

**Eighth Review Conference 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**

18 August 2016

English only

Preparatory Committee

Geneva, 26-27 April and 8-12 August 2016

Item 7 of the agenda

Comprehensive consideration of all provisions of the Convention

**"Transfers" under the Framework of BTWC:
Challenges and Opportunities**

Submitted by the Islamic Republic of Iran

1. The challenges in the transfer of biological science, knowledge, equipment, materials and technologies in the context of BTWC have been well acknowledged by the States Parties in the previous meetings and conferences. This subject is closely linked with the rights and obligations of the States Parties and should be considered, as the priority, on the agenda of the Review Conference.
2. It is also known as a fact that in addition to the use of pathogens and toxins and synthetic agents to make biologicals, some of them with a history of military development are employed as tools in biomedical researches, and a few toxins have therapeutic value in medical practice.
3. The "golden rule" in the multilateral disarmament instruments is that the rights and obligations established by a treaty must apply equally to all States Parties. Therefore, the implementation of all the provisions of the Convention, in a balanced and non-discriminatory manner, is important in fulfilling its objectives and promoting its credibility.
4. Measures to prevent developing or acquiring a biological weapon should not be developed at the expense of containing the legitimate peaceful uses of biological agents, toxins, and the related science, knowledge, equipment, materials and technologies. The provisions of BTWC should not be misused to impose restrictions and/or limitations on transfers of biological agents, toxins, scientific knowledge, technology, equipment and materials for peaceful purposes. No hindrance to peaceful activities, such as vaccine development, which are important for developing countries for meeting their public health needs, is to be legitimized. Equitable benefits from the Convention should be guaranteed, keeping in mind the need for ensuring appropriate and affordable support for developing countries, as a result of which, the developing countries are to meet their needs for cost-effective, affordable and quality assured medicines and vaccines including through provisions such as compulsory licensing or price controls.

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5. There is no doubt that for the sake of levelling the ground and putting all States Parties on the same page vis-à-vis their semantic understanding of the Convention, there is a need to have agreed definitions under the Convention, lack of which has brought about specific challenges among and between the States Parties in their interpretation in the implementation of the Convention;

6. Accordingly, it is essential to recognize the need for strengthening the implementation of all provisions of the Convention, in a balanced and non-discriminatory manner, while avoiding measures that hamper the peaceful economic and technological development of States Parties.

7. Under the Convention, States Parties are convinced that the prohibition of the development, production and stockpiling of biological weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control. They also undertake to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes. They further agreed that the Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful biological activities, including the international exchange of biological agents and toxins and equipment for the processing, use or production of biological agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

8. Additionally, since there is no reference, in any part of the text of the Convention, to limiting access to the related science and technology by the States Parties, applying such measures against any State Party would be in contravention to the provisions and object and purpose of the Convention.

(a) Concerns arising from any restrictions on transfers of biological agents, toxins, and the related science, knowledge, equipment, materials and technologies for peaceful purposes to the States Parties would be best addressed adequately through a mechanism with the participation of all States Parties to the BTWC, while taking into account the lessons and experiences of, and trying to avoid duplication of efforts by, CWC, WHO, OIE, and FAO, in its consideration of measures aimed at strengthening the implementation of the Convention.

(b) In this regard, establishing a Standing Committee, with specific mandate and modalities, and open to all States Parties, could be a useful mechanism to follow-up and review the effective and full implementation of the transfer-related-issues. The recommendations of this Standing Committee, adopted by consensus, shall be reported to the upcoming Review Conference for its consideration.
