

2009 Meeting

Geneva, 7-11 December 2009

Item 6 of the agenda

**Consideration of, with a view to enhancing international
cooperation, assistance and exchange in biological
sciences and technology for peaceful purposes, promoting
capacity building in the fields of disease surveillance,
detection, diagnosis, and containment of infectious diseases**

**THE ESTABLISHMENT OF A MECHANISM FOR THE FULL
IMPLEMENTATION OF ARTICLE X OF THE CONVENTION**

Submitted by Cuba on behalf of the Group of the Non-aligned
Movement and Other States

1. The States Parties of the Non Aligned Movement and other States Parties to BWC recognize the importance of the full implementation of Article X for the proper functioning of the Convention, mainly by the significant role given to the international cooperation in this field. In this regard, they reaffirm their proposal of Plan of Action for the implementation of Article X, which was published in document BWC/CONF.VI/WP.39, dated 8 December 2006, of the Sixth 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 (BWC). Likewise, the States Parties of the Non-Aligned Movement and other States Parties to BWC also recall the Working Paper BWC/CONF.VI/WP.29 on Article X of the Convention and the proposals contained therein.

2. The Convention was established with the main objective of the total elimination of bacteriological (biological) and toxin weapons but it has failed to ascertain the achievement of this goal since its inception. This is an issue that will inevitably have to be revisited by the States Parties. The years that have gone by since the entry into force of the Convention provide a broad and useful experience from which the States can learn lessons, including the period elapsed since the Fifth Review Conference, with the holding of expert and States Parties meetings on annual basis. Nevertheless we hope that a decision can be adopted in the Seventh BWC Review Conference in 2011 recommending negotiations on a legally binding Protocol to comprehensively strengthen the implementation of the Convention including in the area of international cooperation for peaceful purposes.

3. The membership of the Convention is not homogenous in terms of the States Parties' abilities. There are marked disparities that result from asymmetries in the development of the States Parties. The Article X of the Convention is a fundamental tool to overcome this situation. The Group of States Parties of the Non-Aligned Movement and other States Parties to BWC, representing the developing countries in the Convention, has included the full implementation of Article X as a priority.

4. The States Parties of the Non-Aligned Movement and other States Parties to BWC call on the developed countries to promote international cooperation for the benefit of States Parties through transfer of technology, material and equipment for peaceful purposes in the biological field and the removal of all restrictions that are contrary to the letter and spirit of the Convention.

5. States Parties of the Non Aligned Movement and other States Parties to BWC attach due importance to promoting South-South cooperation in the framework of the Convention.

6. Given the increasing prevalence of some infectious diseases during last decade; the need for capacity building for diagnosis, prevention, treatment and control of diseases in all States Parties as well as the enhancement of all States Parties' capabilities to combat infectious diseases; and the global environment imposing restrictions in this field which make difficult for the developing countries to observe the national and international obligations; the States Parties of the Non Aligned Movement and other States Parties call upon all States Parties to the Convention to take actions to overcome these problems.

7. The Convention lacks an appropriate mechanism that would allow States Parties to facilitate the broadest possible transfer and exchange materials and scientific and technological information regarding the use of bacteriological (biological) and toxin agents for peaceful purposes, as well as exercise the right to participate in these exchanges. The States Parties of the Non-Aligned Movement and other States Parties are ready to engage in open and participative discussions with the rest of the States Parties to the Convention on the establishment of such a mechanism.

8. The States Parties of the NAM and other States Parties to BWC are convinced that a plan with concrete actions for the full implementation of article X of the Convention would be possible if the developed States Parties took necessary actions and shared with developing countries the benefits accrued from their economic and technological developments in this field, based on the use of bacteriological (biological) and toxic agents for peaceful purposes. In this context, the States Parties of the Non-Aligned Movement and other States Parties recommend establishment of a mechanism under the Convention open to participation of all States Parties, to perform the following tasks:

- (i) Identify and address the needs in terms of equipment, materials and scientific and technological information regarding the use of the bacteriological (biological) and toxin agents for peaceful purposes;
- (ii) Identify and overcome the obstacles hampering the full implementation of Article X of the Convention;

- (iii) Mobilize the necessary resources, including financial resources, to facilitate the widest possible exchange of equipment, material and scientific and technological information regarding the use of bacteriological (biological) and toxin agents for peaceful purposes, in particular from developed to developing States Parties;
- (iv) 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;
- (v) Coordinate cooperation with other relevant international and regional organizations for the financial and technological support of activities for the use of bacteriological (biological) and toxin agents for peaceful purposes;
- (vi) Establish sponsorship programme in the BWC to support participation of developing States Parties in the meetings and other activities of the Convention. This sponsorship programme could also be utilized, depending upon the availability of resources, to enhance participation of non States Parties in order to promote the goal of universalization of the Convention.

9. In this regard, the States Parties of the NAM and other States Parties to BWC would stress that cooperation and assistance should be strengthened within the framework of the Convention instead of exclusively using bilateral channels. These channels can complement the multilateral framework of the Convention but cannot and should not be substituted with them.

10. The States Parties of the NAM and other States Parties strongly believe that due to the high importance of Article X as one of the main pillars of the BWC, the deliberation on this Article should regularly be on the agenda of intersessional meetings.

11. The States Parties of the Non-Aligned Movement and other States Parties to BWC would like to seize this opportunity to encourage the States Parties to report on how Article X is being implemented as set forth in paragraph 54 of the Final Document of the Sixth BWC Review Conference.

12. The States Parties to the Non-Aligned Movement and other States Parties to BWC welcome the constructive spirit, in which discussions were held during the Meeting of Experts on 24-28 August, 2009. They consider that while bilateral and regional cooperation, including promotion of capacity building are important, States Parties should work on ways and means of ensuring the full implementation of Article X of the convention. The States Parties of NAM have proposed this working paper as a contribution for further consideration of this vital issue in the Meeting of the States Parties and in the forthcoming Review Conference. The States Parties of the NAM and other States Parties to BWC strongly recommend that this work should be continued.
