

**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**

13 August 2013

English only

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**2013 Meeting**

Geneva, 9–13 December 2013

**Meeting of Experts**

**Geneva, 12–16 August 2013**

Item 5 of the agenda

**Standing agenda item: cooperation and assistance,  
with a particular focus on strengthening cooperation  
and assistance under Article X**

**Measures for full, effective and non-discriminatory  
Implementation of the Article X**

**Submitted by the Islamic Republic of Iran on behalf of the Group of the  
Non-aligned Movement and Other States Parties to the BWC**

1. The States Parties of the Non Aligned Movement and other States Parties to BWC recognize that full, effective and non-discriminatory implementation of Article X is an integral and essential part of compliance with the Convention for the realization of its objectives and purposes. There is a legal obligation under Article X to promote the fullest possible exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties or international cooperation in biological activities including exchange of biological agents and toxins and equipment including production and trade in vaccines and pharmaceuticals. Given the significant role of international cooperation in this field, the NAM and Other States Parties to the BWC, reaffirm their proposal on a Plan of Action for the implementation of Article X, which was submitted in 2009 and their proposal on Article X submitted at the 2011 Review Conference

2. NAM and Other States Parties to the BWC welcome the decision of the Seventh Review Conference to include cooperation and assistance as one of the standing agenda items in this inter-sessional process. The particular focus of this agenda item should be on ensuring the full, effective and non-discriminatory implementation of Article X of the Convention, which has been a top priority for the NAM and Other States Parties to the BWC for a long time. NAM and Other States Parties to the BWC believe that the developed countries bear special responsibility to promote international cooperation in the framework of the Convention for the benefit of developing countries and to remove and refrain from imposing and maintaining any restrictions and/or limitations that are contrary to the letter and spirit of the Convention. The NAM and Other States Parties to the BWC also believe in the importance of promoting South-South cooperation within this context. The Group

believes that the full and effective use of the database established by the 7th Review Conference would contribute towards that end.

3. The rapid pace of scientific and technological developments has created new opportunities for making swift progress on the implementation of the 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. While the dual use nature of some aspects of biological S & T is an unavoidable fact, this should not be used as a pretext to hamper cooperation between States Parties for peaceful purposes. The enabling technologies have many benefits for public health and security in the developing countries. Hence, there is a need for a balanced approach keeping in view the legitimate aspects of these new developments in biological science and technology. All State Parties in particular developing countries should benefit from the new achievements of biotechnology through full, effective and non-discriminatory implementation of Article X of the Convention.

4. The Group recognizes the fundamental importance of enhancing international cooperation and assistance, States Parties should work together to mobilize resources to address needs for assistance and cooperation, in particular from developed to developing States Parties, and from international and regional organizations to the developing States Parties. In light of rapid developments in the life sciences, there is a need to strengthen cooperation among States Parties in order to bridge the increasing gaps in the fields of biotechnology, genetic engineering, microbiology and other related areas between developed and developing countries. To this end the NAM and Other States Parties to the BWC are of the view that the submission of clear, specific, and timely national reports on the implementation of Article X as agreed at the Seventh Review Conference and an efficient electronic database for international cooperation and assistance could play, as an initial step, a useful role in mobilizing and targeting resources.

5. The group emphasizes the importance of overcoming challenges and obstacles to international cooperation, assistance and exchange in the biological sciences and technology. In this regard one of the main challenges for the full, effective and non-discriminatory implementation of Article X is the existence of unjustified restrictions and or limitations, including the politically motivated ones, imposed against States Parties in contravention with the provisions and inconsistency with the spirit of the Convention. There is an urgent need for the removal of any such restrictions and/ or limitations. States Parties should work together to develop procedures to promote full, effective, and non-discriminatory implementation of Article X which include procedures for the settlement of disputes arising from concerns about the implementation of Article X.

6. The Group underlines the importance of capacity-building through international cooperation in developing capabilities for detecting, reporting, and responding to the outbreaks of infectious disease or biological weapons attacks, including in the areas of emergency preparedness, response, management, and mitigation. States Parties should therefore remove any restrictions and/or limitations to the capacity building and should seek to reduce inequalities between developed and developing countries in the life sciences and related technologies.

7. While NAM and Other States Parties to the BWC welcome the decision of the Seventh Review Conference for the establishment of the database to facilitate assistance and cooperation much still remains to be done to bridge the gap that exists for the full, effective and non-discriminatory implementation of Article X. In this regard, NAM and Other States Parties to the BWC recall their proposal for a mechanism on Article X implementation as outlined in their Working Paper submitted to the Seventh Review Conference. Among others the Working Paper identified the following tasks :

(a) Identify and address the needs in terms of equipment, materials and scientific and technological information regarding the use of the bacteriological and toxin agents for peaceful purposes;

(b) Identify and overcome the obstacles hampering the full, effective and non-discriminatory implementation of Article X of the Convention, including by addressing the denial cases of States Parties;

(c) Mobilize the necessary resources, including financial resources, to facilitate inline with the obligations under Article X of the Convention, the widest possible exchange of equipment, material and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes, in particular from developed to developing States Parties;

(d) Facilitate the development of human resources in developing States Parties in the implementation of the Convention, taking into account the special situation faced by them;

(e) Coordinate cooperation with other relevant international and regional organizations for financial and technological support of activities for the use of biological and toxin agents for peaceful purposes.

8. The NAM and Other States Parties to the BWC strongly believe that recent advances in enabling technologies should be used to strengthen the sustainable development of States Parties and that this requires renewed commitment and constructive and genuine cooperation between States Parties that takes into account humanitarian considerations and the needs of developing countries in meeting health related challenges. All States Parties should therefore fully utilize the database established by the 7th Review Conference. Taking into account the humanitarian requirements related to the health and security of mankind, renewed commitment, constructive and genuine cooperation between the South and the North are required in order to meet the continuing challenges of developing countries in health related issues. NAM and Other States Parties to the BWC reiterate their firm position on the need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of the Article X. They propose that that the Meeting of States Parties develops concrete understanding and actions to enable a decision by the Eight Review Conference for such a mechanism.

9. In the context of the mechanism mentioned in Para 8, the Group reaffirms the urgent need of an undertaking by all State Parties that they never in any circumstances impose or maintain unilateral, bilateral or collective restrictions and/or limitations on trade of drugs, medicines, vaccines, diagnostics, biological agents, equipment or materials for peaceful purposes in particular for treatment of patients in developing countries. The group also stresses the need for establishing procedures to settle disputes if a State Party is restricted and/or denied by another State Party or a group of States Parties on drugs, medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes as enshrined in the Article X of the Convention, including by considering a standing body. The group proposes strengthening the utilisation and improving the operation of the cooperation database that was established by the 7th Review Conference for ensuring that specific, timely and concrete offers of cooperation under Article X are provided by States Parties in the database and considering the ways to improve reporting on this issue. The group urges providing necessary cooperation and assistance in the form of finances, equipment, reagents and training to developing countries to set up advanced laboratories for detecting and responding to infectious diseases. Collecting and disseminating information on S&T developments, including new research in areas relevant to the convention and exchanging information about databases and networks relevant to the Convention and

ensuring access to such databases and networks and training of personnel without any unjustified limitation are of utmost importance to the group.

10. The NAM and Other States Parties to the BWC strongly reaffirm that Article X of the Convention is a main pillar of this international legal instrument and its full, effective and non-discriminatory implementation, including bearing in mind the humanitarian needs of the developing countries to treat patients in any circumstances, and would further strengthen the Convention. It is imperative that the discussions in this inter-sessional program on the tasks identified in this working paper, with the aim of reaching common understandings and effective actions, would enable us to move forward towards an effective mechanism which would result in full, effective and non- discriminatory implementation of Article X obligations which is an essential part of compliance with the Convention.

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