**MEETING 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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**Third Meeting**
**Geneva, 5-9 December 2005**

**Meeting of Experts**
**Geneva, 13-24 June 2005**
Item 5 of the provisional agenda
**Consideration of the content, promulgation, and adoption of codes of conduct for scientists**

# LEGISLATION AND FREEDOM OF RESEARCH

Prepared by Germany

1. The risk associated with the dual-use of biological agents has been a matter of debate in the last years. In the light of the growing information in genomics, proteomics and genetic engineering the responsibility of scientists working in the field of dangerous pathogens has become evident.

2. In international co-operations restricted access to materials has been established. In Germany a variety of laws and recommendations are in place that regulate biosafety and the biosecurity (i.e. Protection Against Infection Act, Genetic Engineering Act; Animal Welfare Act; Animal disease Protection Act; German Stem Cell Act, Regulation of Biological Substances and Protection of Workers Act). Therefore, the freedom of scientific research is incorporated within the German and European legislation framework concerning the handling of infectious material, modifying genetic material etc. In Germany especially animal experiments and genetic modifications of organisms are evaluated by expert committees. Additional regulations will hamper research in the field of biomedicine, biology and biotechnology. Experimental results should be made available to the scientific community as precise as possible. An open information exchange between scientists will allow a better understanding of risks arising from the handling of infectious or toxic material or genetic modifications of organisms. This will lead to generally accepted recommendations for risk management of dangerous pathogens and toxins.

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