

SECOND REVIEW CONFERENCE OF THE 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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SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 9 September 1986, at 3.00 p.m.

President: Mr. LANG (Austria)

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consolidated in a single corrigendum, to be issued shortly after the end of  
the session.

The meeting was called to order at 3.20 p.m.

PROGRAMME OF WORK (agenda item 9) (continued)

1. The PRESIDENT suggested that, in addition to the two meetings on 9 September, the meetings on Wednesday 10 September and Monday 15 September should be devoted to the general debate. He also suggested that the speakers' list for the general debate should be closed on Wednesday 10 September at noon.
2. It was so decided.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (continued)

3. The PRESIDENT recalled that, at the end of the Conference's second meeting, two members of the Credentials Committee remained to be appointed. Since then there had been two nominations, the first, that of Jordan, by the Group of Non-aligned, Neutral and Other States, and the second, that of New Zealand, by the Group of Western and Other States. If there was no objection, he would take it that those two States Parties were appointed by the Conference as members of the Credentials Committee.
4. It was so decided.

REVIEW OF THE OPERATION OF THE CONVENTION AS PROVIDED FOR IN ITS ARTICLE XII  
(agenda item 10)

(a) GENERAL DEBATE (continued)

5. Mr. DESPRES (Canada) said that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (biological) and Toxin Weapons and their Destruction was the first multilateral agreement aimed at the complete elimination of a whole category of weapons. Strict observance of the Convention by all the States Parties and universal accession to it were therefore of special importance. At the time of its conclusion the Convention had also been seen as a major step towards the effective prohibition of chemical weapons, as was clear from the preamble and article IX. Negotiations to that end had been held at the recent session of the Conference on Disarmament and the current Review Conference should urge the continuation and intensification of those negotiations. In his delegation's view, the participants in the Conference had a dual task: to examine impartially the implementation of the Convention since its entry into force and to consider means of strengthening it.

6. Arms control and disarmament implied in all fields a race between the never-ending advances of science and technology and the means available to statesmen and legislators to ensure that those advances were used to strengthen international peace and security. In the field of biotechnology, the problem was particularly acute. Since the entry into force of the Convention, and even since the First Review Conference, major advances had been made in various branches of biotechnology. Although such progress could be of inestimable value in enhancing the health, well-being and security of peoples throughout the world, it was nevertheless also true that it could be misused

for other than peaceful purposes and that it made verification of compliance with the provisions of the Convention, which many regarded as vital to an agreement on arms control and disarmament, increasingly difficult.

7. Since the First Review Conference, there had been several allegations of serious violations of the Convention. Canada had carried out investigations into the question of the alleged use of toxin weapons in Southeast Asia. Those investigations, which had formed the basis of three separate reports to the Secretary-General of the United Nations, did not in themselves provide conclusive proof but nor did they refute the allegations of violations to which he had been referred. They showed that the abnormal epidemiological phenomena occurring in Southeast Asia at the beginning of the 1980s remained without adequate explanation. They pointed to the absolute necessity of full, prompt and unreserved co-operation among all the parties directly concerned. Such co-operation had been lacking in the case of the investigations carried out by the Canadian Government, and in the case of the expert team sent to the region by the Secretary-General of the United Nations in 1981. Similarly, uncertainties regarding other presumed violations of the Convention had not been resolved. The situation was neither satisfactory nor acceptable.

8. Given that state of affairs, it would be only too easy to slip into an attitude of passive despair but such a defeatist approach could only weaken the stand that had been taken against biological weapons, the best expression of which was the Convention, which was still a legal instrument binding on all the States Parties. The Canadian Government considered that the Conference should seek to strengthen the application of the Convention in a realistic and practical spirit. It hoped that the Conference would result in an agreement on a number of measures that could be set forth in a final document adopted by consensus and implying a political commitment. In particular, Canada deemed it highly desirable to build upon the results obtained at the First Review Conference by reaffirming the right, under article V of the Convention, to request the organization of consultations at the expert level open to all States Parties and setting forth the corresponding obligation of all States Parties directly concerned to respond favourably to such requests, to participate in the consultations and to co-operate to the full in resolving any problem relating to compliance with the Convention. The Canadian delegation was also ready to give favourable consideration to any other measure likely to further the hope of seeing the ban on biological weapons complied with and all States Parties truly complying with the legal obligations imposed upon them by the Convention.

9. Canada had never possessed any biological weapons and it continued to observe all its obligations under the Convention to the full and in all respects. In the hope of encouraging a freer exchange of information on biotechnological research and development among the States Parties, his delegation had given the Conference secretariat a paper describing the general character and scope of biotechnological activities in Canada, and the role played in that field by the Canadian Government, and requested its circulation as an official Conference document.

10. Mr. KRISTVIK (Norway) said that the entry into force, of the Biological Weapons Convention in March 1975 had been a major event in the disarmament field. It had been the first - and was still the only - multilateral agreement to contain provisions for concrete disarmament. In providing for

the destruction of existing weapons and the banning of a whole category of weapons of mass destruction, the Convention had been seen as a model for multilateral disarmament agreements.

11. Norway, which had been one of the first countries to sign the Biological Weapons Convention in 1972, was pleased to note that 16 additional States had acceded to the Convention since the First Review Conference. Although it now had more than 100 States Parties, the Convention was however, far from being universal. The current Review Conference should urge the remaining signatory States and those which were not parties to adhere to the Convention at the earliest possible date.

12. Although the Convention stipulated the holding of a review conference five years after its entry into force (article XII) it contained no provision for further regular reviews. In its Final Declaration, the First Review Conference in 1980 had expressed the belief that such conferences constituted an effective method of reviewing the operation of the Convention and had decided that a second Review Conference should be held at Geneva at the request of a majority of States Parties not earlier than 1985 and, in any case, not later than 1990. On the basis of that decision, the Norwegian Government had approached the Depositary Governments in 1984 with a proposal that a second Review Conference should be convened in 1986. At the thirty-ninth session of the United Nations General Assembly, a draft resolution to that effect had been introduced by Norway on behalf of 42 countries from all regional groups and had been adopted without vote on 12 December 1984. His delegation hoped that the current Conference would decide to convene a third Review Conference after an appropriate period.

13. Every effort should be made at the current Review Conference to adopt a Final Declaration in which the States Parties would, inter alia, affirm their dedication to the principles and objectives of the Convention and their commitment to implement its provisions effectively. In his delegation's view, the scope of application of article I of the Convention was sufficiently clear and comprehensive. The rapid developments in biotechnology, especially in the area of genetic engineering, had caused concern that that new technology might be misused for weapons purposes. His delegation believed that the provisions of article I of the Convention clearly banned any such misuse. The First Review Conference had welcomed the declarations of several States Parties confirming their implementation of and compliance with the prohibition of biological and toxin weapons. Norway had been among the States Parties to make such a declaration in 1980. In preparation for the current Conference, it had submitted a statement to the Secretary-General confirming that its position in that regard was unchanged.

14. Norway had never developed, produced or stockpiled any biological or toxin weapons. To fulfil its obligations under article IV, it had included the main part of article I of the Convention in the Norwegian Penal Code. In Norway, all research in micro-organisms and toxins was directed solely towards the epidemiology of infectious disease, medical treatment and prophylaxis. In accordance with the substance and the spirit of article X of the Convention, the research was unclassified and the results were published in the scientific literature.

15. At the First Review Conference, much attention had been devoted to the provisions of the Convention concerning verification and complaints procedure. In his delegation's opinion, the verification provisions were inadequate and recent scientific and technological developments had made their inadequacy all the more apparent. The complaints procedure was another weak point in the Convention. The current Review Conference should therefore issue a reminder that the provisions of article V concerning consultation and co-operation enabled interested States Parties to use various international procedures which would make it possible to ensure effectively and adequately the implementation of the Convention provisions. The Conference should reaffirm that those provisions included, inter alia, the right of any State Party to request the convening at the expert level of a consultative meeting open to all States Parties.

16. Norway hoped that all States Parties would agree that any report of non-compliance should be taken seriously. The Final Declaration of the current Review Conference should therefore state that alleged violations of the Convention should be investigated without delay and in a proper manner.

17. The First Review Conference had called for strict compliance with the provisions of the 1925 Geneva Protocol. According to documented reports, chemical weapons had been used repeatedly in the war between Iran and Iraq, in violation of the Protocol. Norway had expressed grave concern over those violations and strongly condemned the use of such weapons. The fact that such weapons were still being produced and used was a timely reminder of the urgent need to conclude a global and comprehensive ban on chemical weapons. The States Parties to the Convention had committed themselves under article IX to negotiate an agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and their destruction. After 14 years, negotiations in the Conference on Disarmament, had still not produced such an agreement. Considerable progress had been made, however, during the last few years. The draft text resulting from the 1986 session covered all the major areas of the Convention, except procedures for requesting a fact-finding mission. That gap reflected the disagreement concerning on-site inspection on challenge. Norway, which had played an active part in the work of the Conference on Disarmament for several years, was of the opinion that the negotiations should be intensified with a view to reaching an agreement in 1987. It was vital to mankind that chemical weapons should be eliminated as soon as possible.

18. Norway was confident that the deliberations of the current Conference would demonstrate the importance of the Biological Weapons Convention. It would like to see the Conference become a constructive tool in the effort to uphold the authority of the Convention. It would be useful in that connection if all the States Parties to the Convention would reaffirm their commitment to it in the Final Declaration.

19. Mr. MEISZTER (Hungary) said that the Hungarian People's Republic had always attached the greatest importance to the prohibition and destruction of all kinds of weapons of mass destruction, particularly means of chemical and bacteriological warfare. That was why as early as 1966, at the twenty-first session of the United Nations General Assembly, it had submitted a draft resolution which, in parallel with the strengthening of the 1925 Geneva Protocol, aimed at the complete prohibition of the development,

production and stockpiling of all chemical and bacteriological weapons and the destruction of existing stocks. It had also been one of the first countries to sign and ratify the Convention, which was currently an organic part of national legislation, in compliance with article IV of the Convention. Lastly, the Hungarian People's Republic had strictly complied with all the provisions of the Convention and was determined to continue to do so in the future. It had never possessed biological or toxin weapons and had no intention of acquiring them.

20. In the view of the Hungarian Government, the Convention, which had more than 100 States Parties, had contributed greatly to the strengthening of international security and to the promotion of mutual trust and co-operation. Its importance did not stop there, however. It had in fact been followed by further agreements on arms control and disarmament. Just as the elaboration of the Biological Weapons Convention had been influenced by previous accords, it in its turn had had an impact on subsequent arms control and disarmament activities. There was a close organic interrelationship, the importance of which could hardly be over-estimated. It was important, therefore, to utilize the accumulated experience when working out new international legal instruments on disarmament. Only an international legal régime based on respect for existing agreements and ever-increasing international co-operation could effectively guarantee the security of all nations.

21. In his Government's view, the Biological Weapons Convention, which had been in force for more than 10 years, had played a positive role in limiting the arms race by outlawing an entire class of deadly weapons of mass destruction. Events had moreover clearly confirmed the validity and timeliness of banning a type of weapon the use of which at any point in the world could entail unimaginable consequences for mankind as a whole.

22. At the time of the adoption of the Convention banning biological and toxin weapons, such means of warfare had been considered to have comparatively low military value given the level of science and technology. Since then microbiology had made great advances and without the Convention the new discoveries in the field of genetic engineering might have changed that situation. The new progress made in biology was included in the scope of the Convention. If the Convention's provisions were strictly complied with in future, it would be possible to ensure that the findings of biotechnology would not be used to develop new biological or toxin weapons or to make existing agents more effective in military terms.

23. At the First Review Conference, the Hungarian delegation had expressed the view that the provisions of the Convention had been properly complied with and that no violation of obligations had taken place. In its opinion that was a proof of the effectiveness of the Convention and it hoped that States Parties would continue to respect their obligations. It should be noted that during the 10 years the Convention had been in force no State Party had felt it necessary to set in motion the procedure provided in articles V (calling for consultations to resolve problems) and VI (dealing with complaints concerning violations of obligations).

24. Under article IX each State Party had undertaken to continue negotiations with a view to reaching agreement on effective measures for the prohibition of

the development, production and stockpiling of chemical weapons and for their destruction. Negotiations to achieve such a treaty had recently been accelerated in the framework of the Conference on Disarmament and substantial results had been achieved. Nevertheless, much remained to be done and increased efforts and flexibility would be required from the participants in the negotiations. His delegation was convinced that given the necessary political will to agree and unremitting efforts on the part of the negotiators an agreement on a comprehensive ban on chemical weapons, drawing on the experience accumulated since the conclusion of the Convention, might be within reach in the foreseeable future. There was, as he had already mentioned, a close, organic interrelationship among existing treaties on disarmament. Early conclusion of a chemical weapons treaty was desirable in order to cover whatever grey areas might lie between biological and chemical weapons. The successful outcome of the current Review Conference would undoubtedly improve the prospects of the early conclusion of a chemical weapons treaty.

25. Article XII of the Convention provided that the Review Conference should take into account all achievements of science and technology relevant to the Convention. The papers prepared by the Depositary States and other States Parties provided a satisfactory summary of those developments. His delegation agreed with the conclusion that the Convention covered all the results of scientific and technical development relevant to the weapons it was intended to ban and considered that obligations assumed under the Convention did not impede scientific progress for peaceful purposes. His delegation considered it to be of the utmost importance that States Parties should increase their co-operation in compliance with article X and was convinced that the stronger scientific and economic relations became, and the livelier the exchange of information in the peaceful uses of biology and biotechnology, the stronger would be the foundations of the Convention and the more possibilities there would be of dispelling unfounded suspicions.

26. His Government did its utmost to that end. It was a matter for regret however that some of its initiatives in other international forums to foster peaceful co-operation in the field of biotechnology had not been to the liking of some States, most of them Parties to the Convention.

27. His delegation would participate in the proceedings of the Second Review Conference with the firm determination to contribute to its success, to achieve a final declaration which would incontrovertibly further strengthen the Convention in all its aspects. For that purpose it was desirable in his delegation's view that States Parties should reaffirm their commitment to the obligations assumed under the Convention and their determination to prevent misuse of the latest results of science and technology as well as their readiness to promote international co-operation in the peaceful uses of biotechnology with a view to increasing confidence among nations. It was essential to urge States that had not yet done so to accede to the Convention in order to achieve universal adherence as soon as possible. His delegation would take part in the proceedings of the Conference in that spirit.

28. Mr. ROSE (German Democratic Republic) said that the Convention banned a whole class of weapons and thus furnished practical proof of the view that means of mass destruction could be eliminated and the human race freed from the threats to its survival. Attempts to undermine or weaken multilateral agreements such as the Convention on the pretext of revising them should be

vigorously opposed. Delegations to the Second Review Conference should use the review process to give fresh impetus to disarmament in a genuine spirit of co-operation.

29. The socialist countries had recently presented new and far-reaching initiatives, the centrepiece being the Soviet proposal aimed at ridding the world of nuclear and other weapons of mass destruction by the year 2000. A few weeks earlier, the Soviet Union had extended its unilateral moratorium on nuclear tests to 1 January 1987. After those initiatives the ball was in the other court. It was incumbent on the other side to remove the obstacles preventing the cessation of the arms race and further agreements in all disarmament fields.

30. It was legitimate to ask whether the rapid development of the biological sciences did not make the abuse of scientific findings for military purposes more likely. That was particularly true of new pathogens, the modification of existing micro-organisms with enhanced multiplication capacity or the creation of new ones, increases in the drug resistance of such organisms by genetic engineering, the application of novel techniques to develop vaccines and the artificial production of toxins. In the light of those risks, it should be unambiguously affirmed that article I of the Convention was perfectly adequate to cover all situations and could cover every new development.

31. The concern that biological discoveries with military potential might possibly pose a threat to the Convention had given rise to a discussion about the verification procedures laid down. In that connection he pointed out that participants had expressly recognized that articles V and VI set out flexible international procedures, including the convening of consultative meetings at the expert level by States parties. To date no one had ever invoked those procedures. He deplored the attitude of countries which, whenever they were about to increase their outlays on military biology research and development, levelled accusations at other States Parties. Instead of undermining the Convention in that way, it would be better to consider what measures which would effectively enhance confidence in compliance might be envisaged on the basis of the present text. His delegation would welcome a frank and constructive discussion on that subject.

32. The development of peaceful international co-operation to take advantage of new biological findings, as called for under article X, was certainly an essential means of strengthening the Convention. In recent years, conferences, seminars and training courses had been organized in the German Democratic Republic and contacts had been promoted between research institutions in the Republic and their counterparts in Sweden, Finland, India, the United States of America, France, the United Kingdom and other countries. His country also co-operated closely with the other members of the Council for Mutual Economic Assistance. In the medical field, his country was working together with other countries, primarily under WHO programmes, on the use of bacterial and viral strains for vaccination purposes, and the development of immune toxins for tumour therapy.

33. Pursuant to article IX, his country, together with other socialist countries and other States, had made great efforts at both the global and regional levels to bring about an early and comprehensive chemical weapons



ban. It welcomed the progress achieved in the negotiations at the Conference on Disarmament. The object should be to conclude the negotiations so that a draft convention could be submitted to the General Assembly not later than at its forty-second session. That effort should not be hampered by plans for the production of a new generation of chemical arms, the binary weapons.

34. In 1986 his country and the Czechoslovak Socialist Republic had submitted to the Federal Republic of Germany broad lines for negotiations on the establishment of a zone free of chemical weapons in Europe. His country believed that that initiative would have a favourable impact on the negotiations and the implementation of a comprehensive chemical weapons ban.

35. The Second Conference would help to strengthen the Convention if the final declaration underlined the undiminished significance of the treaty, reaffirmed the Parties' support for the principles and objectives of the Convention and their commitment to strict observance of its provisions, called on all other States to accede to the Convention, demanded an intensification of international disarmament negotiations, especially the speedy conclusion of a chemical weapons treaty and set forth generally acceptable measures to strengthen the régime of the Convention. His delegation was prepared to do its best to achieve those goals.

36. Mr. AHMAD (Pakistan) said that the Convention had been described as the first internationally negotiated genuine disarmament measure which outlawed an entire category of weapons of mass destruction. Concluded in 1972, the Convention had entered into force three years' later and the First Review Conference, held in 1980, had helped to strengthen the régime established by the Convention. Several States Parties had called for the revision of some provisions and the First Conference had regretted the lack of progress in negotiating an agreement on chemical weapons.

37. Since then strict compliance with the Convention and strengthening of its provisions where appropriate, had been called for by the international community through the General Assembly, in particular in resolution 37/98, of which his country had been a co-sponsor. The great strides recently made in the area of biotechnology and genetic engineering had increased the potential for the development of even more destructive weapons. At the same time new and more efficient techniques could be used to produce vaccines to protect the aggressor's forces. It was well known that biological weapons had seldom been used in the past because potential users were afraid of the danger to their own forces and populations. Should those limiting factors be eliminated as a result of breakthroughs in biotechnology, the risk that such weapons might be used would be greatly increased.

38. In those circumstances there was urgent need to review the operation of the Convention and to strengthen the régime established by it and the 1925 Geneva Protocol. In that connection it was gratifying that the number of States Parties had increased from 87 at the last Review Conference to 103. Moreover States which had not yet acceded to the Convention were nevertheless committed under the 1925 Protocol. It was to be hoped that those States would soon ratify the Convention, and that the aim of universal adherence would be realized in the near future.

39. His delegation noted with satisfaction that no State had resorted to the complaints procedure provided in article VI. There had been allegations of infringements but in the absence of adequate verification mechanisms it had not been possible to come to any conclusive finding, a situation that once more underlined the need for strengthening the Convention. In his country's view efforts to strengthen the Convention should concentrate on three areas, improved procedures for verification of compliance and settlement of complaints, greater openness and transparency of research in biological agents, enhanced co-operation between States in the peaceful application of biological sciences.

40. The Final Document of the First Review Conference reflected the concern of a large number of delegations concerning the inadequacy of article V. Since then the General Assembly had also stressed the need for a more effective verification procedure in resolution 37/98 C. There were precedents that could serve as a model for a more reliable verification system. His delegation considered it completely inconsistent that some countries which approved the IAEA inspection system under the Treaty on the Non-Proliferation of Nuclear Weapons were now opposed to strengthening the verification procedure under the Convention.

41. The revised verification system should provide for the establishment of fact-finding machinery to examine complaints made under the Convention. The machinery should make use of technical experts who should carry out their task in an impartial, non-political way. Provision should also be made to guard against misuse of the veto power in the Security Council when the procedure laid down in article VI was applied. With regard to the time and modalities for carrying out the necessary revisions in the verification machinery, his delegation felt that they should be the subject of consultations between interested countries.

42. Article I of the Convention prohibited the development, production etc. of biological agents of types and in quantities that had no justification for prophylactic, protective or other peaceful purposes. The types of agents and quantities were not defined and there was considerable scope for abuse. There was a very fine line dividing research for peaceful purposes from research for military purposes. In order to eliminate misunderstandings there should be greater transparency in research on biological agents. Countries engaged in such research should so inform the United Nations Centre for Disarmament and open their laboratories to interested scientists.

43. With regard to article X, a number of delegations at the First Review Conference, including his own, had made concrete suggestions to increase co-operation between the developing and developed countries in regard to the peaceful uses of biological agents and toxins. The Final Document of that Conference reflected those concerns. Unfortunately co-operation remained insignificant and the background papers produced for the Conference contained scanty information on the subject. His delegation hoped that the current Conference would take concrete steps towards the establishment of adequate institutional means within the United Nations system to facilitate the exchange of scientific and technological information for peaceful purposes.

44. His delegation regretted that 15 years after the conclusion of the Convention and despite the commitment stated in the preamble and article IX, a ban on chemical weapons had still not been achieved. That was principally due to the fact that the outstanding issues were viewed in an East-West context. The Parties currently engaged in the negotiations in that field should intensify their efforts to reach final agreement in 1987. His delegation hoped that review conferences would continue to be held, preferably at five year intervals.

ELECTION OF VICE-PRESIDENTS OF THE CONFERENCE AND CHAIRMEN AND VICE-CHAIRMEN OF THE COMMITTEE OF THE WHOLE, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 6) (continued)

45. The PRESIDENT said that candidates had been proposed for the remaining posts of Vice-President of the African Group, which proposed Ethiopia and the Latin American Group, which proposed Cuba and Peru. The Asian Group stated that it would inform him of its candidates as soon as possible. In the absence of objection he would take it that the Conference appointed Cuba, Ethiopia, and Peru as Vice-Presidents.

46. It was so decided.

The meeting rose at 4.35 p.m.