

In the name of Allah the compassionate the merciful

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## STATEMENT

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At the Opening Plenary of the Fifth Review  
Conference

Of the Biological Weapons Convention,  
19 November 2001,  
Geneva

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In the Name of God,  
The Compassionate, the Merciful

Mr. President

At the outset I would like to congratulate you on your election to the Presidency of the of the Fifth Review Conference of the Biological Weapons Convention BWC and wish all success in this peculiar responsibility for you, bureau and Secretariat of the Conference. I would also like to express my appreciation for the efforts of the Secretary General of Conference.

Mr. President

Expressing condolences for the inhumane terrorist attack on September 11, permit me at the outset to quote part of the recent statement of H.E. Khatami, the President of the Islamic Republic of Iran at the United Nations General Assembly:

"The commencement of the new century and millennium was regrettably marred by blood and gloom. In 2001, terror and violence persisted and scores of defenceless innocents became victims of the blind hatred and rage of governments and terrorist groups. One of the most brutal and savage crimes of this range was the terrorist attack against American citizens.

The decisive, immediate and unequivocal global condemnation of the terrorist attacks of September 11th represents the emergence of a public attitude and common political will all over the world to counter terrorism in all its manifestations, irrespective of motives, perpetrators or victims. The Leader of the Islamic Revolution of Iran spoke of "Jihad against this evil phenomenon" so as to highlight the genuine view of Islam and the Islamic Revolution vis-a-vis terrorism and violence".

Mr. President,

The Islamic Republic of Iran, attaches great importance to the issue of multilateral disarmament and arms control treaties, in particular the Conventions aiming at eliminating a complete category of weapons of mass destruction under effective international control. In this context, the Review Conference of the Biological and Toxins Weapons Convention (BTWC) is an important event, which my delegation is determined to make it a success.

In the light of recent developments and the potential threats of biological agents to be used by terrorists, urgent need for an international legally binding instrument, for strengthening the Convention to be followed by establishment of an organization in

order to implement its provisions is felt more than ever. States Parties to such an instrument would be obliged never under any circumstances to develop, produce, stockpile, use or otherwise acquire or transfer any biological agents and toxins, which might be used for purposes prohibited under the convention. Routine mechanism of the submission of declarations by States Parties to such an international organization as a confidence building measure or part of their obligations as well as implementation of compliance measures by the organization would promote the global security in this regard. Following ratification of such instrument, each state party will adopt necessary national legislations in order to enforce stringent prohibition in order to prevent their use for purposes prohibited under the Convention. All these follow up measures after the conclusion of a multilateral approach adopting a legally binding instrument would, to great extent, limit the access of bio- terrorists.

Mr. President,

The Islamic Republic of Iran is of the view that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (biological) and Toxin Weapons and on their Destruction is essential to international peace and security. The strengthening the Convention through multilateral means preparing a legally binding instrument is urgently needed.

The development and adoption of a protocol would in itself demonstrate the determination of the international community to raise further legal, political and moral barriers against biological weapons and non-compliance with the biological weapons Convention.

Mr. President,

Negotiation of Ad Hoc Group for strengthening the BW Convention has been going on since 1995. By 24th session of the Ad Hoc Group we were within decisive juncture for reaching of a protocol. A sudden shock by unjustified position of the United States lead the 24th Session to a total failure.

The Islamic Republic of Iran, like almost all other countries supported the Ad Hoc Group negotiation and expected the successful conclusion and final adoption of a protocol at the 24th Session. We still insist on the validity of the mandate of the Ad Hoc Group and announce our readiness for continuing negotiation in a multilateral framework. The multilateral negotiation for preparation of international legally binding instrument for strengthening the Convention has to be convened after the fifth Review Conference. One-year duration for the conclusion of task as envisaged in the Special Conference 1994 seems to be sufficient.

At the same time, I would like to reiterate that my delegation is open minded and therefore welcomes without any prejudice any constructive proposals in order to further enrich the texts already prepared. However, any proposal on opening new avenue and announcing the active fruitful cooperation of all state parties during past seven years in the Ad Hoc Group as meaningless, and time wasting process is a humiliation and an insult to all states parties involved in a multilateral negotiation with a good intention of strengthening the Convention. As a matter of principle my country will not permit its credibility and maturity in supporting the Ad Hoc Group negotiation in fulfilling its mandate entrusted to it by the 1994 Special Conference to be questioned, and do not let the collective endeavours during last decade to be ignored

and considered vain. What happened during the 24th Session of the Ad Hoc Group has to be compensated by collective determination to restart our negotiation in the multilateral framework after the Fifth Review Conference towards the ultimate goal of strengthening the Biological Weapons Convention. The routine Review Process of the Convention could not be started unless the fate of the "Multilateral Process" is certain and the future negotiation is planned. A successful conclusion of the negotiation would not only strengthen the convention but could also be a demonstration that multilateral negotiation are capable of achieving progress towards disarmament and non-proliferation.

We believe that a comprehensive, universal, balanced protocol containing both regular and promotional aspects shall be instrumental in monitoring the effective implementation of the Biological Weapons Convention (BWC).

The fundamental provision for confidence building in our view is the universal implementation of the biological convention and monitoring the implementation by an effective international organization to be established on the basis of the Convention and such protocol. Selective and unilateral approaches and alternatives to the Protocol have simply no prospect of strengthening of the Convention. In fact, no other ideas as such other than a protocol could meet the objective of the mandate.

Mr. President

Now I would like to touch upon couple of other important issues relevant to the review of the implementation of the Convention.

Effective implementation is subject to the global adherence to the convention.

Unfortunately after three decades since the entry into force of the Convention the universality is not materialized and the non-parties advanced in biotechnology have not as yet signed or ratified the convention, posing serious threat to the regional peace and security.

We therefore call upon all non-States Parties in particular the advanced and capable ones in biological field to accede to the Convention as early as possible, and urge all States Parties to spare no effort, through bilateral or multilateral means, in persuading non-States Parties, to accede to the Convention without further delay in order to realize its universality.

As a bitter experience I am obliged to remind that the Islamic Republic of Iran ratified the Chemical Weapons Convention with the expectation of early realization of its universality, particularly by the adherence of the countries in the strategic region of Middle East. Prior to our ratification assurances were given to our president, by some heads of states of friendly industrialised countries in sparing no effort to put political pressures on those, which might not care to join. Regretfully despite of continuous calls none of the capable countries with advance chemical industries in the said region have as yet ratified the CWC and joined the OPCW.

Mr. President,

We are of the belief that the effective implementation of the Convention is subject to the non-discriminatory and balanced approach to all provisions of the Convention.

The Fourth Review Conference reiterated that the provisions of the 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.

In view of the Islamic Republic of Iran and other Non-Aligned countries the preservation of national export control and arbitrary parallel regimes after the entry into force of a legally binding instrument for strengthening the convention render serious damages to the universality of the Convention. With the accession of each state to the international conventions it shall harmonize national laws with its international obligations. Under the international law, the international obligations supersede the domestic laws.

In case a state party being fully committed to all provisions of the Convention, Article III in particular but, is denied by other State Party of receiving the equipment and the materials for peaceful application of biology and biotechnology, it should have the right to seek for redressing the situation and the settlement of disputes through an institutionalised measures.

As a result of the present trade restrictions, the gap between developing and industrial countries in the area of biology and biotechnology for peaceful purpose is wide, a lot of financial implications emanating from the postponement or discontinuance of the peaceful projects have been imposed on developing countries. Thus we have repeatedly expressed our reasoning that trade restrictions of Australia Group are unilateral, discriminatory and self-imposed arrangements.

Each state party or group of states parties who individually or collectively decide to deprive a state party from access to biological and toxin agents, equipment or technologies, contrary to the comprehensive provisions of the Convention, they have clearly breached the Convention.

Mr. President,

The use of Biological weapons is contrary to the object and purpose of the Biological Weapons Convention. This Convention does not however, in its present form, contain specific stipulation banning the use of these horrifying weapons. According to the Article VIII of the Convention nothing shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the 1925 Geneva Protocol. According to the Geneva Protocol the "Use" is prohibited but some states parties have already made reservation to that effect that is they are not committed to it. This important issue was brought to the attention of the Fourth Review Conference, by the Delegation of the Islamic Republic of Iran. In the spirit of compromise we did join the consensus on the conclusion with the expectation that by the Fifth Review Conference the problem would be solved. Therefore only two alternatives are left to amend the BWC and insert the clause "use" in the title and article 1, or the reservation to Geneva Protocol be withdrawn. While we appreciating those who have withdrawn their reservation since last Review Conference, we once again call upon all States Parties to the Convention, which maintain reservation to the Geneva Protocol to withdraw their reservation. We do hope that the conference would deal with this issue in the most appropriate and urgent manner.

Mr. President,

Finally at this crucial juncture that the world public opinion is focused on our historical endeavour in bringing peace and security, Once again, I would like to assure the fullest cooperation of my delegation for the success of the conference.

I thank you. Mr. President