

**Statements/Interventions during the Fifth Session of BWC WG,  
2-13 December 2024**

**Statement by India at the 4<sup>th</sup> session of the BWC Working Group on ARTICLE VII –  
Assistance, Response and Preparedness**

Thank you, **Mr. Chairperson**,

Allow me to begin by congratulating you on the assumption of your Chairmanship of the Working Group. We wish you the best in the conduct of your responsibilities, and we assure you of India's full support.

**Mr. Chairperson**,

The recent biological outbreaks, including the COVID-19 pandemic, have imposed a steep learning curve for policymakers and practitioners around the world.

They have underpinned the need for global responses that facilitate rapid detection, and prompt, effective & coordinated response, in preparing and responding to outbreaks, irrespective of their nature or origin.

**Mr. Chairperson**,

Public health and security realm, despite being separate, are inter-related. Effective measures and capacities to address natural or accidental disease outbreaks, also strengthens response against those that are deliberate.

The International Health Regulations (IHR), which were amended recently in June this year, serve as an important framework to prevent, protect against, control and respond to the international spread of disease

Improving national capacities and strengthening international cooperation for disease surveillance, detection, diagnosis and containment, in the realm of public health, would support the security and disarmament objectives of the BWC, particularly under Article VII.

**Mr. Chairperson**,

As in the case of public health, the importance of finding practical solutions to implement Article VII and to be ready and prepared - in light of the growing threats driven by rapid advances in science and technology and its increasing accessibility - is becoming more evident.

The Article VII of the Convention is a provision for international solidarity, which encourages a joint effort by State Parties in the prevention and response to the use of biological weapons. It also serves as an important incentive for the universalization of the convention.

Under Article VII, each State Party undertakes to provide or support assistance to any Party, which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

In view of the humanitarian imperative, BWC States Parties have agreed that assistance under Article VII can also be considered pending the determination by the UN Security Council.

Owing the changing nature of threats from non-State actors, the previous Review Conferences have also underlined the need to consider offering assistance in the event of use of biological agents as weapons by anyone other than States Parties' including non-State actors.

**Mr. Chairperson,**

The discussions during the last review cycle reflected a broad consensus that the Article VII needs be fully and effectively operationalised.

In this context, I would like to refer to the updated working paper i.e. working paper number 4 by France and India, on the establishment of a database for assistance, which has been submitted to the Working Group.

As you might recall, this is not a new proposal. The 8<sup>th</sup> RevCon supported the establishment of the database. It did not, however, provide a specific mandate for establishing it. It has, therefore, not yet been created.

**Mr. Chairperson,**

Differences among States Parties in terms of their development, national capacities and resources can affect national and international capacity to respond effectively to alleged use of biological and toxin weapons.

Our proposal addresses the requirement for assistance, particularly for developing countries, and identifies the gap between the 'need for' and the 'lack of' institutional and operative structure to give effect to Article VII.

The working paper essentially calls on the BWC ISU to establish, administer and maintain a database on a secure web-based platform.

The database will act as a clearing house tool for matching assistance requests and offers for assistance registered in the database and will be open to all States Parties without exception.

In the last review cycle, with the support of the BWC ISU, the experience of assistance databases utilized in relevant international organizations were examined, in order to further develop the Article VII database proposal. A series of 3 virtual workshops were also conducted to consult States Parties which helped in its further refinement.

The working paper proposes that BWC States Parties can benefit from assistance under Article VII in three main categories. These are:

- First: - Non-monetary contributions, such as expertise and information sharing.
- Second - Pre-exposure preparedness and capacity building, such as protection and detection including through pre-emptive training modules, awareness and response.
- Third - Post exposure response scenarios, namely decontamination, prophylactic or containment measures.

Other categories that fit in well in the database could also be considered, as long as they are fully relevant to the scope of the BWC and avoid duplicating assistance under Article X.

The database will be open to government agencies of States Parties, international organizations and, NGOs if registered as users by designated contact point in States Parties.

**Mr. Chairperson,**

Similar mechanisms for assistance databases exist in international organizations, even though the mandates, operating principles, and modalities of international organisations with possible roles in the response, differ.

We understand that the proposed database should, to the extent possible, not duplicate emergency assistance mechanisms provided by other international organizations

A cross-platform synergy among existing databases is therefore important. Efforts to optimize complementarities should be factored in at operationalization phase, with due consultations among States parties.

Given the financial situation of the Convention, the establishment of a voluntary trust fund under Article VII may also be considered as an option, if agreed to by all States Parties.

**Mr. Chairperson,**

The Article VII Database proposal belongs to all of us. The benefits accruing from the database far exceed the costs.

It is our hope that the Working Group will decide to recommend the establishment of this database in its final recommendations and we look forward to hearing comments and suggestions from States Parties in order to further refine the proposal for its early finalization.

**Mr. Chairperson,**

My delegation also positively notes South Africa's proposal for framing voluntary guidelines for requesting assistance, which could facilitate response and provision of assistance.

We note that, although the use of these guidelines as envisaged is not mandatory, the template can potentially provide valuable information, to determine and guide assistance efforts in the context of Article VII

I, thank you, Mr. Chair.

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**Statement by India during the meeting of the Working Group on the strengthening of the Biological Weapons Convention (BWC), Geneva**

**Mr. Chairperson,**

Thank you for giving me the floor.

CBMs serve as an important transparency measure. They have played and continue to play an important role in building trust, given the absence of adequate verification under the Convention.

India believes that CBMs, consistent with the mandate, have the objective to prevent or reduce the occurrence of ambiguities, doubts and suspicions and to improve international cooperation in the field of peaceful biological activities.

India supports further strengthening of the CBMs by possible expansion of the information sought based on a consensus consideration. In this regard, we take note of the several proposals made in this review cycle, as well as those made in last review cycle.

We also note that the information provided by States differ in details and precision. The exchange of data, where possible, could be made more uniform.

India also notes the importance of improving the quality of responses in the data collected through CBMs.

We are pleased to note the number of CBM submissions, while historically low, have steadily increased in the recent past indicating a positive trend in their submissions. We appreciate and acknowledge the efforts of the ISU in this regard.

However, it is our view, that given their mandate, CBMs currently is not a tool to assess or scrutinize compliance. They help to promote transparency and should be seen as such unless, there is an express decision to expand its functions and status.

My delegation also believes that we cannot look at CBMs in an isolated manner. Aspects pertaining to CBMs are intrinsically linked with other aspects of our convention, particularly the discussions on compliance and verification.

The question as to what functions CBMs should perform, what information it should seek, what status and what structure it should have would, to a large extent, depend on comprehensive consideration of measures on compliance and verification.

I thank you.

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**Statement by India during the meeting of the Working Group on the strengthening of the Biological Weapons Convention (BWC), Geneva**

**Chair,**

Let me begin by confirming to you our good wishes and support.

We also commend the work of the ISU to support our meetings and activities.

**Chair,**

The 9<sup>th</sup> Review Conference tasked our Group to “*identify, examine and develop* specific and effective measures, including possible legally binding measures, and to make recommendations to *strengthen and institutionalise* the Convention in all its aspects”.

My delegation underscores that measures relating to compliance and verification hold a special importance in strengthening and institutionalising our Convention.

The broader question of compliance and that of verification within the BWC is not a new one. While the issue has been brought up for formal consideration after more than 2 decades, it has been examined in the past under specific groups established by the Convention.

Rapid advances in biosciences coupled with the disruption caused by COVID-19 pandemic, has revealed our vulnerability to catastrophic biological events. This vulnerability has necessitated discussions on reinforcing compliance.

It is our view that in the context of our convention there is a gap between what has been accomplished thus far and what could potentially be accomplished on compliance and verification.

**Chair,**

India has consistently underlined the need for the institutional strengthening of the Convention, including through negotiation of concrete measures on compliance and verification.

While our positions endure, what has significantly changed since the last 25 years, amongst other factors, are the groundbreaking developments in biosciences and biotechnology.

These changes have impacted, and they continue to impact, the evolving threat landscape, including possible pathways to activities inconsistent with the object and purpose of BWC.

They also pose fundamental questions regarding our work on compliance and verification.

We propose the following conceptual questions for our group's reflection:

1. How do the characteristics of biosciences, biotechnology, and related facilities impact compliance and verification measures. How have scientific and technological advancements created opportunities and challenges for verification?
2. What should be verified: any illicit bioactivity at any time, or significant unusual activities spread over the long term?
3. What should be the purpose of verification measures: to demonstrate compliance, deter non-compliance, or ensure compliance? Each purpose requires different levels of scrutiny. A more important question is whether these purposes could be accomplished through verification.
4. Can verification address emerging bio-threats, including those posed by illicit actors and terrorists?
5. Can traditional verification approaches such as those in other instruments guide efforts on verification in BWC and to what extent?
6. Given the challenges of material accounting, should verification rely on contextual factors through qualitative analysis? How would this alter technical procedures?

**Chair,**

These questions are not new and have been deliberated formally in the past.

Designing a verification regime for BWC is a complex exercise and requires informed and fresh perspectives. Our discussions yesterday and the working papers that have been circulated have been useful in this regard.

A science-based approach is essential to address compliance and verification comprehensively.

Political feasibility should be assessed after scientific and technical issues are examined.

Opportunities from scientific and technological advancements should be identified and leveraged.

More examination is required if natural biological outbreaks could be unambiguously distinguished from deliberate incidents.

The importance of factoring in national security concerns and other relevant considerations cannot be overstated.

Collaboration with various stakeholders, particularly biotechnology industry is crucial for progress. How new managed access techniques can meet the concerns of the industry must be explored.

Verification principles agreed by UNDC in 1988 offer valuable guidance for our efforts.

While 100% verifiability may be unattainable, that should not diminish attention on how to increase risks and costs associated with violating the convention.

It is also important to explore as to how various measures could function as a part of multi-layered and mutually reinforcing system.

It is our understanding that measures for compliance and verification must be grounded in legally binding agreements for their long-term sustainability. Further, verification measures should be effective, universal, and non-discriminatory in nature.

The verification should cover all in an equal manner, unlike the setting now, where a category of states can simply shield themselves from investigations under Article VI. This might, as it appears, also entail revisions of the Articles under the Convention.

**Chair,**

Our Convention currently lacks a dedicated technical Secretariat.

While the ISU has been performing commendable work, it is constrained by insufficient financial and human resources. As a result, it may struggle to effectively address the growing demands on the Convention and the rising expectations of States Parties.

This challenge will become even more pressing if new measures on compliance and verification are instituted.

It is therefore, essential to strengthen the ISU and ensure it is placed on a robust and sustainable footing commensurate with measures on compliance and verification.

Thank you.

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**Statement by India during the meeting of the Working Group on the strengthening of the Biological Weapons Convention (BWC), Geneva**

Thank you, Chair.

1. We are in favour of strengthening the institutional mechanism by whatever name it is called.

2. The board functions of the Secretariat should be:

- International cooperation
- Science and technology review
- Compliance

We would also like it to focus on assistance, preparedness and response

3. Focus should be on creating an organisation that assists national implementation

4. It should be financed through regular financial assessments to the extent possible

5. It should be as lean as possible keeping in mind economies and need to avoid duplication.

6. It is time to bifurcate the discussions in this working group on the political and technical aspects of the work of the secretariat into separate tracks

7. The functioning of the organisation, including under its compliance vertical, should not create unnecessary burdens on Member States, particularly their private sector.

8. Compliance mechanism needs further thought. We take note of the US proposal on conference of states parties.

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