

**AD HOC GROUP 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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Working paper submitted by the NAM and Other States

**STATEMENT ON BEHALF OF THE GROUP OF THE NON-ALIGNED
MOVEMENT AND OTHER STATES**

**Measures to Strengthen the Implementation
of Article III of the Convention**

The Group of NAM and Other States stress the importance of all the provisions of the Convention, including Article III which states that

“ Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in article I of the Convention.”

In this context, the Group notes that transfers relevant to the Convention should be only allowed to take place for purposes not prohibited by the Convention. It also reiterates that the provisions of Article III should not be used to impose restrictions and/or limitations on transfers for peaceful purposes of biological agents, toxins, scientific knowledge, technology, equipment and materials consistent with the objectives and purposes of the Convention.

The Group is cognizant of the fact that biological agents, toxins, equipments and technologies relevant to the Convention can be put to dual use applications and acknowledges the potential proliferation risks that this may entail. The Group emphasises that such concerns would be best addressed through multilaterally negotiated, non-discriminatory and legally binding mechanisms to be incorporated into the future Protocol which are open to participation by all States Parties to the BTWC. In this context, the Group also underlines the need for effective national export control mechanisms in accordance with obligations of Article III of the Convention.

The Group believes that concerns arising from any undue restrictions on exports to States Parties to the Convention of biological agents, toxins, material, equipment and technology for peaceful purposes should be adequately and effectively addressed in the future Protocol.

The Group believes that the Ad Hoc Group should take into account the lessons, and build upon the experiences, of the implementation of the CWC in its consideration of measures aimed at strengthening the implementation of the Article III of the Convention.

The Group, determined to strengthen the effectiveness and improve the implementation of the Convention, recognizes the need for strengthening the implementation of Article III of the Convention while avoiding measures that hamper the peaceful economic and technological development of States Parties, thus promoting the objective of the universalization of the Convention and the future Protocol. As an essential component of Compliance Measures in the Protocol, the Group proposes that the Ad Hoc Group consider effective measures including:

- guidelines on transfers amongst States Parties and on transfers to non-States Parties;
- declaration on denial of transfers in accordance with the guidelines to be established;
- guidelines to promote the harmonization of national, regional and other regulatory mechanisms with those incorporated in the Protocol;
- transparency and confidence-building measures amongst States Parties;
- review mechanisms.
