



## Press Release

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### **STATES PARTIES CITE URGENT NEED TO STRENGTHEN BIOLOGICAL WEAPONS CONVENTION AS GENERAL DEBATE CONCLUDES**

National delegations speaking before the Fifth Review Conference of the States Parties to the Biological Weapons Convention called this afternoon for strengthening the Convention in view of the recent events in the United States.

The Conference - formally titled the 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 - concluded its first stage, the general debate, this afternoon. The Conference will now continue with a detailed review of the provisions of the Convention, article by article, for the next few days. These reviews will be conducted under the Committee of the Whole.

Addressing the afternoon meeting were representatives of Australia, Iraq, Indonesia, Switzerland, Malaysia, Belarus, Chile, Thailand, Algeria, and the Czech Republic. Also during the general debate, Egypt and the International Committee of the Red Cross (ICRC) addressed the Conference as a Signatory State and an Observer Agency, respectively.

#### General Debate

LES LUCK (Australia) stated that the main threat of biological weapons continued to come from covert State programmes to develop and stockpile biological agents. Australia was concerned about reports that a number of States, including some Parties to the Convention, had undertaken research, production, development or stockpiling of biological weapons in the last five years. There was a need to strengthen the Convention since it had not been fully implemented by States parties. While highlighting the importance of universal adherence to the Convention, Mr. Luck indicated that only 31 States had submitted their annual information on confidence building measures in 2001. Moreover, he said that Australia was 'deeply disappointed' with the failure to reach agreement on a draft Protocol, which it viewed as the best way to reinforce the Convention. Some new practical measures to strengthen the Convention in the short-term could contribute to a lasting framework and Australia was willing to consider any new

proposals to enhance compliance and reinforce the Convention.

Mr. Luck welcomed the ideas and proposals put forth to date, including those for enhancing both confidence building measures and transparency measures. Australia supported the idea of holding annual meetings to focus on the implementation of Review Conference commitments, to encourage universality, and to preserve the vitality of the Convention between review conferences.

SAMIR K. K. AL-NIMA (Iraq) stated that the threat of biological weapons against humanity was now greater than any time before. Iraq hoped that the United States would reconsider its position after having rejected the draft Protocol at the twenty-fourth session of the Ad Hoc Group. According to Mr. Al-Nima, the new proposals made by the United States reinforced the fact that the United States took actions whenever its interests were at stake. Iraq urged all States parties to study carefully the United States proposals and to treat all proposals on an equal basis.

Mr. Al-Nima stated that the United States was violating the Non-Proliferation Treaty and other international disarmament regimes by providing assistance to Israel in building its arsenals of weapons of mass destruction. Furthermore, he affirmed the wish of Iraq to strengthen the Biological Weapons Convention by preserving the mandate of the Ad Hoc Group and continuing its work.

NUGROHO WISNUMURTI (Indonesia) noted with 'deep concern' that the Ad Hoc Group was unable to agree upon the draft Protocol, which had created uncertainties about the future of the Group, the draft Protocol and its compliance provisions and the entire negotiating process. Indonesia supported the continuation of negotiations in the Ad Hoc Group based on the Chairman's Composite Text. In light of the recent anthrax attacks, Indonesia felt that it was all the more necessary to achieve a workable verification regime. According to Indonesia, confidence building measures and transparency measures carried out in a non-discriminatory manner were essential for strengthening the Convention. Furthermore, a verification regime should be cost-effective, reliable and non-intrusive and should not hamper the use, research and development of biological/toxin agents for peaceful purposes.

Mr. Wisnumurti said that Indonesia also believed that a verification system should eliminate any possibility of disclosing commercial proprietary information and must not hamper technical cooperation, which was important for the socio-economic advancement of developing countries. In this connection, Indonesia underlined the need to maintain the mandate of the Ad Hoc Group and indicated that a protocol should be multilaterally negotiated to achieve consensus. For Indonesia, there was no alternative to multilateralism in combating the proliferation of weapons of mass destruction.

CHRISTIAN FAESSLER (Switzerland) noted that the recent events in the United States had three implications for the disarmament of biological weapons: the need to redouble efforts to achieve universality of the Biological Weapons Convention; the need to extend the ban on biological weapons to non-State actors and individuals; and, the need to link

the problem of proliferation with a range of related issues in the fields of health and development. Switzerland regretted that the Ad Hoc Group had not been able to accomplish its work but indicated that its work could be the basis of future negotiations.

Mr. Faessler stated that the existing mandate of the Ad Hoc Group was flexible enough to allow for the reactivation of negotiations. He felt that the Fifth Review Conference should put into motion a process to ensure the follow-up of its work and future efforts to strengthen the Convention. In this regard, Switzerland believed that the Conference should recommend concrete measures to strengthen the Convention, which should then be rapidly put into effect. On the other hand, Switzerland was ready to consider all new ideas and proposals to strengthen the Convention. Switzerland particularly welcomed proposals to criminalize activities prohibited by the Convention and suggested an international legal instrument to ensure that all States parties enact national legislation to this end.

RAJMAH HUSSAIN (Malaysia) stated that enhancing the effectiveness of the Convention in a comprehensive manner should be a high priority. She also noted that, for a compliance protocol to be a meaningful and effective instrument, all parties, including advanced countries in the field of biology with large bio-industry and bio-defence facilities, must fully participate in negotiations of such a protocol. Malaysia believed that an effective Protocol and one that was acceptable to all States Parties should be concluded as provided for in the mandate of the Ad Hoc Group.

VLADIMIR KOROLEV (Belarus) affirmed observance by Belarus of all provisions of the Convention. Belarus submitted information annually to the United Nations on work done on biological agents and toxins. The events of 11 September and outbreaks of anthrax in the United States had added urgency to the problem of the use of biological weapons. In view of such threats, Belarus believed that differences among States Parties could be overcome and urged all States to consider new proposals to strengthen the Convention. In this regard, Belarus favoured a multilateral non-discriminatory approach in strengthening the Convention.

ENRIQUE VEGA (Chile) spoke on behalf of the Group of Rio, comprising Argentina, Bolivia, Brazil, Chile, Columbia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Uruguay, Venezuela and Guyana, in representation of the Caribbean States. He recalled the statement made by the Rio Group on October 8, 2001 in the First Committee of the fifty-sixth session of the UN General Assembly. In that statement, the Rio Group had affirmed its regret that no progress had been achieved towards the conclusion of a Protocol on verification of the Convention. The statement had also expressed hope that the mandate of the Ad Hoc Group would be reinstated in order to continue negotiations for the finalization of a compliance Protocol.

VIRASAKDI FUTRAKUL (Thailand) expressed Thailand's willingness to consider the new proposals of the United States, as well as other proposals, to strengthen the Convention and to create impartial and transparent international mechanisms for

implementing the Convention. He stressed the importance of compliance, but also said that the Conference should not neglect the concerns of developing countries in securing adequate technical cooperation to promote peaceful uses of biotechnology, such as for public health and agriculture purposes. Mr. Futrakul added that the Thailand Biodiversity Center (TBC), under the Ministry of Science and Technology, had been appointed as the provisional focal point for all matters related to the Convention.

NASSIMA BAGHLI (Algeria) said that Algeria had recently become a State party of the Biological Weapons Convention. In order to deal with the challenges of new threats such as 'asymmetrical war', Algeria emphasized the need for specific measures and actions. Ms. Baghli expressed regret that the Ad Hoc Group had failed to achieve consensus on the draft Protocol. Nevertheless, she underlined that multilateral approach in strengthening the Convention was indispensable.

ALEXANDER SLABY (the Czech Republic) laid out a series of major steps, comprising both regulatory and legislative nature, that the Czech Republic had undertaken to prevent the use of biological agents for hostile purposes over the past years. The Czech Republic regretted that the twenty-fourth Ad Hoc Group session had failed to reach a successful conclusion, but at the same time, he stressed that the positive results of the past six years should not go to waste. Mr. Slaby believed that the mandate of the Ad Hoc Group, approved at the Special Conference in 1994, was still valid and that the elements of the proposed verification and compliance regime, such as the international system of mandatory declarations, on-site inspections and investigations, were essential to strengthen the Convention.

MURAT ESENLİ (Turkey) said that with Turkey in a precarious geographic situation, all efforts would be made to strengthen the Convention and all other conventions covering weapons of mass destruction. He said that the best way to respond to the recent bio-terrorism in the United States was to demonstrate determination to strengthen the Biological Weapons Convention. Mr. Esenli recognized that efforts must also be made to establish a multilaterally negotiated compliance and verification mechanism, which in turn must be implemented effectively and universally.

MOHAMED TAWFIK (Egypt) took the floor to make a statement as a signatory State. Condemning the terrorist acts on 11 September, he affirmed the importance of international efforts in curbing bio-terrorism. Having signed the Convention in 1972, Mr. Tawfik said Egypt had always participated as a Signatory State in the work of the Ad Hoc Group and had followed the review process of the Convention. Egypt recalled the efforts of President Mubarak in 1990 to establish a zone free of weapons of mass destruction in the Middle East. Mr. Tawfik said that Israel had nuclear capability and this was a great source of concern in the region. Such concern, Egypt argued, must be addressed within the context of various non-proliferation regimes. According to Egypt, a strengthened Biological Weapons Convention would attract further adherents to the Convention. To strengthen the Convention, Egypt underscored three essential aspects: the need to fill gaps in prohibition of the use of biological weapons as provided in the Final Declaration of the Fourth Review Conference; the need for a compliance mechanism; and

implementation of all provisions of the Convention for use of biology for peaceful purposes.

FRANCOIS BUGNION, took the floor as on behalf of the International Committee of the Red Cross (ICRC), which holds an Observer Agency Status at the Conference. He opened his statement by saying that, for more than 2,000 years, prohibitions on the use of poison had been enshrined in the codes of warfare of diverse ethical systems and cultures. He cited the Ancient Greeks and Romans, the 500 BC Manu Law of War in India, and regulations of war conduct drawn from the Koran as examples, and then in more recent times, the prohibition as codified in the 1899 Hague Declaration (2) and the 1907 Hague Convention (IV) as elements of customary international law.

In order to strengthen the Convention, Mr. Bugnion suggested the following: (1) a strong reaffirmation in the Final Declaration of the norms contained in the 1925 Geneva Protocol and in the 1972 Biological Weapons Convention; (2) a call upon all States parties to adopt strict national legislation against acts prohibited under the 1925 Protocol and the 1972 Convention and to monitor more efficiently the development and trade in biological agents; (3) an appeal to State parties that have reservations to the 1925 Geneva Protocol to withdraw them; (4) encouraging universal adherence and more vigorous implementation of confidence and transparency measures; and (5) and supporting major improvements in national health structures to respond to the use of or threat of biological weapons and to suspicious outbreaks of disease. ICRC favoured proposals to establish a committee composed of States parties, which would meet on a regular basis between the Fifth and Sixth Review Conferences. ICRC also urged all States to reaffirm their commitment to the biological disarmament regime, to fully participate in agreed Confidence Building Measures, and to support efforts in this Conference to significantly reinforce the Convention.

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