



*Mission Permanente  
de la République Islamique d'Iran  
auprès des Nations Unies  
et des autres Organisations Internationales à Genève*

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**Statement by H. E. Mr. Mohsen Naziri Asl  
Ambassador and Permanent Representative of the Islamic  
Republic of Iran to United Nations Office & other  
International Organizations in Geneva**

Before

The Meeting of the States Parties of the Convention on the Prohibition of  
the Development, Production and Stockpiling of Bacteriological  
(Biological) and Toxin Weapons (BTWC)

**Geneva, 5 December 2017**

## **In the Name of God, the Compassionate, the Merciful**

**Mr. Chairman,**

At the outset let me congratulate you for your well deserved election as the representative of the Non-Aligned Movement. We are confident that with your experience and diplomatic skills this annual Meeting of States Parties to the BWC would result to a successful conclusion. We also extend our congratulations to two other regional Vic-Chairs. We would like to express our thanks to all ISU staff for preparation of this annual meeting.

**Mr. Chairman,**

Forty two years after the entry into force of the Biological Weapons Convention, the international community still faces a great challenge on how to establish a comprehensive and legally binding norm for strengthening the Convention at the spectre of yet threats of biological warfare either by terrorist groups or by non-State actors or certain States. This challenge has made it all the more compelling to save the Convention from the scourge of divisive incremental engineering.

The impact of subversion of BTWC without strengthening it, lacking complimentary legally binding document containing balanced package of activities among other things, including verification measures as well as measures for full, effective and non-discriminatory implementation of Article X, as envisaged in the mandate of the Ad Hoc Group (AHG) negotiating Protocol, would end result in destroying the legal foundation of the BTWC as a long lasting disarmament treaty.

This central instrument of disarmament and international security has been permanently weakening by unilateralism. One could define this phenomenon as one of the most important problems of the 21st century, and therefore ask whether Biological Weapons Convention which would have represented a binding instrument for more than 4 decades, is yet decently legitimate and essentially efficient response to the current threats?

Unilateralism doesn't work and attempts to politically subordinate this international legally based treaty to mere national implementation, is not only unacceptable, but also impossible in today's world.

Consequently we will be seeing a greater and greater disdain for the basic principles of international law, and independent legal norms are becoming increasingly closer, to one state's political and legal system. All international law is the right that respects the sovereignty of the other, and the right of coordination, but not the right of subordination.

**Mr. Chairman,**

We believe that a treaty, how much universalized it might be, if it lacks any comprehensive legal implementation mechanism, it would end up being a mere political declaration in the hands of some, to impose their own discriminatory and unbalanced attitude of multifaceted Convention.

In 2001, when legally binding protocol for the Convention, was blocked, strengthening of the Convention has yet become captive of policy of one Party. Subsequently the multilateral negotiations aiming at non-discriminatory legally binding instrument, strengthening the Convention in its totality has been, up till now, an overwhelming burden and concern.

Though there is no doubt that the State Parties to the Convention have the main responsibility in the implementation of the Convention, nevertheless, selective approaches to structure discriminatory measures in the absence of legal framework, would result in unbalanced arbitrary implementation of particular Articles of the Convention under which unjustified and unacceptable excuse and/or politically motivated measures such as arbitrary limitations and restrictions on the transfer, development and promotion of equipment, materials and scientific and technological knowledge, would be a damage to bridging the gap and building trust, confidence and capacity for the State Parties to benefit from new advances in bio-science and bio-technology.

**Mr. Chairman,**

The rapid pace of scientific and technological development cannot be overemphasized. Likewise, attempts by some to exploit the level of cooperation and restrict the others to benefit from such developments, cannot also be underestimated, either. This situation becomes even more critical by the lack of political will to establish an institutional mechanism for the follow-up, and review the implementation of all Convention provisions.

After almost two decades of shift away from Ad HoG mandate, it is argued that the invaluable work and mandate of the AHG have to be buried everlastingly and new track of derailing with intersessional process to be

institutionalized so as to fragment all attentions from any return to negotiating a legally binding instrument for BWC.

Hence, taking note of different proposals in particular those who are looking for discriminatory BTWC regime formation outside the ambit of UN, we firmly believe that the most effective approach is thus far the one that provides for dealing with all provisions of the Convention in a comprehensive and balanced manner; and, so, the most pragmatic option to strengthen the Convention is through resuming the invested AHG negotiations of a multilateral legally binding Protocol for the Convention.

The repeated objection and boycott of such absolutely viable option, demonstrate that no miracle would happen so as the said State Party to change its position, and therefore, States Parties should no longer wait, when the large community of the BWC States Parties except single one, support resumption of negotiations of a legally binding instrument for strengthening the Convention to maintain its the relevance.

**Mr. Chairman,**

The principle position of NAM -as the largest community of States Parties and main player for strengthening of the BWC- has explicitly stated in the 6<sup>th</sup> Review Conference that:

“Although the Group of States of the Non-Aligned Movement and other States Parties to the BWC maintains its conviction that the multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement is the only sustainable method of strengthening the Convention, it recognizes however the value of the inter-sessional ad hoc mechanism for promoting the objectives of the Convention.”

It should be well noted that until and unless the momentum for negotiating of a legally binding instrument comes, any measures by the States Parties would have the value of merely being as voluntary measures in nature as agreed. Therefore, certain suggestions and proposals that are expanded in particular including recently presented proposals aiming at converting the current inter-sessional practice to a fragmented compliance mechanism on self-selective measures, while ignoring certain provisions of the Convention, are contrary to the comprehensive nature of the Convention, which requires holistic approach to preserve its integrity. In principle, the issue of compliance is a distinct subject that should be deliberated in terms of a devised comprehensive legal regime not incremental approach.

**Mr. Chairman,**

Our work in this meeting shall be strictly guided by the previous intersessional agreed framework and mandate for any annual meetings before the next Review Conference.

Since 2003, the mandate and purpose of MSPs have been “to discuss, and promote common understanding and effective action” on specific topics. We believe this mandate should continue to serve as the principal mandate of the next ISP and its related meetings. We are not convinced that going beyond that mandate as proposed by some delegations could strengthen the convention. We have already made our case clearly and abundantly as to the appropriate approach for strengthening the convention. With respect to other aspects of the next ISP we look forward to working with you, Mr. Chair, and other delegations particularly those that have made specific proposals. To achieve a compromise agreement on the ISP, there should be common willingness for accommodating various national positions, priorities and concerns. For the sake of success of this meeting, we all need to recognize that pushing for ambitious proposals which drastically change the mandate, substance and process of the next ISP would not work.

**Mr. Chairman,**

Last but not least, my delegation is ready to constructively engage with you and other delegations to have a successful Meeting of States Parties.