



**CHAIR  
NON-ALIGNED MOVEMENT  
GENEVA CHAPTER**



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**2019 MEETING OF THE STATES PARTIES TO THE CONVENTION ON THE  
PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF  
BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR  
DESTRUCTION**

**General Statement on behalf of the Non-Aligned Movement and other States Parties to the  
Biological and Toxin Weapon Convention delivered by the Permanent Mission of the  
Republic of Azerbaijan to the United Nations Office in Geneva**

Geneva, 3 - 6 December 2019

**Mr. Chairman,**

1. I have the honor to speak on behalf of the States Parties of the Non-Aligned Movement (NAM) and other States Parties to the Biological and Toxin Weapons Convention (BTWC).
2. Group of NAM and Other States Parties congratulates His Excellency, Ambassador Mr. Yann Hwang of France, on his election as Chairman of the 2019 Meeting of States Parties to the Biological and Toxin Weapons Convention (BTWC).
3. Our Group is confident that with your knowledge, experience and diplomatic skills you will be able to guide our work effectively towards achieving a consensus outcome. The Group stands ready to engage constructively with you and other States Parties to bring this meeting to a successful conclusion.

**Mr. Chairman,**

4. At the 18th Summit of the Heads of State and Government of the Non-Aligned Movement in Baku, on 25-26 October this year, the Republic of Azerbaijan assumed the Chairmanship of Non-Aligned Movement from the Bolivarian Republic of Venezuela for the period of 2019 – 2022. Therefore, within the procedural framework and in its capacity of the Chair of the NAM Geneva Chapter, the Permanent Mission of the Republic of Azerbaijan is coordinating the Group of NAM and Other States Parties to the BTWC.
5. The Group would like to re-emphasize NAM position with regards to BWC as reflected in the Final Document of the 18<sup>th</sup> Summit of the NAM, NAM 2019/CoB/Doc.1.
6. The Heads of State and Government of 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. They 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.

7. The Heads of State and Government of NAM States Parties expressed satisfaction that currently 182 States are Parties to the Convention, and also stressed the importance of universal adherence to the Convention and, in this context, welcomed the recent accession of Angola, Cote d'Ivoire, Dominica, Guinea, Liberia, Nepal, State of Palestine, Vanuatu, Samoa, Central African Republic and Niue to the Convention.
8. They reiterated their call to promote international cooperation for peaceful purposes, including scientific-technical exchange. They underlined 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.
9. The Heads of State or Government of NAM States Parties to the BTWC welcomed the active participation by NAM States Parties in the 8th BTWC Review Conference, held from 07-25 November 2016, and the BTWC Meeting of States Parties (MSP), held from 04-08 December 2017, the BTWC Meetings of Experts held from 07-16 August 2018, and the BTWC MSP held from 04-07 December 2018, in Switzerland, to advance their positions in this Convention. They welcomed the consensus outcome adopted at the 2017 MSP under the able Chairmanship of India.
10. They reaffirmed the importance of strengthening the full effective and balanced implementation of all articles of the Convention and, in this regard, reiterated their commitment to work in the inter-sessional period, in particular on Cooperation and Assistance, with a particular focus on strengthening cooperation and assistance under article X, review of developments in the field of S and T related to the Convention, strengthening national implementation, assistance, response and preparedness, and institutional strengthening of the Convention.
11. The Heads of State or Government of NAM States Parties to the BTWC also welcomed their 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 Sixth Review Conference, and the additional NAM States Parties' proposal on an institutional mechanism for international cooperation and compliance with Article X presented more recently.
12. 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. They reiterated the importance to strengthen the operationalization of cooperation database which was established by the Seventh 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 and welcomed the VIII Review Conference decision regarding the maintenance of a Sponsorship Program, funded by voluntary contributions

from States Parties, in order to support and increase the participation of developing States Parties in the meetings of the inter-sessional program in the framework of the BTWC.

13. The Heads of State and Government of NAM States Parties to the BTWC emphasized the importance of the BTWC role in the international legal architecture related to WMD and in particular in the total prohibition on all biological and toxin weapons. They further emphasized the need for enhancing, without restrictions, international cooperation, 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. Chairman,**

14. These elements expressed by our leaders are of utmost importance for our Group and represent subjects or primary concern for our countries in BTWC.
15. 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.
16. NAM and other States Parties to the BTWC remains concerned at the continuous erosion of multilateralism in the field of disarmament, non-proliferation, and arms control. The Movement is determined to continue promoting multilateralism as the core principle of negotiations in these areas and as the only sustainable approach to address these issues, in accordance with the UN Charter.
17. NAM States Parties to BWC welcome the accession to the Convention of the United Republic of Tanzania as the 183<sup>rd</sup> State Party to the Convention. In this context, we emphasize the need for States that are not signatories to the Convention to display political will by joining the BWC. We call upon non-parties particularly those with advanced biotechnology to accede to the Convention without further delay and precondition.
18. We strongly believe that the universal adherence to and further strengthening of the Convention will make a significant contribution to advancing further in the field of disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control.

**Mr. Chairman,**

19. The NAM Group acknowledges the Report of the 2018 Meeting of States Parties. The Group was engaged and worked in a constructive and positive manner on the basis of its principled positions as reflected in the NAM Working Papers, in order to promote and build common ground on important issues.
20. 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 believe that the ISP should aim at achieving progress in the implementation of all articles of the Convention in a balanced, comprehensive and consensus based approach.

21. NAM believes that all provisions of the Convention and the obligations under those provisions are equally important so that in the ISP process, this issue should be fully taken into account in dealing with all the topics under discussion.
22. The NAM Group participated actively in the five Meetings of Experts held in August 2018 and in August 2019, and made substantive contributions through statements and working papers. The Group wishes to recall the agreement reflected in the report of the 2017 MSP that, I quote, “Each Meeting of Experts will prepare for the consideration of the annual Meeting of States Parties a factual report reflecting its deliberations, including possible outcomes”, end of quote, and, I quote the “Ninth Review Conference will consider the work and outcomes it receives from the Meetings of States Parties and the Meetings of Experts and decide by consensus on any inputs from the intersessional programme and on any further action.” End of quote. The NAM Group takes note of the reports of the five Meetings of Experts held in 2018 and 2019 and expresses its appreciation for their respective Chairpersons.
23. The same report specified that the MSP will be, I quote, “responsible for managing the intersessional programme, including taking necessary measures with respect to budgetary and financial matters by consensus with a view to ensuring the proper implementation of the intersessional programme”. End of quote. The MSP along with the mandate of the ISP is to discuss, and promote common understating and effective action on issues identified in the MSP in December 2017
24. NAM State Parties stress that agenda item that considered at the Expert Meetings held in August 2018 and August 2019, as agreed by the 2017 MSP, shall continue to be the basis for our deliberations—during the current intersessional program to held reach balance and comprehensive consensual outcome.
25. Pending a consensus on a comprehensive legally binding instrument on the balanced and non-discriminatory implementation of all provisions of the Convention, the Group reaffirms that the Review Conference, 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.
26. 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. We continue to believe that there is need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of Article X. In this regard, the Group submitted at the Eighth Review Conference a Working Paper on compliance mechanism for the full, effective and non-discriminatory implementation of Article X, contained in document BWC/MSP.2019/MX.1/WP.3.
27. 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.
28. 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.

29. 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. Chairman,**

30. 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.
31. 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.
32. 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.
33. These recent developments once again highlight the need to conclude a legally binding instrument to strengthen the Convention in all its aspects. 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 resuming that work at the earliest time.
34. 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.
35. 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.
36. 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.
37. NAM 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, while welcoming the establishment of a database open to all States Parties to facilitate assistance under the framework of Article VII, 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. Chairman,**

38. 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 until the adoption of a legally binding instrument with verification provisions. They cannot be a tool to assess compliance for which the only method is a legally binding mechanism with verification provisions.
39. While underlining that the intersessional programme has been agreed to discuss and promote common understanding and effective actions, and with the view to make progress on issues of substance and procedure for the period before the Ninth Review Conference (2018-2020), NAM emphasizes that the Meetings of States Parties should include in their Agendas the consideration of appropriate measures for strengthening the effectiveness and improving the implementation of the Convention with the view to reinitiating discussions on verification measures to be included in a legally binding instrument.
40. NAM reiterates its position stated during the Group's opening statement to the Sixth Review Conference that:

“Although the Group of States of the Non-Aligned Movement and other States Parties to the BWC maintains its conviction that the multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement is the only sustainable method of strengthening the Convention, it recognizes however the value of the inter-sessional ad hoc mechanism for promoting the objectives of the Convention.”
41. The Group of NAM recalls that the ISU established to provide the necessary administrative support for the implementation of some aspects of the Convention mandated to it. The Group welcomes the decision of the Eighth Review Conference to renew the mandate of the Implementation Support Unit agreed to at the Seventh Review Conference, *mutatis mutandis*, for the period from 2017 to 2021. The annual meetings will consider the annual reports of the ISU and progress on universality.
42. Also, the Group of NAM welcomes the decision of the Eighth Review Conference to continue the cooperation database established by the Seventh Review Conference. The ISU, with inputs to be provided by States Parties, will seek to improve the database to ensure that it is more user-friendly and comprehensive, and ensure that specific, timely and concrete offers of and requests for cooperation be provided by States Parties in the database.

**Mr. Chairman,**

43. The Group of NAM and Other States Parties to the BTWC look forward to engage constructively to consider and review proposals along with its principle positions during the negotiations with a view to reach a consensual outcome. NAM urges to all States Parties to the BTWC to show the necessary flexibility and political will to strengthen the Convention and to hold of a successful Meeting of States Parties.

Thank you.