

**FIFTH 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/CONF.V/COW/WP.25
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**TRANSFER OF EQUIPMENT AND BIOLOGICAL MATERIALS FOR
PEACEFUL APPLICATION**

**Working paper by China, Cuba, India, Indonesia, Islamic Republic of Iran,
Libyan Arab Jamahiriya, Pakistan and Sri Lanka**

The Conference considers that: according to Article III, 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 organization to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention, and according to Article X, the States Parties to this Convention undertake 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.

The Conference reaffirmed that the effective implementation of the Convention is subject to the non-discriminatory and balanced approach to all provisions of the Convention.

The Conference reiterated the confirmation of the Fourth Review Conference that the provisions of Article III should not be used to impose restrictions and/or limitations on the transfers for purposes consistent with the objectives and purposes of the Convention, of scientific knowledge, technology, equipment and materials under Article X.

The Conference recognized that in case a State Party being fully committed to all provisions of the Convention, Article III in particular, is denied by another State Party for receiving equipment and materials for peaceful application of biology and biotechnology, it should have the right to seek to redress the situation and settlement of disputes through institutionalized measure.

The Conference considered that on the basis of the set of consecutive measures proposed in working paper BWC/AD HOC GROUP/WP.432, a mechanism should be established to deal with the issue of settlement of disputes of transfer denial.
