8 December 2023 and from 19 to 23 August 2024, respectively, during which it addressed the topics mandated by the Ninth Review Conference; and that the fifth session of the Working Group is scheduled to be held in Geneva from 2 to 13 December 2024;

11. *Notes* that the Conference urged the Working Group to complete its work as soon as possible, preferably before the end of 2025, that at the completion of its work, the Working Group will adopt a report, by consensus, that includes conclusions and recommendations according to its mandate, and that the adopted report will be submitted to States parties for their consideration at the Tenth Review Conference, or earlier at a special conference if it is requested according to the procedure established by the Third Review Conference,<sup>10</sup> to decide on any further action;

12. *Appreciates* the information and data on confidence-building measures provided by States parties to the Convention to date, and calls upon all States parties to participate in the exchange of information and data on confidence-building measures called for in the relevant decisions of the review conferences, and reiterates its call to make use of the platform for electronic submission, on a voluntary basis, without prejudice to their choice of methods for submission;

13. *Notes* the decision of the Eighth Review Conference to continue and improve the database established by the Seventh Review Conference to facilitate

<sup>9</sup> See [BWC/SPCONF/1](#).

<sup>10</sup> See [BWC/CONF.III/23](#).

requests for and offers of exchange of assistance and cooperation, and urges States parties to submit to the Implementation Support Unit, on a voluntary basis, requests for and offers of cooperation and assistance, including in terms of equipment, materials and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes;

14. *Welcomes* that the Ninth Review Conference noted with appreciation the functioning of the sponsorship programme and welcomed the continued willingness of donors to provide voluntary contributions that have allowed to support and increase the participation of representatives of developing States;

15. *Also welcomes* the decision of the Ninth Review Conference to renew the mandate of the Implementation Support Unit agreed to at the Seventh Review Conference, *mutatis mutandis*, for the period from 2023 to 2027, that it noted with appreciation the work of the Unit, and that, without prejudice to the decision of the Sixth Review Conference on the establishment of the Implementation Support Unit<sup>11</sup> and taking into account its decisions and the need for the Unit to render the necessary assistance and provide the services required for the intersessional period, the Ninth Review Conference decided to establish one new full-time staff position within the Unit, only for the period from 2023 to 2027, that the Unit will submit an annual written report to all States parties on its activities to implement its mandate, and that the Unit's performance will be evaluated and its mandate reviewed by the States parties at the Tenth Review Conference;

16. *Notes with appreciation* the events organized by some States parties, regional organizations and the Office for Disarmament Affairs of the Secretariat for exchanges of views on the implementation of the Convention, and encourages States parties to continue to participate in such informal exchanges and discussions;

17. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to continue to provide such services as may be required for the conduct and the implementation of the decisions and recommendations of the review conferences;

18. *Notes* that the Ninth Review Conference welcomed the improvement of the financial situation following the measures endorsed by the 2018 Meeting of the States Parties, as reflected in section V of the report of the Meeting,<sup>12</sup> confirmed their effectiveness and decided to review them at the Tenth Review Conference;

19. *Notes with satisfaction* that the Ninth Review Conference stressed the need to continue monitoring the overall financial situation of the Convention and to keep it under active review, and requested the Chairperson of the annual Meetings of the States Parties, in close consultation with the States parties, the Implementation Support Unit, the Office for Disarmament Affairs and the United Nations Office at Geneva, to report on the overall financial situation of the Convention, implementation of the measures endorsed in 2018, and possible further measures for consideration by the Meetings of the States Parties;

20. *Decides* to include in the provisional agenda of its eightieth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

<sup>11</sup> See [BWC/CONF.VI/6](#).

<sup>12</sup> See [BWC/MSP/2018/6](#).



## **Draft resolution II**

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

*The General Assembly,*

*Recalling* that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction was adopted by the General Assembly in its resolution [2826 \(XXVI\)](#), on 16 December 1971, was opened for signature on 10 April 1972 and entered into force on 26 March 1975,

*Recalling also* its annual resolutions on the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,<sup>1</sup>

*Noting* that the Implementation Support Unit was established within the Geneva branch of the United Nations Office for Disarmament Affairs by the decision of the Sixth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction to provide administrative support to meetings agreed by the Review Conference as well as comprehensive implementation and universalization of the Convention and the exchange of confidence-building measures,<sup>2</sup> and stressing at the same time that its mandate should be reviewed by States parties at each subsequent Review Conference,

*Noting with satisfaction* that the Ninth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in the decisions and recommendations contained in its Final Document, reaffirmed the utility of having an intersessional programme and decided that States parties would hold annual meetings between 2023 and 2026 in Geneva,<sup>3</sup>

*Recognizing* the rapid development of new and emerging technologies and that they hold great promise for the advancement in the life sciences, and recognizing also the impact of such technologies on the regime governed by the Convention,

*Recognizing also* the necessity to strengthen the joint efforts under the Convention in response to and prevention of current and future biological threats and risks, and noting in this regard relevant initiatives,

1. *Notes with satisfaction* the consensus reached at the Ninth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and calls upon States parties to the Convention to participate and actively engage in the continued implementation of the Convention and the outcomes of its Review Conferences;

2. *Recognizes with appreciation* that, determined to strengthen the effectiveness and to improve the implementation of the Convention in all its aspects, the Ninth Review Conference decided to establish a Working Group on the strengthening of the Convention open to all States parties;

<sup>1</sup> United Nations, *Treaty Series*, vol. 1015, No. 14860.

<sup>2</sup> See [BWC/CONF.VI/6](#).

<sup>3</sup> See [BWC/CONF.IX/9](#).



3. *Acknowledges with appreciation* that the aim of the Working Group is to identify, examine and develop specific and effective measures, including possible legally binding measures, and to make recommendations to strengthen and institutionalize the Convention in all its aspects, including measures on organizational, institutional and financial arrangements;

4. *Encourages* the Working Group on the strengthening of the Convention to further consider the measures aimed at strengthening and institutionalizing the Convention in all its aspects, in particular on how to proceed on organizational matters within the Working Group, including the possibility of an international agency for biological security and other institutional arrangements;

5. *Acknowledges* that 2025 will mark the centennial of the signing of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare<sup>4</sup> in Geneva on 17 June 1925, and recognizes that it will also mark the fiftieth anniversary of the entry into force of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and invites the Secretary-General to mark this special occasion.

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<sup>4</sup> League of Nations, *Treaty Series*, vol. XCIV, No. 2138.