



**PERMANENT MISSION OF INDIA
TO THE CONFERENCE ON DISARMAMENT**

**Meeting of States Parties to the
Biological Weapons Convention**

Geneva, December 14, 2015

Statement

By

**Ambassador D.B. Venkatesh Varma,
Permanent Representative of India to the
Conference on Disarmament**

Mr. Chairman,

It is a pleasure to congratulate you on your assumption of the Chair of this meeting and assure you the full cooperation of the Indian delegation. India associates itself with the statement made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement and Other States Parties to the BWC.

Mr. Chairman,

2. The BWC - the first disarmament treaty banning an entire class of weapons of mass destruction has been in force for 40 years. Next year, the Eighth Review Conference will provide an important opportunity to review its functioning, taking into account not just compliance of State Parties with their obligations under the Convention but also help address emerging challenges to international peace and security emanating from proliferation trends, including the threat posed by terrorists or other non-state actors seeking access to biological agents or toxins for terrorist purposes. India supports a robust consultation process amongst all States Parties leading to the Eighth Review Conference so as to contribute to its success through adequate preparations on substantive and procedural issues as envisaged by UNGA Resolution 70/74 adopted by consensus.

3. India shares the widespread interest amongst States Parties to strengthen the effectiveness and improve the implementation of the Convention through the negotiation and conclusion of a Protocol for that purpose covering all provisions of the Convention. A multilaterally agreed mechanism for verification of compliance can provide the assurance of compliance by States Parties of obligations under the Convention and act as a deterrent against non-compliance. India has submitted its CBMs in 2015 and is thus up to date in this regard. Consideration needs to be given to measures to encourage State Parties to submit CBMs on a more regular basis.

Mr. Chairman,

4. The standing agenda item on review of S&T developments allows examination of developments in biological science and technology which might impact the implementation of the Convention, for the purpose of reaching common understandings on criteria for assessing risks of relevance to the Convention. In our view, measures taken to mitigate biological risks should be proportional to the assessed risk and not hamper legitimate peaceful activities including international cooperation. Further, there should be no hindrance to peaceful activities such as vaccine development, which are important for developing countries for meeting their public health needs. Discussion on voluntary Codes of Conduct for Scientists could also be given

consideration. Various proposals on conducting S&T review under the Convention, including the proposal made by India in the working paper submitted to the last Review Conference should be given consideration.

5. The full and effective implementation of Article X is an integral and essential part of the Convention to generate equitable benefits for States Parties, in particular developing countries. India submitted a Working Paper in December 2014 containing its National Report on Article X Implementation. We would encourage others also to come forward with Article X Implementation reports. While India continues to attach high importance to the full and effective implementation of Article X, we believe that strengthened implementation of Article III would ensure that the cooperation envisaged under Article X is taken forward in mutual confidence.

6. The standing agenda item on National Implementation allows States Parties to share their national experiences in the implementation of the Convention. The responsibility of States Parties to fully implement their obligations under the Convention and adopt requisite national measures to this end needs to be emphasized. India has a broad based regulatory framework to prevent the misuse of biological science and technology. We also support assistance to States Parties for strengthening bio-safety and bio-security consistent with their national regulations.

7. India has strong and law-based national export controls and is committed to maintaining the highest international standards with reference to control of biological agents and toxins to ensure that transfers are authorised only when the intended use is for purposes not prohibited under the Convention. Effective national export controls are important tools to prevent the misuse of biological agents and toxins for purposes prohibited by the Convention or falling into the hands of terrorists, which is a major concern for the international community.

8. In this regard, India was happy to join the United States in submitting a working paper (BWC/MSP/2015/WP1) entitled 'Strengthening Implementation of Article III of the BTWC', containing suggested measures for consideration and approval at the next Review Conference. We feel it is important to build broad based support in the BWC, cutting across political groups, on national export controls as part of efforts to strengthen implementation of Article III of the Convention. We hope that this Working Paper will encourage active and positive discussion at this MSP so as to build the necessary support to enable specific decisions on this subject at the Eight Review Conference. We appreciate expressions of support and along with the US, the Indian delegation would be happy to continue discussions on specific suggestions contained in the Working Paper with all

interested delegations as we take this forward into the next Review Conference.

9. Article VII assistance is a legal obligation under the Convention. An event relating to violation of the BWC is more than a public health emergency under the IHR (2005). While coordination and cooperation with relevant UN bodies such as the WHO, FAO, OIE, etc. are important complementary measures, it is clear that the lack of a comprehensive Protocol to strengthen implementation of all aspects of the BWC has created a gap in the international community's capacity to respond effectively and provide assistance to States Parties exposed to dangers as a result of violation of the BWC.

10. India was happy to join France in submitting a proposal at the experts meeting in August 2015 (MSP2015/MX/WP7) for the establishment of a database for assistance in the framework of Article VII. The purpose of this database, as a confidential clearing house tool, which the ISU will establish and administer, is to allow matching specific offers and requests for assistance for States Parties and coordination with relevant international organizations, encompassing both emergency assistance, containment measures and recovery assistance. We see this as an operational and concrete tool providing an incentive for the Convention's universalization. We appreciate the positive response that this paper has so far elicited and hope to take it forward in an inclusive manner so that appropriate decisions can be taken at the Eighth Review Conference. India would like to join France in inviting all delegations and NGOs to a side event that will be held on 17 December 2015.

Mr. Chairman,

11. The Ebola Virus Disease outbreak last year was a major international public health emergency. India announced a contribution of more than US \$ 12 million to the Ebola Response Multi-Partner Trust Fund, the WHO and the purchase of protective gear for addressing this outbreak. We acknowledge that a number of UN bodies and WHO as well as individual countries contributed to efforts to address the public health emergency in West Africa along with NGOs active in the field, in particular *Medecins Sans Frontiers* and the International Federation of Red Cross and Red Crescent Societies.

12. While the Ebola outbreak was not a BW event, we believe that it holds important lessons for the States Parties to the BWC. A number of studies have been undertaken in its aftermath which point to some important trends – namely, lack of ready operational capacity in the international community resulting in delays in mounting an effective international response and the need to ensure timely, accessible and affordable medical

support for affected populations at a time when major pharmaceutical companies are reluctant to invest in relevant drugs and vaccines before there is an assured market. While this issue is being considered elsewhere, including at the WHO, the BWC should remain engaged in this regard.

Mr. Chairman,

13. This is the last inter-sessional meeting before the Review Conference next year. When first established a decade ago, the inter-sessional process was intended to be an interim phase to help get the BWC process through a difficult period. It has achieved better than expected success - it has created a vibrant BWC community - States Parties, NGOs, Academia, Industry; allowed focused and in-depth discussions on items identified at the last Review Conference and has softened political differences allowing new patterns of cooperation amongst State Parties. However, for this interim phase to become permanent may entail long term risks. The BWC regime cannot be strengthened without strengthening the Convention and its universalization, through full and effective implementation of all its provisions. Thus the goal of a legally binding comprehensive protocol should remain on the table with a view to restoring consensus on the way forward - balancing ambition with the realism that the long term sustainability of the Convention as a multilateral instrument should be rooted in legally binding measures with all State Parties endowing collective confidence in the Convention rather than pursuing measures to protect their specific national interests. In this, the BWC could draw inspiration from the success of the CWC.

Mr. Chairman,

14. We would like to close by conveying our appreciation for the extensive consultations conducted by you and the Malaysian delegation and the diligent efforts of the ISU in preparing for this meeting.
