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

Geneva, 28 November – 16 December 2022

Draft Final Document of the Ninth Review Conference

* Any entry listed in this document does not imply the expression of any opinion regarding, and is without prejudice to, the legal status of any country or territory or of its authorities.
I. Organization and work of the Conference

A. Introduction

1. The Final Document of the Eighth 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 (BWC/CONF.VII/4), in paragraph 77 of the Final Declaration, contained the following decision:

“...The Conference decides that the Ninth Review Conference shall be held in Geneva not later than 2021 and should review the operation of the Convention, taking into account, inter alia:

(a) new scientific and technological developments relevant to the Convention;
(b) the progress made by States Parties on the implementation of the Convention; and
(c) progress of the implementation of decisions and recommendations agreed upon at the Eighth Review Conference, taking into account, as appropriate, decisions and recommendations reached at previous review conferences.”

2. The final report of the 2020 Meeting of States Parties considered the arrangements for the Ninth Review Conference and its Preparatory Committee and contained the following decisions:

“29. As reflected in the reports of the 2020 Meetings of Experts and this report, the 2020 meetings were postponed several times due to the COVID-19 pandemic. The 2018-2020 intersessional programme could therefore not be concluded as originally planned in 2020.

30. In May 2021, States Parties therefore agreed by written silence procedure that several technical recommendations would be submitted for formal consideration and approval by the appropriate upcoming BWC meetings. In this regard, the Meeting of States Parties decided that the Preparatory Committee would be held in Geneva in in-person format in accordance with the regular practice under the BWC on 20 December 2021. It was agreed that this meeting would consider the agenda items on the organizational aspects of the Review Conference.

31. While acknowledging that the Eighth Review Conference in 2016 decided that “the Ninth Review Conference shall be held in Geneva not later than 2021”, the Meeting of States Parties, taking into account the extraordinary circumstances imposed by the COVID-19 pandemic, exceptionally and without setting a precedent, agreed the following technical adjustments:

(a) the Ninth Review Conference would be held in Geneva in in-person format in accordance with the regular practice under the BWC from 8 to 26 August 2022.”

3. Subsequently, at its meeting on 11 April 2022, the Preparatory Committee decided that:

“29. Taking into account the extraordinary circumstances, the Preparatory Committee reconsidered the decision of the 2020 Meeting of States Parties and decided that the Ninth Review Conference should take place in Geneva from 28 November to 16 December 2022.”

4. By resolution 76/67, adopted without a vote on 6 December 2021, and resolution 77/95, adopted without a vote on 7 December 2022, the General Assembly, inter alia, requested the Secretary-General to continue to render the necessary assistance to the Depositary Governments of the Convention and to provide such services as may be required for the conduct and the implementation of the decisions and recommendations of the review conferences.

5. The Preparatory Committee convened and held two meetings in Geneva on 20 December 2021 and then resumed its work from 4 to 11 April 2022 during which time it held 12 meetings. The following 115 delegations participated in the Preparatory Committee: Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China,
Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

6. On behalf of the Secretary-General of the United Nations, Mr. Peter Kolarov, Political Affairs Officer, Office for Disarmament Affairs, opened the Preparatory Committee on 20 December 2021. Mr. Daniel Feakes, Chief of the Implementation Support Unit, served as Secretary of the Preparatory Committee. Mr. Hermann Lampalzer, Deputy Chief, Implementation Support Unit, Ms. Ngoc Phuong van der Blij, Political Affairs Officer, Implementation Support Unit and Ms. María José Orellana Alfaro, Documents Management Assistant served in the Secretariat.

7. At its meeting on 20 December 2021, the Preparatory Committee unanimously elected Mr. Florian Antohi of Romania and Mr. Tancredi Francese of Italy as Vice-Chairs of the Preparatory Committee. The Preparatory Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

8. At its meeting on 8 April 2022, the Preparatory Committee took note of the decision of the Group of the Non-Aligned Movement and Other States Parties to the BWC to hand over the presidency of the Ninth Review Conference and to retain its rotational right to preside over the Tenth Review Conference.

9. At the same meeting, Australia, as Coordinator of the Western Group, advised that the capacity of the Group to nominate for the position of President of the Review Conference was linked to the question of the dates of the Review Conference. The Coordinator further advised that this was a product of the need for any incoming President to have sufficient time to undertake the necessary preparations for the Review Conference. It also reflected the demands on delegations within the Western Group connected with the disarmament calendar for 2022.

10. The Coordinator of the Western Group presented the nomination of Mr. Leonardo Bencini, Ambassador and Permanent Representative-Designate of Italy to the Conference on Disarmament, for the position of President of the Ninth Review Conference. The Coordinator also specified that Ambassador Bencini’s capacity to fulfil this role was subject to a decision by the Preparatory Committee that the Ninth Review Conference shall be held from 28 November to 16 December 2022, in order to ensure him time to undertake the necessary preparations and consultations.

11. The Preparatory Committee therefore agreed to recommend to the Ninth Review Conference that Mr. Leonardo Bencini, Ambassador and Permanent Representative-Designate of Italy to the Conference on Disarmament, preside over the Conference, on the understanding that the Group of the Non-Aligned Movement and other States Parties to the BWC decided to retain its rotational right to preside over the Tenth Review Conference.

12. The Preparatory Committee decided to take its decisions by consensus.

13. The Preparatory Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as official languages.
14. The Preparatory Committee, in accordance with draft rule 44, paragraph 1, noted the participation, without the right to take part in the adoption of decisions, of one State that had signed the Convention but had not yet ratified it, the Syrian Arab Republic.

15. The Preparatory Committee, taking note of written requests and in accordance with the draft rule 44, paragraph 2, decided to invite the representatives of two States neither party nor signatory to the Convention, Israel and Namibia, to participate as observers.

16. In the course of its session, the Preparatory Committee considered the following questions relating to the organization of the Review Conference:

   (a) Date and duration;
   (b) Provisional agenda;
   (c) Draft rules of procedure;
   (d) Background documentation;
   (e) Publicity;
   (f) Final document(s);
   (g) Appointment of a provisional Secretary-General; and
   (h) Financial arrangements for the Preparatory Committee and the Review Conference.

17. At its meeting, on 11 April 2022, the Preparatory Committee adopted its final report by consensus, as contained in document BWC/CONF.IX/PC/10.

18. Pursuant to the request of the Preparatory Committee, the following background documents were prepared by the Implementation Support Unit and issued as pre-session documents for the Conference:

   (a) A background information document on the history and operation of the confidence-building measures agreed at the Second Review Conference and revised at the Third and Seventh Review Conferences. The document should include data in summary tabular form on the participation of States Parties in the measures since the last Review Conference;

   (b) A background information document on the overall financial status of the Convention and implications of proposals for follow-on action after the Ninth Review Conference;

   (c) A background information document showing the additional understandings and agreements reached by previous Review Conferences relating to each article of the Convention, extracted from the respective Final Declarations of these conferences;

   (d) A background information document showing the common understandings reached by the Meetings of States Parties during the intersessional programme held from 2017 to 2020;

   (e) A background information document on the status of universalization of the Convention;

   (f) A background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties;

   (g) A background information document on the implementation of Article VII, to be compiled from information submitted by States Parties;

   (h) A background information document on the implementation of Article X, to be compiled from information submitted by States Parties, including information submitted pursuant to paragraph 61 of the Final Declaration of the Seventh Review Conference;

   (i) A background information document on new scientific and technological developments relevant to the Convention, to be compiled from information submitted by States Parties.
B. Organization of the Conference

19. In accordance with the decision of the Preparatory Committee, the Conference was convened at the Palais des Nations in Geneva from 28 November to 16 December 2022.

20. On behalf of the Secretary-General of the United Nations, Ms. Izumi Nakamitsu, Under Secretary-General and High Representative for Disarmament Affairs, opened the Conference.

21. At its first meeting, on 28 November 2022, the Conference elected by acclamation Ambassador Leonardo Bencini of Italy as President.

22. At the same meeting, the Secretary-General of the United Nations, Mr. Antonio Guterres, addressed the Conference via a video message.

23. The Conference adopted its agenda as recommended by the Preparatory Committee (BWC/CONF.IX/1). The agenda as adopted is attached as Annex […] to this Final Document.

24. The Conference took note with appreciation of the final report of the Preparatory Committee (BWC/CONF.IX/PC/10).

25. The Conference adopted its Rules of Procedure as recommended by the Preparatory Committee (BWC/CONF.IX/2). The Rules of Procedure provided, inter alia, for:

   (a) a General Committee, chaired by the President of the Conference, and composed of the President, the 20 Vice-Presidents, the Chair and the two Vice-Chairs of the Committee of the Whole, the Chair and the two Vice-Chairs of the Drafting Committee, the Chair and the Vice-Chairs of the Credentials Committee, the three Regional Group Coordinators and the Depositaries (see paragraph 24 of the report of the Preparatory Committee);

   (b) a Committee of the Whole;

   (c) a Drafting Committee; and

   (d) a Credentials Committee composed of a Chair and Vice-Chair elected by the Conference, and five other members appointed by the Conference on the proposal of the President.

26. The Conference elected by acclamation 20 Vice-Presidents from the following States Parties: Brazil, Canada, China, Croatia, Cuba, Dominican Republic, France, Germany, Guatemala, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Latvia, Malawi, Panama, Slovenia, Spain and Switzerland. It also elected by acclamation the Chair and Vice-Chairs of the Committee of the Whole, the Drafting Committee and the Credentials Committee, as follows:

Committee of the Whole

Chair: Ambassador Tatiana Molcean (Republic of Moldova)
Vice-Chair: Mr. Andreas Bilgeri (Austria)
Vice-Chair: Mr. Angel Horna (Peru)

Drafting Committee

Chair: Ms. Sara Lindegren (Sweden)
Vice-Chair: Mr. Ljupco Gjorgjinski (North Macedonia)
Vice-Chair: Mr. Jonelle John Domingo (Philippines)

Credentials Committee

Chair: Mr. Angus September (South Africa)
Vice-Chair: Mr. Ali Sezgin Isilak (Türkiye)
The Conference also appointed the following five States Parties as members of the Credentials Committee: Finland, Iran (Islamic Republic of), Kazakhstan, Republic of Korea and Serbia.

27. The Conference noted the decision of one State Party to withdraw from the Eastern European Group as contained in BWC/CONF.IX/WP.46 and to establish a new regional group under the Convention, consisting of that State Party, and functioning in accordance with the practice of the Convention on a non-discriminatory basis as the other regional groups. The Conference reaffirms the importance of the principle of equitable geographical representation within the Convention. The Conference noted that this State Party indicated that this withdrawal does not set a precedent, concerns only the work within the Convention and has no consequences outside of it, with regard to the work of UN bodies or the membership in the Eastern European Group within the UN.

28. The Conference confirmed the nomination of Mr. Daniel Feakes, Chief of the Implementation Support Unit, as Secretary-General of the Conference. The nomination had been made by the Secretary-General of the United Nations following an invitation by the Preparatory Committee. Mr. Hermann Alex Lampalzer, Deputy Chief, Implementation Support Unit, Ms. Ngoc Phuong van der Blij, Political Affairs Officer, Implementation Support Unit, Ms. María José Orellana Alfaro, Documents Management Assistant, Ms. Barbara Hemmerle, Political Affairs Intern, Ms. Swann Jin, Political Affairs Intern, Mr. Nils Justen, Political Affairs Intern and Mr. Ryan Teo, Political Affairs Intern all served in the Secretariat.

C. Participation at the Conference

29. The following […] delegations participated in the Conference: […]

30. In addition, two States that had signed the Convention but had not yet ratified it participated in the Conference without taking part in the making of decisions, as provided for in rule 44, paragraph 1 of the Rules of Procedure: Egypt and the Syrian Arab Republic.

31. Four States, Comoros, Djibouti, Israel and South Sudan, neither parties nor signatories to the Convention, were granted Observer status in accordance with rule 44, paragraph 2 (a) of the Rules of Procedure.


33. The Africa Centres for Disease Control and Prevention (Africa CDC) the European Union (EU), the International Centre for Genetic Engineering and Biotechnology, the International Committee of the Red Cross (ICRC), International Criminal Police Organization (INTERPOL), the North Atlantic Treaty Organization (NATO), the Organization of American States (OAS), the Organization for the Prohibition of Chemical Weapons (OPCW), the Organization for Security and Cooperation in Europe (OSCE), the Shanghai Cooperation Organization, the World Health Organization (WHO) and the World Organisation for Animal Health (WOAH) were granted Observer Agency status in accordance with rule 44, paragraph 4 of the Rules of Procedure.

34. Forty-eight non-governmental organizations and research institutes attended the Conference under rule 44, paragraph 5 of the Rules of Procedure.

D. Work of the Conference

35. The Conference held […] plenary meetings between 28 November and 16 December 2022.
36. At its first plenary meeting, on 28 November 2022, the Conference adopted its indicative programme of work, as set out in BWC/CONF.IX/3.

37. The Conference held a general debate, in which the following delegations made statements: Algeria, Argentina, Australia, Austria, Azerbaijan (on behalf of the Group of the Non-Aligned Movement and Other States), Belarus (on behalf of the Collective Security Treaty Organization), Belgium, Bolivia, Brazil, Burkina Faso, Cambodia (on behalf of Association of Southeast Asian Nations), Canada, Chile, China, Colombia, Cote d’Ivoire, Cuba, Czech Republic, Dominican Republic, Ecuador, El Salvador, Estonia (on behalf of Estonia, Latvia and Lithuania), Finland, France, Georgia, Germany (on behalf of the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction), Germany, Guatemala, Holy See, Hungary, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Libya, Malaysia, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Russian Federation (on behalf of the Commonwealth of Independent States), Russian Federation (on behalf of the Shanghai Cooperation Organisation), Samoa, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, South Africa, Spain, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Timor Leste, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia. Statements were also made by the European Union, the International Centre for Genetic Engineering and Biotechnology, the United Nations Technology Bank for Least Developed Countries, the World Organization for Animal Health (WOAH), the Shanghai Cooperation Organisation, the North Atlantic Treaty Organization and Interpol.

38. The Committee of the Whole held […] meetings between 30 November and […], during which it reviewed the provisions of the Convention, article by article. The Committee submitted its report BWC/CONF.IX/COW/CRP.1 to the Conference at the […] plenary meeting, on […]. The Conference took note of the report to be issued as document BWC/CONF.IX/COW/1.

39. During the Conference, the President conducted a series of informal consultations, and was assisted in his work by Facilitators in the following areas:

   Assistance and cooperation (Article X): Ambassador Maria Teresa Almojuela (Philippines)

   Review of developments in the field of science and technology related to the Convention: Mr. Ljupčo Gjorgjinski (North Macedonia)

   National implementation: Ms. Grisselle del Carmen Rodriguez Ramirez (Panama)

   Assistance, response and preparedness (Article VII): Ms. Tiyamike Banda (Malawi)

   Future intersessional work programme: Mr. Tancredi Francese (Italy)

   Finances and the ISU: Ms. Henriëtte van Gulik (Netherlands)

40. The Drafting Committee held no formal meetings.

41. The Credentials Committee held […] meetings. At its […] and final meeting on […], the Credentials Committee adopted its report as contained in document BWC/CONF.VIII/CC/CRP.1 to be issued as document BWC/CONF.VIII/CC/1. The Conference took note of the report.

E. Documentation

F. Conclusion of the Conference

43. At its [...] and final plenary meeting, on 16 December 2022, the Conference adopted by consensus its Final Document, as contained in document BWC/CONF.IX/CRP.x, comprising three parts and two annexes, as follows:

Part I: Organization and work of the Conference

Part II: Final Declaration

Part III: Decisions and recommendations

Annex I: Agenda of the Conference

Annex II: List of documents of the Conference
II. Final Declaration

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, which met in Geneva from 28 November to 16 December 2022 to review the operation of the Convention, solemnly declare:

(i) Their conviction that the Convention and its full and effective implementation is essential for international and regional peace and security;

(ii) Their determination also to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control including the prohibition and verified elimination of all weapons of mass destruction and their conviction that the prohibitions of the Convention will facilitate the achievement of this goal;

(iii) Their recognition that the COVID-19 pandemic has greatly disrupted lives and livelihoods of millions of people and continues to pose unprecedented challenges to societies and economies. This situation underscores the relevance of the Convention and its provisions for future discussions and decisions on surveillance, international cooperation, prevention, preparedness, response and assistance;

(iv) Their reaffirmation of their understanding that the Convention forms a composite whole, and as such requires the Convention to be implemented in a comprehensive, balanced and non-discriminatory manner as well as of their firm commitment to the purposes of the Preamble and all the provisions of the Convention;

(v) Their determination to fully comply with all their obligations undertaken pursuant to the Convention and their recognition that States Parties not in compliance with their Convention obligations pose fundamental challenges to the Convention’s viability, as would the use of bacteriological (biological) and toxin weapons by anyone at any time;

(vi) Their continued determination, for the sake of humankind, to exclude completely the possibility of the development, production, stockpiling, or otherwise acquisition or retention, and use of bacteriological (biological) and toxin weapons, and their conviction that such use would be repugnant to the conscience of humankind. The Conference affirms the determination of States Parties to condemn any use or threat of use of biological agents or toxins other than for peaceful purposes by anyone at any time;

(vii) Their reaffirmation that under any circumstances the use, development, production and stockpiling of bacteriological (biological) and toxin weapons is effectively prohibited under Article I of the Convention;

(viii) Their commitment to fully comply with their obligation to facilitate the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes;

(ix) Their reaffirmation that the Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful biological activities;

(x) Their determination to strengthen the effectiveness and to improve the implementation of the Convention in all its aspects by identifying and examining effective proposals and measures, including possible legally-binding measures;

(xi) Their conviction that terrorism in all its forms and manifestations, as well as all acts, methods and practices of terrorism wherever, by whomever, against whomsoever committed and whatever its motivation, is abhorrent and unacceptable to the international community, their grave concerns
at the threat posed by bioterrorism and determination that terrorists must be prevented from developing, producing, stockpiling, or otherwise acquiring or retaining, and using under any circumstances, biological agents and toxins, equipment, or means of delivery of agents or toxins for non-peaceful purposes; their determination to redouble efforts to address this growing threat, and their recognition of the contribution of the full and effective implementation of the Convention and all relevant United Nations resolutions, such as United Nations General Assembly resolution 60/288, as well as United Nations Security Council resolution 1540;

(xi) Their welcome to the six States that have deposited their instruments of ratification, accession or succession since the Eighth Review Conference, their reiteration that the effective contribution of the Convention to international peace and security will be enhanced through universal adherence to the Convention, and their call on signatories to ratify and other States, not party, to accede to the Convention without further delay;

(xiii) Their reiteration that the effective contribution of the Convention to international and regional peace and security would be enhanced through its universal adherence;

(xiv) Their recognition that achieving the objectives of the Convention will be more effectively realized through greater public awareness of its contribution, and through collaboration with relevant regional and international organizations as appropriate and in keeping within their respective mandates, and their commitment to promote this;

(xv) Their commitment to ensuring equal, full and meaningful participation and leadership of both women and men in the implementation and review of the Convention, as well as their conviction to further integrate a gender perspective in all aspects of the implementation of the Convention;

(xvi) Their recognition of their consideration of the issues identified in reviewing the operation of the Convention as provided for in Article XII.

Article I

1. The Conference reaffirms the importance of Article I, as it defines the scope of the Convention. The Conference declares that the Convention is comprehensive in its scope and that all naturally or artificially created or altered microbial and other biological agents and toxins, as well as their components, regardless of their origin and method of production and whether they affect humans, animals, plants or other living beings, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes, are unequivocally covered by Article I.

2. The Conference reaffirms that Article I applies to all scientific and technological developments in the life sciences and in other fields of science relevant to the Convention.

3. The Conference reaffirms that the use by the States Parties, in any way and under any circumstances of microbial or other biological agents or toxins, that is not consistent with prophylactic, protective or other peaceful purposes, is effectively a violation of Article I. The Conference reaffirms the undertaking in Article I never in any circumstances to develop, produce, stockpile or otherwise acquire or retain weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict in order to exclude completely and forever the possibility of their use. The Conference affirms the determination of States Parties to condemn any use of biological agents or toxins other than for peaceful purposes, by anyone at any time.

4. The Conference reaffirms that experimentation involving open air release of pathogens or toxins harmful to humans, animals, plants or other living beings that have no justification for prophylactic, protective or other peaceful purposes is a violation of Article I.
Article II

5. The Conference reaffirms for any State ratifying or acceding to the Convention, the destruction or diversion to peaceful purposes specified in Article II would be completed upon accession to, or upon ratification of, the Convention.

6. The Conference emphasises that States Parties must take all necessary safety and security measures to protect human populations and the environment, including animals and plants, when carrying out such destruction and/or diversion. The Conference also stresses that these States Parties should provide appropriate information to all States Parties via the exchange of information (confidence-building measures form F) and, if they have not engaged in such programmes, should provide null submissions.

7. The Conference welcomes statements made by States Parties, and newly acceding and ratifying States Parties, that either reaffirm or state they do not possess, nor have the intention to possess under any circumstances, agents, toxins, weapons, equipment or means of delivery as prohibited by Article I of the Convention.

Article III

8. The Conference reaffirms that Article III is sufficiently comprehensive to cover any recipient whatsoever at the international, national or sub-national levels.

9. The Conference calls for appropriate measures, including effective national export controls consistent with the objectives and provisions of the Convention, by all States Parties to implement this Article, in order to ensure that direct and indirect transfers relevant to the Convention, to any recipient whatsoever, are authorized only when the intended use is for purposes not prohibited under the Convention.

10. The Conference reiterates that States Parties should not use the provisions of this Article to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X.

11. The Conference encourages those States Parties in a position to do so to provide assistance, upon request and on the basis of consent, to other States Parties in the implementation of Article III including inter alia sharing of best practices, and/or providing financial support.

12. The Conference encourages States Parties, if they deem it appropriate, to consult and exchange further information amongst themselves to enhance clarity and confidence that implementation of Article III would ensure that the cooperation envisaged under Article X is taken forward in mutual confidence and that the Convention as a whole is implemented in a balanced manner.

Article IV

13. The Conference reaffirms the commitment of States Parties to take the necessary national measures under this Article and stresses the vital importance of doing so. The Conference also reaffirms that the enactment and implementation of necessary national measures under this Article, in accordance with their constitutional processes and in a manner consistent with all provisions of the Convention, would strengthen the effectiveness of the Convention and contribute to detecting, preventing and combating the acquisition, transfer and use of biological and toxin weapons. In this
context, the Conference calls upon States Parties to adopt, in accordance with their constitutional processes, and implement effective legislative, administrative, judicial and other necessary measures, including penal legislation, designed to:

(a) enhance domestic implementation of the Convention and ensure the prohibition and prevention of the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery as specified in Article I of the Convention;

(b) apply within their territory, under their jurisdiction or under their control anywhere and apply, if constitutionally possible and in conformity with international law, to actions taken anywhere by natural or legal persons possessing their nationality; and

(c) ensure the safety and security of microbial or other biological agents or toxins in laboratories, facilities, and during transportation, to prevent unauthorized access to and removal of such agents or toxins.

14. The Conference welcomes those measures taken by States Parties in this regard, and reiterates its call to any State Party that has not yet taken any necessary measures, to do so without further delay. The Conference encourages States Parties to provide appropriate information on any such measures they have taken, including the text of relevant laws and regulations, as well as any other useful information on their implementation to the Implementation Support Unit within the United Nations Office for Disarmament Affairs.

15. The Conference calls upon States Parties to regularly review and update national implementation measures to ensure their continued effectiveness and that they are in full conformity with the objectives and provisions of all the articles of the Convention and encourages States Parties to share information concerning such reviews on a voluntary basis.

16. The Conference notes the value of national implementation measures, as appropriate, in accordance with the constitutional process of each State Party, to:

(a) encourage effective implementation of voluntary management standards on-biosafety and biosecurity and work cooperatively with other States Parties, international organizations, private sector partners and academia in this regard;

(b) promote awareness among relevant professionals in the private and public sectors and throughout relevant scientific and administrative activities, as such engagement complements formal laws and regulations;

(c) encourage States Parties to consider developing and implementing national pathogen repository and inventory systems, including by identifying and documenting information in dedicated electronic databases on entities that store or maintain dangerous pathogens;

(d) take appropriate national actions to raise awareness of the Convention among all the relevant stakeholders including, where appropriate, depending upon respective parliamentary systems, policy makers and the public in general;

(e) ensure appropriate monitoring of research or other activities with significant dual-use potential, taking into account both the potential risks and benefits of these activities;

(f) promote amongst those working in the biological sciences awareness of the obligations of States Parties under the Convention, as well as relevant national legislation and guidelines;

(g) promote the development of training and education programmes including with respect to biosafety and biosecurity for those granted access to biological agents and toxins relevant to the Convention and for those with the knowledge or capacity to modify such agents and toxins;

(h) To create opportunities for young people to pursue careers in life sciences, biosecurity and biosafety, science diplomacy and in other fields relevant to the Convention in order to
maximize the benefits of scientific discoveries for the prevention of diseases and epidemics, the achievement of sustainable development and other peaceful purposes;

(i) encourage the promotion of a culture of responsibility amongst relevant national professionals and the voluntary development, adoption and promulgation of codes of conduct;

(j) to cooperate with the life sciences community to assist in establishing and enhancing biorisk management by drawing upon appropriate international, regional, national, and industrial standards, and to contribute towards their regular review and improvement;

(k) strengthen methods and capacities for preparedness for, surveillance, detection of, and response to outbreaks of disease at the national, regional and international levels, noting that the International Health Regulations (2005) are important for building capacity to prevent, protect against, control and respond to the international spread of disease;

(l) prevent anyone from developing, producing, stockpiling, or otherwise acquiring or retaining, transporting or transferring and using under any circumstances, biological agents and toxins, equipment, or their means of delivery for non-peaceful purposes; and

(m) ensure that those working in the biological sciences are aware of their obligations under the Convention and relevant national legislation and guidelines, have a clear understanding of the content, purpose and foreseeable social, environmental, health and security consequences of their activities, and are encouraged to take an active role in addressing the threats posed by the potential misuse of biological agents and toxins as weapons, including for bioterrorism.

17. In this regard, the Conference recognizes that there are diverse national situations for each of the States Parties but their commitments and obligations under the Convention are the same. The Conference welcomes assistance related to Article IV, including through capacity-building efforts already provided and encourages more organized and institutionalized support for States Parties, especially developing countries, seeking to strengthen their national implementation. It also encourages those States Parties, in a position to do so, to provide assistance or training in support of legislative, regulatory, administrative, judicial and other implementation measures, upon request, to other States Parties, noting that such assistance contributes to implementation of Article X. In this context, the Conference notes efforts by States Parties, international, regional and subregional organisations as well as non-governmental stakeholders, to develop model legislation and guidance on national implementation, which can assist States Parties in implementing their rights and obligations of the Convention.

18. The Conference welcomes with appreciation the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists and recognizes their value in promoting responsible science and contribution to biosafety and biosecurity.

19. The Conference encourages States Parties to promote the empowerment of women, including through education, training, mentoring and capacity-building efforts, as appropriate, to participate in the design and implementation of national measures under this Article, and invites States Parties in a position to do so to voluntarily share best practices and experiences in that regard.

20. The Conference further encourages States Parties, that have not yet done so, in accordance with the recommendation of the Sixth Review Conference, to designate a national focal point for coordinating national implementation of the Convention and communicating with other States Parties and relevant international organizations.

21. The Conference reaffirms that under all circumstances the use of bacteriological (biological) and toxin weapons is effectively prohibited by the Convention.

22. The Conference recalls United Nations Security Council resolution 1540 (2004) that places obligations on all States and is consistent with the provisions of the Convention. The Conference notes that resolution 1540 affirms support for the multilateral treaties whose aim is to eliminate or prevent proliferation of nuclear, chemical or biological weapons. and the importance for all States
Parties to these treaties to implement them fully in order to promote international stability. The Conference also notes that information provided to the United Nations by States in accordance with resolution 1540 may provide a useful resource for States Parties in fulfilling their obligations under this Article.

23. The Conference was informed of voluntary initiatives undertaken during the inter-sessional period aimed at sharing information regarding national implementation measures. The Conference invites States Parties to share information, as appropriate, on such voluntary initiatives and other actions taken.

24. Noting the development and implementation of biorisk management standards within the life sciences community, the Conference recognises that such standards could play a complementary role in the implementation of the obligations of the Convention, taking into account the relevant national circumstances.

**Article V**

25. The Conference reaffirms that:

   (a) this article provides an appropriate framework for States Parties to consult and cooperate with one another to resolve any problem and to make any request for clarification, which may have arisen in relation to the objective of, or in the application of, the provisions of the Convention;

   (b) any State Party which identifies such a problem should, as a rule, use this framework to address and resolve it; and

   (c) States Parties should provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention.

26. The Conference reaffirms that the consultation procedures agreed at the Second and Third Review Conferences remain valid to be used by States Parties for consultation and cooperation pursuant to this Article. The Conference reaffirms that such consultation and cooperation may also be undertaken bilaterally and multilaterally, or through other appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

27. The Conference notes the Formal Consultative Meeting of the States Parties to the Convention requested by the Russian Federation and convened in 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 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.

28. The Conference takes note of initiatives from States Parties to promote confidence-building under the Convention.

29. The Conference stresses the need for all States Parties to deal effectively with compliance issues. In this connection, the States Parties agreed to provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention. Such responses should be submitted in accordance with the procedures agreed upon by the Second Review Conference and further developed by the Third Review Conference. The Conference reiterates its request that information on such efforts be provided to the Review Conferences.

30. The Conference emphasises the importance of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review
Conferences. The Conference welcomes the exchange of information carried out under these measures and notes that this has contributed to enhancing transparency and building confidence.

31. The Conference recognises the urgent need to increase the number of States Parties participating in CBMs and calls upon all States Parties to participate annually. The Conference notes that since the Eighth Review Conference, there has been an increase in the percentage of States Parties submitting their CBMs and welcomes the efforts made, however, nearly half of all States Parties do not regularly submit reports. The Conference emphasises the importance of all States Parties submitting CBMs in order to reduce the occurrence of ambiguities, doubts, and suspicions and in order to improve international cooperation in the field of peaceful biological activities. The Conference underlines the importance of improving the submission rate of CBM reports.

32. The Conference recognises the technical difficulties experienced by some States Parties in completing full and timely submissions. The Conference urges those States Parties, in a position to do so, to continue providing technical assistance and support, through training or workshops for instance, to those States Parties requesting it to assist them to complete their annual CBM submissions. The Conference notes the decision of the Seventh Review Conference to update the CBM forms.

33. The Conference notes the desirability of making the CBMs more user-friendly and stresses the need to ensure that they provide relevant and appropriate information to States Parties. Therefore, the Conference notes that while assessing efficiency of the CBMs in the future it is important to take into account scientific and technological developments related to the Convention. Recalling the decision of the Sixth Review Conference to develop an electronic format for CBMs, the Conference.

34. The Conference notes the various proposals made during the intersessional period for revising and expanding the CBM forms.

35. The Conference recalls that the Third Review Conference agreed, “that the exchange of information and data, using the revised forms, be sent to the United Nations Department for Disarmament Affairs no later than 15 April on an annual basis”. The Conference reaffirms that the data submitted in the framework of the annual exchange of information should be provided to the Implementation Support Unit within the United Nations Office for Disarmament Affairs and promptly made available electronically by it to all States Parties. The Conference recalls that information supplied by a State Party must not be further circulated or made available without the express permission of that State Party. The Conference notes the fact that certain States Parties made the information they provide publicly available.

Article VI

[36. The Conference notes with concern that on 24 October 2022, the Russian Federation lodged a complaint pursuant to Article VI of the Convention, requesting the consideration of a proposed draft resolution to set up a commission to investigate its claims against the United States and Ukraine. On 2 November 2022, the draft resolution submitted by the Russian Federation was taken up by the United Nations Security Council and not adopted, having received two votes in favour, three against and 10 abstentions.]

37. The Conference emphasizes the provision of Article VI that such a complaint should include all possible evidence confirming its validity. It stresses that, as in the case of the implementation of all the provisions and procedures set forth in the Convention, the procedures foreseen in Article VI should be implemented in good faith within the scope of the Convention.

38. The Conference invites the Security Council:

   (a) to consider immediately any complaint lodged under this Article and to initiate any measures it considers necessary for the investigation of the complaint in accordance with the Charter;
(b) to request, if it deems necessary and in accordance with its Resolution 620 of 1988, the United Nations Secretary-General to investigate the allegation of use, using the technical guidelines and procedures contained in Annex I of United Nations Document A/44/561; and

(c) to inform each State Party of the results of any investigation initiated under this Article and to consider promptly any appropriate further action which may be necessary.

39. The Conference reaffirms the agreement of States Parties to consult, at the request of any State Party, regarding allegations of use or threat of use of biological or toxin weapons. The Conference reaffirms the undertaking of each State Party to cooperate in carrying out any investigations which the Security Council initiates.

40. The Conference notes that the procedure outlined in this Article is without prejudice to the prerogative of the States Parties to consider jointly cases of alleged non-compliance with the provisions of the Convention and to make appropriate decisions in accordance with the Charter of the United Nations and applicable rules of international law.

**Article VII**

41. The Conference notes with satisfaction that these provisions have not been invoked.

42. The Conference reaffirms that the international community should be prepared to respond to such situations well in advance, dispatch timely emergency assistance, including humanitarian and other relevant emergency assistance, in case of the use of bacteriological (biological) or toxin weapons, and provide assistance, including humanitarian and other assistance to the requesting State Party.

43. The Conference takes note of the tragic Ebola outbreaks in Africa, the shared experiences of the COVID-19 pandemic and other infectious disease outbreaks that have underlined the importance of rapid detection and prompt, effective, and coordinated response in addressing outbreaks of infectious diseases, and recognizes that these considerations would be relevant as well in the event of the alleged use of biological or toxin weapons, which may pose additional challenges.

44. The Conference considers that should a request for assistance be made, it should be promptly considered and an appropriate response provided. In this context, and in view of the humanitarian imperative, the Conference encourages States Parties in a position to do so to provide timely emergency assistance if requested pending consideration of a decision by the Security Council.

45. The Conference acknowledges that establishing voluntary guidelines for requesting assistance could facilitate a prompt response and the provision of timely humanitarian and other necessary emergency assistance by States Parties. The Conference recognises that although the use of guidelines is not mandatory, the template can be valuable to States Parties in identifying what information, excluding information to be considered confidential by the requesting State, might be helpful in determining how best to provide assistance.

46. The Conference recognises that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in case of the alleged use of biological or toxin weapons. The Conference reaffirms the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

47. The Conference considers that in the event that this Article might be invoked, the United Nations could play a coordinating role in providing and delivering assistance under the Convention, with the help of States Parties, as well as the appropriate intergovernmental organizations, in accordance with their respective mandates, such as the World Health Organization (WHO), the World Organisation
for Animal Health (WOAH), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC).

48. The Conference affirms that processes developed to enhance implementation of this Article should be, whenever possible, closely integrated with emergency assistance processes managed by such organizations and with dialogue regarding appropriate means of coordination between and among States Parties and relevant organizations.

49. The Conference recognizes that there are challenges to developing effective measures for the timely provision of assistance and coordination with relevant international organizations to respond to the use of a biological or toxin weapon. The Conference underlines the importance of the coordination of the provision of appropriate assistance, including expertise, information, protection, detection, decontamination, prophylactic and medical and other equipment that could be required to assist the States Parties in the event that a State Party is exposed to danger as a result of a violation of the Convention. The Conference also notes the need for a procedure for assistance by which timely emergency assistance can be provided, including to better identify accessible information on the types of assistance that might be available in order to ensure prompt response and timely emergency and humanitarian assistance by States Parties, if requested in the event of use of biological or toxin weapons.

50. States Parties should facilitate the provision of timely emergency assistance to those States Parties in case they have been exposed to danger as a result of violation of the Convention. The Conference emphasizes that States Parties should facilitate and have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information and know-how concerning means of protection against bacteriological (biological) and toxin weapons.

51. The Conference agrees that the United Nations and other international organizations could also play an important role in coordinating, mobilizing and delivering the required support and assistance. In this respect, the capacities and experiences of UN and relevant international organizations should be identified and used, within their mandates, when required and upon request of the concerned State Party.

52. The Conference notes that States Parties’ national preparedness and capacities also contribute directly to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.

53. The Conference notes that these capacities can also contribute to enabling States Parties to more clearly identify assistance needs. The Conference recognizes capacity building at the national and international levels as the most immediate imperative for enhancing and strengthening the capacity of the States Parties to promptly and effectively detect and respond to the alleged use or threat of use of biological and toxin weapons.

54. The Conference notes that States Parties’ national capacities, including capacities for disease surveillance and diagnosis, public and animal health, and joint law enforcement and health investigations, play a critical role in enabling them to invoke the provisions of this Article. While noting that States Parties’ national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, the Conference stresses that this should not be imposed as precondition for either provision or receipt of assistance.

55. The Conference notes that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences may directly affect both national and international capacity to respond effectively to an alleged use of a biological or toxin weapon. The Conference encourages States Parties to assess their own national capacities and identify areas of need and encourages States Parties in a position to do so to assist other States Parties, upon request, to help build their relevant capacity.

56. The Conference notes the need for States Parties to work nationally and jointly, as appropriate, and in accordance with their respective circumstances, national laws and regulations, to improve their own disease surveillance and detection capacities for identifying and confirming the cause of outbreaks and cooperating, upon request, to build the capacity of other States Parties.
Conference notes that the International Health Regulations (2005) are important for building capacity to prevent, protect against, control and respond to the international spread of disease; such aims are compatible with the objectives of the Convention.

57. The Conference encourages States Parties to conduct exercises at the national, regional, and international level to test and refine plans for response to the alleged use of biological and toxin weapons and notes that simulation and table-top exercises to test the deployment of resources and extension of assistance and the formulation of a protocol on handling assistance are important in enhancing response capacities.

58. The Conference encourages the promotion of capacity-building through cooperation with relevant regional and subregional organizations that have mandates relevant to assistance and protection against biological and toxin weapons. Such cooperation could include joint exercises and training, including by the use of e-learning modules.

59. On the provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, States Parties recognize that in this regard health and security issues are interrelated at both the national and international levels. The Conference highlights the importance of pursuing initiatives in this area through effective cooperation and sustainable partnerships. The Conference notes the importance of ensuring that efforts undertaken are effective irrespective of whether a disease outbreak is naturally occurring or deliberately caused, and cover diseases and toxins that could harm humans, animals, plants or the environment. The Conference also recognizes that capabilities to detect, quickly and effectively respond to, and recover from, the alleged use of a biological or toxin weapon need to be in place before they are required.

60. The Conference welcomes the discussions that have taken place during the intersessional process and stresses the necessity to build on these discussions throughout the next intersessional process in order to further operationalize the provisions of Article VII.

61. The Conference welcomes the operationalization of a database open to all States Parties to facilitate assistance under the framework of Article VII. The purpose of this database is one way to help implement Article VII of the Convention and allow matching specific offers and requests for assistance.

62. The Conference notes that the possible establishment and employment of multi-purpose biomedical rapid reaction units could facilitate the implementation of Article VII.

63. The Conference recognizes that regional organizations and initiatives and regional best practices on international cooperation and coordination could enhance international response capacities.

64. The Conference notes that the COVID-19 pandemic has highlighted the relevance of promoting the collection of data disaggregated by sex, age and other characteristics relevant in national contexts.

**Article VIII**

65. The Conference calls upon all States Parties to the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare to fulfill their obligations assumed under that Protocol and urges all States not yet party to the Protocol to ratify or accede to it without further delay, particularly BWC States Parties that are not yet party to the Geneva Protocol.


67. The Conference acknowledges that the 1925 Geneva Protocol, which prohibits the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, and the Convention complement each other. The Conference reaffirms that nothing contained in the
Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any state under the 1925 Geneva Protocol.

68. The Conference stresses the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention.

69. The Conference recalls the actions which States Parties have taken to withdraw their reservations to the 1925 Geneva Protocol related to the Convention, and calls upon those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol accordingly, without delay.

70. The Conference stresses that reservations concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use.

71. The Conference notes that the Secretary-General’s investigation mechanism, set out in A/44/561 and endorsed by the General Assembly in its resolution 45/57, represents an international institutional mechanism for investigating cases of alleged use of biological or toxin weapons The Conference notes national initiatives to provide relevant training to experts that could support the Secretary-General’s investigative mechanism.

Article IX

72. The Conference reaffirms that this Article identifies the recognized objective of the effective prohibition of chemical weapons.

73. The Conference welcomes the fact that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) entered into force on 29 April 1997 and that 192 instruments of ratification or accession have now been deposited with the United Nations. The Conference stresses the importance of the universality of the CWC and therefore calls upon all States that have not yet done so to ratify or accede to that Convention without delay.

74. The Conference notes the accelerating pace of convergence of biology with chemistry and other fields of research and its possible challenges and opportunities for the implementation of the Conventions. The Conference encourages dialogue between the BWC and the CWC in identifying advances in science and technology related to the convergence between biology and chemistry.

Article X

75. The Conference stresses the importance of implementation of this Article and recalls that States Parties have a legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

76. The Conference reaffirms the commitment to the full and comprehensive implementation of this Article by all States Parties. The Conference recognises that, while recent scientific and technological developments in the field of biotechnology would increase the potential for cooperation among States Parties and thereby strengthen the Convention, they could also increase the potential for the misuse of both science and technology. Therefore, the Conference urges all States Parties possessing advanced biotechnology to adopt positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, particularly with
countries less advanced in this field, while promoting the basic objectives of the Convention, as well as ensuring that the promulgation of science and technology is fully consistent with the peaceful object and purpose of the Convention. The Conference notes that promoting peaceful uses of the life sciences within the context of Article X contributes to the achievement of the Sustainable Development Goals.

77. The Conference notes the importance of strengthening scientific and technological cooperation in the peaceful uses of biological agents and toxins, in particular with respect to the provision of financial and technical assistance and facilitating the fullest possible exchange and transfer of equipment, materials and scientific and technological information to developing countries.

78. The Conference recognizes that the rapid pace of scientific and technological developments has created new opportunities for making tangible progress on the implementation of Article X of the Convention including, inter alia, developments of special relevance to disease surveillance, diagnosis and mitigation, as well as advances in enabling technologies.

79. The Conference reaffirms that nothing in the Convention prejudices the rights of States Parties to, individually or collectively, conduct research with, develop, produce, acquire, retain, transfer and use microbial and other biological agents and toxins for peaceful purposes.

80. The Conference recognises the important role of the private sector in the transfer of technology and information and its overall contributions to disease prevention, mitigation, and response and to global health solutions and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to this Convention.

81. Recognizing the fundamental importance of enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, the Conference agrees on the value of working together to promote capacity building in the fields of vaccine and drug production, disease surveillance, detection, diagnosis and containment of infectious diseases as well as biological risk management. The Conference affirms that building such capacity would directly support the achievement of the objectives of the Convention.

82. The Conference:

(a) encourages the States Parties to continue strengthening existing international organizations and networks working on infectious diseases, in particular those of the WHO, FAO, WOAH and IPPC, and relevant professional and academic networks, as appropriate, within their respective mandates;

(b) notes that the role of these organizations is limited to the epidemiological and public/animal/plant health aspects of any disease outbreak, but recognises the added value of information exchange with them;

(c) encourages States Parties to improve communication on disease surveillance at all levels, including between States Parties and with the WHO, FAO, WOAH and IPPC;

(d) calls upon States Parties to continue establishing and/or improving national and regional capabilities to survey, detect, diagnose and combat infectious diseases as well as other possible biological threats and integrate these efforts into national and/or regional emergency and disaster management plans;

(e) encourages States Parties to provide assistance, where appropriate, for the implementation of biorisk management standards in life science institutions in accordance with Article X, taking into account the relevant national circumstances;

(f) urges States Parties in a position to do so to continue supporting, directly as well as through international organizations, capacity-building in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research;
(g) calls upon States Parties to promote the development and production of vaccines and drugs to treat infectious disease through international cooperation and, as appropriate, public-private partnerships;

(h) calls for concrete measures to reinforce existing global, regional and subregional platforms and networks for education, training, exchange, and twinning programmes to support human resources development in the fields of biology and biotechnology in developing States, including a specific gender component, with the view to enhancing developing States’ capacities to access and optimize technologies for peaceful uses of the life sciences; and

(i) encourages States Parties in a position to do so to support existing youth-led networks such as the United Nations Office for Disarmament Affairs’ Youth for Biosecurity Initiative.

83. The Conference reaffirms the importance of developing effective national infrastructure for human, animal and plant disease surveillance, detection, diagnosis and containment, as well as national biological risk management through international cooperation and assistance. The Conference noted that developing such infrastructure could also contribute to the fulfillment of their other respective international obligations and agreements.

84. The Conference, while noting existing bilateral, regional and multilateral assistance, cooperation and partnerships, recognizes, however, that there still remain challenges to be overcome in developing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes and that addressing such problems, challenges, needs and restrictions will help all States Parties, in particular developing countries, to build sufficient capacity for disease surveillance, detection, diagnosis and containment. Keeping in mind Article X, the Conference agrees on the value of targeting and mobilizing resources, including financial resources, to facilitate the fullest possible exchange of equipment, material and scientific and technological information to help overcome challenges to disease surveillance, detection, diagnosis and containment. Recognizing that all States Parties have a role to play, the Conference stresses that those States Parties seeking to build their capacity should identify their specific needs and requirements and seek partnerships with others, and that those States Parties, in a position to do so, should provide assistance and support.

85. The Conference reaffirms that existing institutional ways and means of ensuring multilateral cooperation among all States Parties need to be developed further in order to promote international cooperation for peaceful uses in areas relevant to the Convention, including areas, such as medicine, public health, agriculture and the environment. Acknowledging the importance of drawing lessons from the Ebola disease outbreaks in Africa and the COVID-19 pandemic, including the need to address the lack of ready operational capacity, the Conference stresses the value of strengthening international cooperation in infectious disease prevention and associated capacity building.

86. The Conference calls for the use of the existing institutional means within the United Nations system and other international organizations, in accordance with their respective mandates, to promote the objectives of this Article. In this regard the Conference urges States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field.

87. The Conference also recognises that there should be efficient coordination mechanisms between the specialized agencies of the United Nations system and international and regional organizations in order to facilitate scientific cooperation and technology transfer.

88. The Conference recognises the need to effectively implement national measures in order to further implementation of Article X. In this regard, the Conference urges States Parties to periodically review their national regulations governing international exchanges and transfers in order to ensure their consistency with the objectives and provisions of all the articles of the Convention.
89. The Conference encourages States Parties to provide at least biennially appropriate information on how they implement this Article to the Implementation Support Unit within the United Nations Office for Disarmament Affairs, and requests the Implementation Support Unit to collate such information for the information of States Parties. The Conference welcomes the information provided by a number of States Parties on the cooperative measures they have undertaken towards fulfilling their Article X obligations. The Conference encourages States Parties to include information in their biennial reports on their use of the Article X database, if applicable. The Conference further encourages States Parties to include information in their biennial report on capacity-building or other needs that could facilitate the listing of requests in the Article X database. The Conference welcomes that these reports re-affirm that the objectives and aspirations of this Article are being met given the breadth and depth of activities and programmes being reported. The Conference calls for these programmes and activities to continue and to be reported.

90. The Conference welcomes the use that has taken place of the cooperation database established by the Seventh Review Conference. The Conference recognizes, that further functional and operational improvements are required. The Conference notes that the requests listed could benefit from a higher level of specificity.

91. The Conference notes the value of an online platform to promote exchange of information and best practices related to biosafety and biosecurity frameworks, towards enhancing cooperation under Article X.

92. The Conference acknowledges the benefit of establishing a mechanism to ensure full implementation of international cooperation and assistance under Article X.

Article XI

93. The Conference recalls that the Islamic Republic of Iran has formally presented at the Sixth Review Conference a proposal to amend Article I and the title of the Convention to include explicitly the prohibition of the use of biological and toxin weapons.

94. The Conference recalls the statement at the Sixth Review Conference by the Government of the Russian Federation as a Depositary that it has notified all States Parties of the proposal by the Islamic Republic of Iran to amend the Convention.

95. The Conference recalls that all States Parties were encouraged in the Fourth Review Conference to convey their views to the depositaries on whether the Convention needs to be amended to make clear explicitly that the use of biological and toxin weapons is effectively prohibited. Of the 52 responses the United States and the United Kingdom of Great Britain and Northern Ireland received, 49 said they did not support the amendment, three were supportive and 132 States Parties have not yet communicated their responses.

96. The Conference encourages all States Parties to the Convention to convey, officially, to the Depositories of the Convention, their views on whether the Convention needs to be amended to indicate explicitly that the use of biological and toxin weapons is effectively prohibited and calls upon the Depositories to notify States Parties to the Convention of all information they receive.

97. The Conference reaffirms that the provisions of this Article should in principle be implemented in such a way as not to affect the universality of the Convention.

Article XII

98. The Conference reaffirms 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. The Conference therefore reaffirms the previous decision that Review Conferences be held at least every five years.

99. The Conference decides that the Tenth Review Conference shall be held in Geneva not later than 2027 and should review the operation of the Convention, taking into account, inter alia:

(a) new scientific and technological developments relevant to the Convention;
(b) the progress made by States Parties on the implementation of the Convention; and
(c) 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.

100. The Conference acknowledges the benefit of establishing a mechanism to ensure the review of scientific and technological developments relevant to the Convention.

101. The Conference encourages States Parties to promote the equitable participation of women and men in decision-making in the review conferences of the Convention, including a gender-balanced BWC bureau.

**Article XIII**

102. The Conference reaffirms that the Convention is of unlimited duration and applies at all times, and expresses its satisfaction that no State Party has exercised its right to withdraw from the Convention.

**Article XIV**

103. The Conference notes with satisfaction that six States have deposited their instruments of ratification, accession or succession since the Eighth Review Conference.

104. The Conference underlines that the objectives of the Convention will not be fully realized as long as there remains even a single state not party that could possess or acquire biological or toxin weapons.

105. The Conference reiterates the high importance of universalization, in particular by affirming the particular importance of the ratification of the Convention by signatory States and accession to the Convention by those which have not signed the Convention, without delay. States Parties agree to continue to promote universalization.

106. The Conference notes that the primary responsibility for promoting the universality of the Convention rests with the States Parties. The Conference urges States Parties to continue to take action to persuade non-parties to accede to the Convention without delay, and particularly welcomes action by States Parties and regional initiatives to provide assistance and support that would lead to wider accession to, or ratification of, the Convention, and encourages enhanced action by States Parties to that end.

107. The Conference welcomes regional initiatives that would lead to wider accession and adherence to the Convention.

108. The Conference urges those States Parties, in a position to do so, to offer assistance and support to States in their preparations for ratification or accession to the Convention.
Article XV

109. The Conference welcomes the decision of the Sixth Review Conference that as well as the five languages listed in this Article, Arabic shall be considered an official language for the purposes of any meetings of the States Parties and other formal communications concerning the operation of the Convention.
III. Decisions and recommendations

A. International Cooperation and Assistance

1. The Conference decides to establish a mechanism to ensure full implementation of international cooperation and assistance under Article X, which will consist of:

a) A Steering Group aimed at facilitating international cooperation activities developed within the framework of Article X of the Convention, including the matchmaking of offers and requests in the database system and identifying and fostering complementarities between international cooperation activities between and among the Convention and relevant International Organization.

b) A result-oriented Article X Action plan elaborated by the Steering Group taking into account the right of all States Parties to participate in the fullest possible exchange of equipment, material, and scientific and technological information for the use of biological agents and toxins for peaceful purposes.

c) A Voluntary Trust Fund for the full implementation of Article X, funded by voluntary contributions by States Parties and other actors in a position to provide them. The fund shall support projects relevant to Article X provisions.

d) The international assistance database system comprising of the following platforms accessible through the Convention’s website, administered and maintained by the Implementation Support Unit: the database on cooperation and assistance established by the Seventh Review Conference, to be further enhanced in accordance with the decision of the Eighth Review Conference; an online platform to promote exchange of information and best practices related to biosafety and biosecurity frameworks, towards enhancing cooperation under Article X; a database to facilitate assistance under the framework of Article VII, as presented in Section D of this document.

e) An additional position within the Implementation Support Unit, to be responsible for the relevant tasks listed above.

2. The Conference also decides that the Group of Experts will agree the mandate, the composition and the modalities of such mechanism, in accordance with Section F of this document.

B. Review of scientific and technological developments relevant to the Convention

3. The Conference decides to establish a mechanism to ensure the review of scientific and technological developments relevant to the Convention, which will consist of:

a) A Scientific Advisory Board (SAB) open to all States Parties and based on an appropriate balance to provide advice to them on “scientific and technological developments relevant to the Convention”.


c) A Scientific Reporting Committee whose members will be nominated from the Open-Ended Scientific Advisory Group.

d) Temporary working groups with narrowly defined mandates, should specific technical expertise be necessary.

e) An additional position within the Implementation Support Unit, to be responsible for the relevant tasks listed above.
4. The Conference also decides that the Group of Experts will agree the mandate, the composition and the modalities of such mechanism, in accordance with Section F of this document and taking into consideration elements contained in Annex […]

C. National Implementation and Confidence-Building Measures

5. The Conference acknowledges the value of national implementation measures and recommends States Parties to develop and implement pathogen repository and inventory systems, including by identifying and documenting information in dedicated electronic databases on entities that store or maintain dangerous pathogens.

6. The Conference recommends States Parties to consider making use of model legislation developed by States Parties, international, regional and sub-regional organisations as well as non-governmental stakeholders as inspiration for relevant national implementation measures under the Convention.

7. The Conference endorses the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists and encourage all stakeholders to voluntarily incorporate elements from the Guidelines in their practices, protocols, and regulations, and to disseminate the Guidelines, as appropriate and task the inter-sessional process to exchange information, experiences and good practices about the dissemination of the Guidelines and report the outcomes of these exchanges and dissemination to the Tenth Review Conference.

8. The Conference acknowledges that voluntary transparency exercises can help to enhance exchanges of good practice around national implementation, to facilitate international cooperation in this area, to contribute to enhance transparency and confidence building between States Parties and that such voluntary exercises cannot be considered as a guarantee regarding full compliance to the Convention or cannot be considered as a substitute to a comprehensive verification mechanism.

9. The Conference notes that the review of Article V of the Convention has shown the need for further enhancing participation of States Parties in the confidence-building measures (CBMs) and that the issue merits further and comprehensive attention at the Tenth Review Conference.

The Conference therefore decides to:

a. encourage States Parties to use assistance tools such as the CBM Guide;

b. encourage a step-by-step approach to CBM submission for States Parties that have either never submitted a CBM report or have experienced difficulties in completing annual forms;

c. encourage States Parties to organise training courses, such as regional workshops, for National Point of Contact (NPC) on issues relating to the Convention, including assistance to fill in the CBM forms and explaining the roles and responsibilities of NPC, or to provide support to the ISU to enable it to organise such courses;

d. provide resources to support the further development and ongoing operation and maintenance of the CBM electronic platform.

10. The Implementation Support Unit, in cooperation with States Parties, will continue to maintain and improve the CBM electronic platform to simplify the submission of CBMs.

11. The Conference further encourages States Parties that have not yet done so to designate a National Point of Contact responsible for preparing the submission of CBMs, in accordance with the decision of the Sixth Review Conference.
D. Assistance, Response, and Preparedness

12. The Conference decides to establish a set of voluntary guidelines to aid individual States Parties in the application for, and implementation of, assistance in the event that a State Party has been exposed to danger as a result of violation of the Convention. The Conference notes that establishing such guidelines could facilitate prompt response and the provision of timely humanitarian and other necessary emergency assistance by States Parties, if requested. The guidelines will be maintained at the Implementation Support Unit.

13. The Conference decides to establish a database open to all States Parties to facilitate assistance under the framework of Article VII. This database will register assistance resources and capabilities and help match specific offers and requests for assistance. The Conference invites States Parties, individually or together with other States or International Organisations, to submit information on expertise, protection and detection, decontamination, prophylactic and containment measures, as well as medical or other equipment and relevant training.

14. The Conference takes note of the proposal to create and employ multi-purpose mobile biomedical rapid reaction units that could be necessary in aiding and delivery of protection against biological weapons pursuant to Article VII.

15. The Conference, with the view to concretely addressing the threat of hostile use of biological agents and toxins against agriculture, livestock and biodiversity, takes note of the proposal to establish a “One Health Surveillance Network”, with the mandate of fostering direct cooperation among governmental institutions for the surveillance, prevention, preparedness, response and assistance in this matter.

16. The Conference encourages States Parties to conduct simulation and table-top exercises to test the deployment of resources and extension of assistance during biological incidents and the formulation of procedures for handling assistance in accordance with Article VII.

E. Outcome of the 2017 - 2020 intersessional programme

17. In accordance with the decision taken by the Eighth Review Conference, the 2017 Meeting of States Parties discussed issues of substance and process for the period before the Ninth Review Conference and reached consensus on an intersessional process, as reflected in Section V of its Report (BWC/MSP/2017/6).

18. The Conference notes that the Meetings of States Parties and Meetings of Experts functioned as an important forum for exchange of national experiences and in-depth deliberations among States Parties. The Meetings of States Parties engendered greater common understanding on steps to be taken to further strengthen the implementation of the Convention and considered several proposals. However, the Conference regrets that the Meetings were not conclusive and that no consensus was reached on the deliberations, including on any possible outcomes of the Meetings of Experts.

19. The Conference notes the contribution by the World Health Organisation, the Food and Agriculture Organisation of the United Nations, the Word Organisation for Animal Health and other relevant international organisations, as well as scientific and academic institutions and non-governmental organisations, to the Meetings of States Parties and Meetings of Experts.
F. **Intersessional programme for 2023 - 2026**

**Meetings of the States Parties**

20. The Conference decides that States Parties will hold annual meetings between 2023 and 2026, for a duration of three days each year. The first such meeting will be held in Geneva in 2023 from […] to […] December 2023.

21. The Meetings of States Parties shall actively manage the intersessional work in support of the Convention, including taking necessary action by consensus on (a) matters delegated by the Review Conference; (b) matters necessary for the further implementation of decisions taken by the Review Conference; and (c) formulation of recommendations to the Review Conference.

22. Following the practice of previous Review Conferences, the Conference decides that the first year's meeting will be chaired by a representative of the Group of the Non-Aligned Movement and Other States, the second by a representative of the Eastern European Group, the third by a representative of the Western Group, and the fourth by a representative of the Group of the Non-Aligned Movement and Other States. The annual Chairperson will be supported by two annual Vice-Chairpersons, one from each of the other two above-mentioned regional groups.

23. The Tenth Review Conference will consider the work and outcomes it receives from the Meetings of States Parties and decide by consensus on any inputs from the intersessional programme and on any further action.

**Group of Experts on the strengthening of the Convention**

24. Determined to strengthen the effectiveness and to improve the implementation of the Convention in all its aspects, the Conference decides to establish a Group of Experts open to all States Parties, to provide a basis for considering further actions to be taken by the States Parties.

The aim of the Group of Experts is to identify and examine effective proposals and measures, including possible legal binding measures, and to elaborate recommendations to be submitted for consideration of the States Parties, to strengthen and institutionalise the Convention in all its aspects. Such measures should be formulated and implemented in a manner designed to support international cooperation, scientific research and economic and technological development, avoiding any negative impact on it.

In this context, the Group of Experts will include the following areas:

a. Measures to enhance international cooperation and assistance under Art. X with a view to promoting biological developments for peaceful purposes;

b. Measures to address compliance and verification;

c. Measures to consider scientific and technological developments relevant to the Convention;

d. Measures to improve confidence-building and transparency;

e. Measures to achieve effective national implementation of the Convention;

f. Measures to strengthen assistance, response and preparedness under Art. VII.

25. The Conference notes that the decision to establish such Group of Experts is without prejudice to the mandate of the Ad Hoc Group established by the Special Conference of 1994 (BWC/SPCONF/01) nor does it supersede, supplant or change it.
26. In fulfilling its mandate, the Group of Experts will also take into account, as appropriate, all documents agreed by the States Parties under the Convention, as well as the work already done to strengthen the Convention, without prejudice to any decision or position.

27. The Rules of procedure of the Conference will be applied to the Group of Experts, *mutatis mutandis*.

28. 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 decides to have two meetings, each of ten days, every year for the Group of Experts. The Conference urges the Group of Experts to complete its work as soon as possible, preferably before the end of 2025.

29. The Group of Experts will meet in Geneva from […] to […] 2023 to discuss organisational issues. The substantive meetings of the Group of Experts will be held in Geneva from […] to […] 2023 and from […] to […] 2024. Should further meetings be required, the Meetings of States Parties will agree the most appropriate dates.

30. At its organisational meeting, the Group of Experts will elect a Chairperson and two Vice-Chairpersons. The Chairperson will update the annual Meetings of States Parties on the work of the Group of Experts.

31. The Implementation Support Unit will render the necessary assistance and provide such services as may be required for the convening and activities of the Group of Experts.

32. At the completion of its work, the Group of Experts will adopt a report by consensus that includes a description of its work and its recommendations according to the mandate. Such report will be submitted to all States Parties for their consideration and the Tenth Review Conference will decide on any further action.

33. If a majority of States Parties asks for the convening of a Conference to examine the final report of the Group of Experts, by submitting a proposal to this effect to the depositary Governments, such Conference will be convened, preceded by a Preparatory Committee, and will decide on any further action.

34. A draft Agenda of the Group of Experts is contained in Annex [...] .

**G. Implementation Support Unit**

35. The Conference notes with appreciation the work of the Implementation Support Unit and that it has successfully discharged its mandate. The Conference decides to renew the mandate of the Implementation Support Unit, *mutatis mutandis*, subject to any decisions by future Conferences to modify or terminate it.

36. Taking into account its decisions and the need for the Implementation Support Unit to render the necessary assistance and provide the services required, the Conference decides to establish two new full-time staff positions within the Implementation Support Unit. The Conference notes that all staff of the Implementation Support Unit will be engaged through the relevant recruitment procedures of the United Nations, considering the necessity of securing the highest standards of efficiency, competence and integrity, and giving due regard to the importance of recruiting the staff on as wide a geographical basis as possible, as well as to ensure gender balance.

37. The Conference encourages States Parties in a position to consider making voluntary contributions to the Implementation Support Unit to enhance its ability to carry out its mandated tasks. Any such contributions will be made in full transparency, will be detailed in the annual report of the Unit, and will be used exclusively for the mandated tasks of the Unit.
38. The Implementation Support Unit will submit a concise annual written report to all States Parties on its activities, and its performance will be evaluated and its mandate reviewed by subsequent Review Conferences.

H. Sponsorship Programme

39. The Conference notes with appreciation the functioning of the sponsorship programme and welcomes the continued willingness of donors to provide voluntary contributions that have allowed to support and increase the participation of representative of developing States.

40. In order to enhance such support and participation, the Conference decides to renew the sponsorship programme, funded by voluntary contributions from donors in a position to provide them. In addition to the existing criteria, gender balance shall apply to the nomination process in order to promote the overall equal representation of women and men in Convention meetings. The sponsorship programme will continue to be administered by the Implementation Support Unit in consultation with the Chairperson and Vice-chairpersons of the Meetings of States Parties.

I. Financial Matters

41. The Conference stresses that the payment of annual assessed contributions by the States Parties in a timely manner and in full is of utmost importance and a prerequisite for the sustainability of the Convention. The Conference urges all States Parties to honour their financial obligations under the Convention.

42. The Conference welcomes the improvement of the financial situation following the measures agreed by the 2018 Meeting of States Parties, as reflected in Section V of the Report (BWC/MSP/2018/6), confirms their effectiveness and decides to review them at the Tenth Review Conference.

43. Recalling the decision of the 2018 Meeting of States Parties to establish, as an interim measure, a Working Capital Fund (WCF), and having reviewed its effectiveness and explored the possibility that it could be financed by assessed contributions in line with that decision, the Conference decided that the WCF should continue to be financed by voluntary contributions of States Parties and used solely as a source of short-term financing pending receipt of reasonably anticipated contributions, taking into account the average collection rate and pattern of payments over the preceding three years. Drawdowns from the WCF should be repaid to the WCF from annual assessed contributions of States Parties within 12 months. The effectiveness and functioning of the WCF is to be further reviewed at the Tenth Review Conference.

44. The Conference stresses the need to continue monitoring the overall financial situation of the Convention and to keep it under active review, and requests the Chairperson of the annual Meetings of 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 for consideration by the Meetings of States Parties.

45. The Conference takes note of the financial implications of its decisions to strengthen the Convention, including the costs of the meetings to be held during the next intersessional period and the costs related to the Implementation Support Unit. The Conference decides that such costs will be shared by all States Parties, based on the United Nations scale of assessment pro-rated to take into account differences in membership between the Convention and the United Nations. In this respect, the Conference approves the estimated costs for the period 2023 to 2027, as contained in [...]..

46. The Conference notes that, under UN financial procedures, funds must be available before meetings can be held. The Conference requests States Parties to proceed with the payment of their share of
the estimated costs as soon as the assessment notices have been received from the United Nations to help ensure that the meetings can be held as scheduled.