



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**Statement of the Islamic Republic of Iran**

**by Dr. Mohammad Hassan Daryaei**

before the Meeting of States Parties of the BWC

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**International Cooperation and Article X**

**Mr. Chairman,**

I welcome the decision of the Seventh Review Conference to include the strengthening of the implementation of Article X of the Convention and international cooperation and assistance as one of the standing agenda items in this inter-sessional process. This decision paves the way for a thorough discussion on this issue.

Facilitation of and participation in the fullest possible exchange and enhanced international cooperation in the field of peaceful biotechnologies activities, aimed at economic and social development, is a fundamental element in strengthening the implementation of the Convention. In this regard, the full effective and non-discriminatory implementation of Article X, especially in the light of recent scientific and technological developments in the field of biotechnology, which increase the potential for cooperation amongst States Parties, can not be overemphasized.

The importance of international cooperation in the field of peaceful uses of

biological agents and toxins for effective and comprehensive implementation of the Convention has been recognized since the inception of the BWC. There is a delicate balance between the rights and obligations of States Parties in all international disarmament and arms control instruments including the BWC. Therefore, both regulatory and promotional aspects of all these instruments should be implemented and strengthened in a balanced and non-discriminatory manner. This Convention shall also be implemented in a manner designed to avoid hampering the economic or technological development of States Parties.

Lack of proper systematic international cooperation is the main obstacle for the implementation of Article X of the BWC that prevents the developing States Parties from fulfilling their peaceful biological programs and also their commitments to the BWC. In light of rapid scientific and technological developments in the life science, there is a need to strengthen the international cooperation among States Parties in order to bridge the ever increasing gaps in the fields of biotechnology, genetic engineering, microbiology and other related areas to provide technical knowledge, equipment and technology, to target and mobilize resources, to identify and address the needs for assistance and cooperation, in particular from developed to developing States Parties, and from international and regional organizations other relevant stakeholders, to support the capacity building in the developing countries for combating and eradicating the emerging diseases in humans, animals and plants and also to support other specific BWC programs to improve the effectiveness of national and international efforts on the diagnosis, surveillance,

prevention, control and treatment of diseases, including collaborative vaccine research and development.

Deliberations during the last BWC expert meeting on the topic at hand were fruitful and now to my view we should concentrate on concrete ways and means for full effective and non-discriminatory implementation of Article X and in this vein to identify and overcome the challenges and obstacles facing it. The main challenge in this regard is the existence of politically motivated restrictions and limitations imposed by some countries against the parties of the convention in blatant breach of the provisions of the convention, which target the public health of innocent people. This is ironic that at the same time the non-parties to the convention are generously rewarded through full cooperation in the biological field by these countries.

It should be pointed out that the States Parties have a legal obligation to refrain from imposing restrictions and or limitations for transfer that would hamper economic or technological development of States Parties or international cooperation for peaceful applications in the field of biotechnology. Therefore, development of regulatory mechanisms should only be undertaken by harmonizing both the promotional and regulatory aspects of the Convention and on a non-discriminatory basis. To this end, the States Parties should undertake to review national regulations governing international exchanges and transfers in order to ensure its consistency with the objectives and the spirit of the Convention and specifically the provisions of Article X. In this regard The imposition of

undue restrictions and/or limitations on dual use application of know-how, materials and equipment necessary for promoting capacity building in the developing countries in the fields of disease surveillance, detection, diagnosis, and containment of communicable diseases including production of vaccines and other biological materials is a systematic and gross violation of the Article X.

Due to the inevitability of the enhancement of capabilities of all States Parties to combat the common threat of infectious diseases in an internationally inter-related society, it is a serious concern to see that developed countries by imposing restrictions in this field, make it difficult for the developing countries to be equipped with necessary infrastructures and facilities required to respect their commitments to the national and international community obligations. I reemphasized that The full, effective and non-discriminatory implementation of Article X, as one of the main pillars of the Convention, is essential to achieve the objective and purpose of the Convention. It is a bitter reality that for many years States Parties in particular developing countries have suffered from the systematic denial of the inalienable right of States Parties to exchange equipment, materials, technology for the use of the biological agents and toxin for peaceful purposes. Extending these restrictions to the exchange of information, equipment and materials for the production of the public health medicines and even to the accessibility of a number of developing countries to the advertising catalogues of some equipments and materials is a matter of grave concern and a blatant non-compliance with the provisions of the Convention. It is a must for the developed countries in the field of biotechnology, inline with their obligations under Article X of

the Convention, to pave the way to enhance the capabilities and capacities of the developing countries. Turning a blind eye to this issue has caused, inter alia, the outbreak and spread of emerging and reemerging diseases at international level as serious health challenge in the last decade.

**Mr. Chairman,**

Developing procedures for the settlement of disputes arising from concern raised on the implementation of the Article X is a top priority. A State Party to the Convention should have the right to seek to redress the situation and settle the disputes on Article X implementation through institutionalized measure if it is denied by another State Party for receiving equipment and materials for peaceful application of biology and biotechnology. We have already proposed some procedures on this issue in our working paper presented to the seventh Review Conference and also last Meeting of Experts which also reflected in your Synthesis Paper for this meeting. In this regard, as a first step, The ISU shall be mandated to prepare a report on all denials. The States Parties concerned, will do their utmost efforts to resolve the situation of denials among themselves through consultation and clarification. The denial cases will be referred to A Standing Committee if consultation and clarification process fail to resolve the situation. We believe that discussing and reaching a common understanding on this proposal should rest among the priorities for the meetings of the inter-sessional program. If the assertions on supporting the international cooperation would be serious and there would be political will for the full, effective and non-discriminatory implementation of Article X then I am sure that we can find a way in the framework of these meetings on how to handle the denial cases based on our proposed

modality.

We believe that the implementation of the article X is many years lagging behind and therefore needs a lot of serious work and attention in the current inter-sessional program. We also note the review Conference's decision to establish a database system to facilitate requests for and offer of exchange of assistance and cooperation among States Parties, and we hope that this database contributes to the increased cooperation among the States Parties. We look forward to the report of the ISU on the operation of the database.