

Geneva, 20 November – 8 December 2006

Item 10 of the agenda

**Review of the operation of the Convention
as provided for in its Article XII**

ARTICLE X OF THE CONVENTION

Submitted by the States Parties of the Non-Aligned Movement
and other States

1. The Group of States of the Non-Aligned Movement and other States Parties to the Biological Weapons Convention (BWC) declared in its statement in the general debate of the Sixth Review Conference that:

“One of the Group’s priorities for this Review Conference is the evaluation of the implementation of Article X of the Convention.”

2. Furthermore, they reiterated their conviction that facilitation of and participation in the fullest possible exchanges and enhanced international cooperation in the field of peaceful biotechnological activities, aimed at facilitating economic and social development, is a vital element in strengthening implementation of the Convention.

3. They concluded their reference to Article X implementation by underlining that the Group would seek a reaffirmation by the Sixth Review Conference of its commitment to the full and comprehensive implementation of Article X, including through the ways and means already identified by the previous review conferences and the Special Conference.

4. The Group of States of the Non-Aligned Movement and other States proposes the following language for the preamble and for the substantive section of the Final Declaration:

The States Parties reaffirm their conviction that facilitation of and participation in the fullest possible exchanges and enhanced international cooperation in the field of peaceful biotechnological activities, aimed at facilitating economic and social development, is a vital element in strengthening implementation.

5. The following language is proposed for the substantive section dealing with Article X:
- (i) *The Conference emphasizes that each and every article of the Convention bears the same value and significance. In this regard, it stresses the importance of compliance with Article X for the implementation of the Convention in its entirety.*
 - (ii) *The Conference reaffirms the commitment to the full and comprehensive 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 and render such activities critical for strengthening the Convention. Therefore this Conference urges States Parties, particularly those most advanced in this field, to adopt positive steps aimed at promoting international cooperation and transfer of technology, on an equal and non-discriminatory basis, particularly with countries less advanced in this field, thus promoting the basic objectives of this Convention.*
 - (iii) *The Conference reaffirms also that existing institutional ways and means of ensuring multilateral cooperation among all States Parties need to be developed further in order to promote international cooperation for peaceful uses in areas relevant to the Convention. In this regard any new intersessional mechanism decided by this Conference must include consideration of effective implementation of Article X, through the adoption of concrete actions.*
 - (iv) *The Conference notes that existing institutional ways and means of ensuring multilateral cooperation between the developed and developing countries would need to be developed further in order to promote international cooperation in peaceful activities in such areas as medicine, public health and agriculture.*
 - (v) *The Conference recalls once again that the States Parties have a legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.*
 - (vi) *The Conference emphasizes that States Parties should not use the provisions of the Convention to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials.*
 - (vii) *The Conference reiterates the need for effective national policies consistent with Article X. To this end, it urges States Parties to undertake to review their national regulations governing international exchanges and transfers in order to ensure its consistency with the objectives of the Convention and specifically the provisions of Article X.*

- (viii) *The Conference urges the States Parties to develop a framework to provide technical and financial resources, including through voluntary contributions, for States Parties to support an international system for the global monitoring of emerging and re-emerging diseases in humans, animals and plants and to support other specific programmes to improve the effectiveness of national and international efforts on the surveillance, diagnosis, prevention and treatment of diseases caused by microbial and other biological agents and toxins, in particular infectious diseases, including collaborative vaccine research and development and relevant training programmes. The framework so devised should facilitate the conclusion of bilateral, regional and multilateral agreements providing, on a mutually advantageous, equal and non-discriminatory basis, the vehicle for coordination of national and regional programmes that would promote the regular exchange of scientific and technical information in the biological field.*
- (ix) *The Conference reiterates its call upon the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body, before the Seventh Review Conference, a discussion and examination of the means of improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information regarding the use of bacteriological (biological) agents and toxins for peaceful purposes, and recommends that invitations to participate in this discussion and examination should be extended to all States Parties, whether or not they are members of the United Nations or concerned specialized agencies.*
- (x) *The Conference also reiterates its request to the Secretary-General to provide, annually, a report on the implementation of Article X. The Conference urges the States Parties who have not done so to provide the required national information to the Secretary-General to facilitate his report.*
- (xi) *The Conference urges once again States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field, and in this regard it stresses that the measures recommended by the Fourth Review Conference remain completely relevant.*
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