



**CHAIR  
NON-ALIGNED MOVEMENT  
GENEVA CHAPTER**



**CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION (BWC)**

**NINTH REVIEW CONFERENCE of the STATE PARTIES  
to the CONVENTION on the PROHIBITION of the  
DEVELOPMENT, PRODUCTION AND STOCKPILING of  
BACTERIOLOGICAL (BIOLOGICAL) and TOXIN WEAPONS and THEIR DESTRUCTION**

**Second Meeting of the Preparatory Committee  
Agenda Item 5: General exchange of views**

**Statement delivered by the Permanent Mission of the Republic of Azerbaijan  
to the UN Office and other International Organizations in Geneva  
on behalf of the Non-Aligned Movement and other States Parties to the Biological and  
Toxin Weapons Convention**

**Geneva, 4 April 2022**

**Mr. Vice-Chairperson(s),**

1. I have the honour to deliver this statement on behalf of the Group of Non-Aligned Movement and other States Parties to the BWC.
2. We would like to thank both vice-chairs and the ISU for the tremendous work done and their efforts in resolving the existing issues with the Ninth Review Conference.
3. The Group stands ready to engage constructively with you and other States Parties to bring this Preparatory Committee to a successful conclusion.

**Mr. Vice-Chairperson(s),**

4. The Group re-emphasizes its position as reflected in the Baku Final Document of the 18<sup>th</sup> Summit of Heads of State and Government of the Non-Aligned Movement.
5. In the Final Outcome Document, NAM States Parties to the BTWC reaffirmed that the possibility of any use of bacteriological (biological) agents and toxins as weapons, should be completely excluded, and the conviction that such use would be repugnant to the conscience of humankind and recognized the particular importance of strengthening the Convention through the resumption of the multilateral negotiations for a legally binding Protocol dealing with all Articles of the Convention, in a balanced and comprehensive manner, including through verification measures bearing in mind that the lack of such verification regime poses a challenge to the effectiveness of the Convention and urged the party rejecting negotiations to reconsider its policy.



6. The Group welcomed the key role in the adoption of the important decisions related to the implementation of Article X of the BTWC, especially by emphasizing the need for enhancing international cooperation, assistance and exchanges in toxins, biological agents equipment and technology for peaceful purposes, bearing in mind the Action Plan on the implementation of Article X submitted by the NAM States Parties at the Eighth Review Conference, and the additional NAM States Parties' proposal on an institutional mechanism for international cooperation and compliance with Article X. They further *encouraged* the BTWC States Parties to implement the Article X, as set forth in the Final Documents of the seventh and eighth BTWC Review Conferences. The Group *reiterated* the importance to strengthen the operationalization of cooperation database which was established by the Seventh Review Conference and renewed by the Eighth Review Conference to ensure that specific, timely and concrete offers of cooperation under Article X are provided by States Parties in the database and to consider the ways to improve reporting on this issue, taking into account the current lack of effectiveness of the referred database.
7. The Group of NAM reiterated their call to promote international cooperation for peaceful purposes, including scientific-technical exchange. The Group highlights the importance to maintain close coordination among the NAM States Parties to the Convention and highlighted that the BTWC forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner.
8. We also emphasize the importance of the BTWC in the international legal architecture related to WMD and in particular in the total prohibition of all biological and toxin weapons while further emphasizing the need for enhancing, without restrictions, international cooperation and assistance and exchanges in toxic biological agents equipment and technology for peaceful purposes without any discrimination, in conformity with the Convention. They reaffirmed that the respective mandates of this Convention and other international organizations should be respected, while utilizing the experiences of the relevant multilateral organizations dealing with human and animal health on issues that are of direct relevance to the Convention, and that no actions should be taken to undermine the convention and/or interfere with its mandate.

**Mr. Vice-Chairperson(s),**

9. The Group would like to reiterate its deep concern about the potential use and/or threat of use of biological agents and toxins as an instrument of war and terror. In this regard, the Group feels that there is a great necessity and urgency for the States Parties of the BTWC to work towards strengthening and improving the effectiveness and implementation of this Convention so that together we can fully address this concern.
10. Pending a consensus on a comprehensive legal binding instrument on the balanced and non-discriminatory implementation of all provisions of the Convention. The Group reaffirms that the Review Conference of the States Parties, as the forum to make substantive and procedural decisions, constitutes as the only authority for reviewing the operation of the Convention with a view to ensuring that the purposes of the Preamble and provisions of the Convention are being realized.

11. The Group of NAM and Other States Parties to the BTWC attaches great importance to the issue of international cooperation as the first priority of the Group and continue to believe that there is need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of Article X.
12. NAM and other States Parties to the BWC welcome the Eighth Review Conference's decision to renew a database system to facilitate requests for and offer of exchange of assistance and cooperation among States Parties, and we hope that this database and its modality of work will contribute to increased cooperation among States Parties.
13. The enhancement of international cooperation for the use of biological agents for peaceful purposes is an essential part of compliance with the Convention and is crucial for the realization of the purpose and objective of the Convention.
14. There should be no hindrance to peaceful activities, such as vaccine development, which are important for developing countries for meeting their public health needs. There is need for equitable benefits from international cooperation in this area, keeping in mind the need for ensuring appropriate and affordable support for developing countries. We also are of the view that the developing countries need to meet their needs for cost-effective, affordable and quality assured medicines and vaccines including through which may include the consideration of provisions such as compulsory licensing or price controls amongst others.
15. Any measures identified within the framework of the Convention to mitigate biological risks should be implemented in a manner to ensure that legitimate peaceful activities including international cooperation would not be hampered.

**Mr. Vice-Chairperson(s),**

16. While the Group recalls its position on proposals related to compliance assessments, it reiterates that such proposals should not distract the attention of States Parties away from strengthening the Convention in all its aspects including the need for a verification mechanism. Effective international action against biological threats needs to be universal, legally binding, and non-discriminatory. In addition, this cannot be achieved without strengthening national capacity.
17. We also believe that the need to prevent harmful activities should never hamper scientific evolution for peaceful purposes and life-saving achievements like vaccine development. Developing countries, in particular, could benefit from advances in technologies that make vaccine production simpler, faster, cheaper and more efficient. Imposing and/or maintaining unjustified restrictions contrary to the obligations under the Convention on the development of dual-use technology, materials and equipment needed to promote capacity building in the fields of sanitary control, detection, diagnosis and control of infectious diseases, including the production of some vaccines and other biological materials, should be considered a violation of Article X.
18. NAM notes that there have been recent advances demonstrating the increasing sophistication of synthetic biology, together with other enabling technologies, which have benefits, together with the potential for uses contrary to the provisions of the Convention. All states must conduct such activities in a transparent manner, in order to build the confidence of other States Parties.

19. These recent developments once again highlight the need to conclude a legally binding instrument to strengthen the Convention in all its aspects, including on appropriate multilateral verification arrangements. In the past, useful work has been done in this regard under the BWC in the Ad hoc Group and NAM continues to attach high importance to preserving and eventually resuming that work.
20. NAM stresses that the national implementation under Article IV of the Convention requires commitments towards the implementation of all provisions of the Convention. In this regard, NAM is of the firm view that the full, effective and non-discriminatory implementation of Article X is of high importance.
21. It is imperative that any export control measures adopted by States Parties at a national level should be in full conformity with Convention obligations and create an environment conducive to the full, effective and non-discriminatory implementation of all Convention provisions, and should not in any way adversely affect the rights and obligations of States Parties under the Convention. Non-proliferation efforts through maintaining export controls are best addressed through multilaterally, non-discriminatory negotiated guidelines to preserve the integrity and the delicate balance that exists in the Convention.
22. It is crucial to note that the Convention has established a system with equal rights and obligations based on the principle of equal treatment of all States Parties. Therefore, national implementation measures should not create undue restrictions among States Parties which would hinder the full, effective and non-discriminatory implementation of Article X.
23. NAM reiterates its support for the recommendation of the ~~Seventh~~ Eighth Review Conference on Article VII. In this regard, it reaffirms that providing and/or supporting timely assistance in accordance with Article VII is a legal obligation of States Parties. While noting that States Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, NAM reaffirms that this should not be imposed as a precondition for either provision or receipt of assistance. To this end, a detailed procedure and mechanism for a timely, effective and adequate response needs to be developed. NAM further believes that the lack of a comprehensive Protocol to strengthen implementation of all aspects of the Convention has created a gap in the provision of prompt and effective assistance under Article VII to States Parties to the BWC.

**Mr. Vice-Chairperson(s),**

24. The Group of NAM like to emphasize that the delicate balance reached in the previous Review Conferences outcomes should be maintained. We highlighted that the BTWC forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner. We hope that this delicate balance will be preserved through the entire work of the Ninth Review Conference.
25. The Group of NAM and Other States Parties to the BTWC believe that CBMs are a voluntary provisional tool of transparency in the implementation of the Convention. They cannot be a tool to assess compliance for which the only method is a legally binding mechanism with verification provisions.
26. The Group of NAM and Other States Parties to the BTWC highlights that the Inter-sessional Period (ISP) is important in the absence of detailed treaty provisions for

implementation. We believed that the next ISP should aim at achieving progress in the implementation of the Convention in balanced and consensus based approach.

27. Therefore, the Group notes that until the momentum for negotiating of a legally binding instrument comes, any measures by the States Parties would have the value of merely being as voluntary measures in nature as agreed by the Fifth Review Conference.

**Mr. Vice-Chairperson(s),**

28. NAM welcomes preparatory process for the coming Review Conference. NAM looks forward to engage constructively to consider and review proposals along with its principle positions during this preparatory work as well as the Ninth Review Conference on reviewing the Convention's operation with a view to reach a consensual outcome. NAM urges all States Parties to the BWC to show the necessary flexibility and political will to strengthen the Convention at the Ninth Review Conference.

29. The Group of NAM and Other States Parties to the BWC look forward to productive and forward-looking discussions in this Preparatory Committee meeting and assure you of our full cooperation in your work. NAM also looks forward to holding of a successful Ninth Review Conference.

I thank you.