

Ninth 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

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Item 11 of the provisional agenda

Consideration of issues identified in the review of the operation of the Convention as provided for in its Article XII and any possible consensus follow-up action

Proposals for Strengthening Implementation of Article X of the Biological Weapons Convention

Submitted by the Islamic Republic of Iran

1. States Parties to the Biological Weapons Convention (BWC), under its Article X, have a legal obligation 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.
2. Full, effective and non-discriminatory implementation of Article X is essential to achieving the objectives and purposes of the Convention. International cooperation, assistance and exchange in biological sciences and technology for peaceful purposes are important for the economic and technological development of BWC States Parties. Such cooperation contributes to building capacity for disease surveillance, detection, diagnosis and containment and also to fulfilling national plans in the areas of preparedness, response, and crisis management and mitigation.
3. Developed countries have a special responsibility in strengthening scientific and technological cooperation in the peaceful uses of biological agents and toxins, in particular with respect to the provision of financial and technical assistance and facilitating fullest possible exchange and transfer of equipment, materials and scientific and technological information to developing countries.
4. The Covid-19 pandemic demonstrated the weakness in implementation of Article X and underlined the need to focus on strengthening international cooperation and assistance to ensure all States Parties, particularly developing States, have access to equipment, materials and scientific and technological information relevant to the Convention.
5. The lack of institutional mechanisms in the context of the BWC is the main challenge to developing full, effective and non-discriminatory international cooperation, assistance and exchange in the biological sciences and technology for peaceful purposes under Article X of the Convention.
6. The establishment of a database maintained by the ISU to facilitate requests for and offers of exchange of assistance and cooperation among States Parties was a valuable decision by the Seventh Review Conference. However, reviewing its overall operation has raised serious questions regarding its effectiveness. The offers for assistance and cooperation, registered so far in the database, are mostly education-oriented. While improving the operation of database is necessary, particularly in provision of financial and technical assistance and facilitating transfer of equipment, materials and scientific and technological information to developing countries, the database has proved that it cannot be considered as an effective institutional mechanism for strengthening international cooperation.



7. Existence of restrictions, limitations, inconsistent with the Convention, as well as unilateral coercive measures including economic, trade and financial sanctions has created serious obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology for peaceful purposes.

8. Some BWC States Parties continue to apply denial and/or restrictive, discriminatory policies and unilateral coercive measures in their approach to the implementation of Article X. Such policies and measures are in breach of the undertaking under Article X to implement the Convention in a manner not to hamper the economic and technological development of other States Parties.

9. The unilateral coercive measures imposed by the government of the United States of America against some BWC States parties have impeded or disrupted access to and procurement of medicine and medical supplies and services, development, purchase and delivery of vaccines and reagents and raw materials for their production, thus creating serious challenges for the management and mitigation of infectious diseases as well as rare diseases. Such unilateral coercive measures constitute violation of Article X of the Convention and right to health. These illegitimate and inhumane unilateral coercive measures and their merciless application undermine the ability of targeted States to develop and maintain medical infrastructure, and cause shortage of medical equipment and medicine, resulting in impeding or complicating the ability of ordinary people to get access to free or low price medical aid and services. The biggest victims of the ruthless application of unlawful unilateral coercive measures by the U.S. are ordinary people and medically vulnerable groups.

10. Taking into account the above-mentioned points, the Ninth Review Conference should include the following elements in its final documents or decisions:

(a) Recognizing the need for establishment of an effective institutional mechanism for the full, effective and non-discriminatory implementation of Article X;

(b) Agreement on the establishment of a cooperation committee through negotiation in an open-ended working group with a view to ensuring multilateral cooperation among all States Parties for peaceful purposes in an effective, full and non-discriminatory manner;

(c) Commitment not to impose or maintain, under any circumstances, restrictions and limitations on trade in such areas as drugs, medicines, vaccines, diagnostics, biological agents, equipment and materials for peaceful purposes in particular for treatment of patients in developing countries;

(d) Urging States that have imposed unilateral coercive measures to promptly comply with their obligations under Article X of the Convention and to immediately lift all unilateral coercive measures which directly or indirectly affect the fullest possible exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes;

(e) Agreement to develop multilaterally negotiated procedures to settle disputes arising from restriction or denial of access to drugs, medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes, inconsistent with the Article X of the Convention. Such a procedure should include establishment of a standing body, as proposed by the group of NAM and Other States.
