

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

FINAL DOCUMENT

Geneva, 1980

**DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION**

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FINAL DOCUMENT OF THE 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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I

ORGANIZATION AND WORK OF THE REVIEW CONFERENCE

A. Preparatory Work for the Conference

1. Article XII of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, provides that:

"Five years after the entry into force of this Convention, or earlier if it is requested by a majority of Parties to the Convention by submitting a proposal to this effect to the Depositary Governments, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being realized. Such review shall take into account any new scientific and technological developments relevant to the Convention."

2. At its thirty-third session the General Assembly of the United Nations in resolution 33/59B, noted that after appropriate consultations, a Preparatory Committee for such a Conference was to be arranged. Following these consultations, it was agreed that a Preparatory Committee, open to States Parties to the Convention, would meet at the Palais des Nations, Geneva, on 9 July 1979, for a session lasting from one week to 10 days.

3. Accordingly, the Preparatory Committee convened its session in Geneva on 9 July and held eight meetings between that date and 18 July. The following States Parties to the Convention participated in the Preparatory Committee:

Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cuba, Czechoslovakia, Denmark, Ethiopia, Finland, the German Democratic Republic, Greece, Hungary, India, Iran, Ireland, Italy, Jordan, Kenya, Luxembourg, Mexico, Mongolia, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Spain, Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Yugoslavia.

In accordance with a decision of the Committee that States signatories of the Convention should be entitled to participate in the discussion of administrative matters before the Committee, Egypt, as a State signatory, participated in such discussions.

4. The session of the Preparatory Committee was opened by Mr. R. Jaipal, representative of the Secretary-General. The Committee elected, by consensus, Ambassador R. Harry Jay (Canada) as Chairman. The Committee also decided that Ambassador M. Domokos (Hungary) and Ambassador C.R. Gharekhan (India) would assist the Chairman in the performance of his functions. Ms. Anada Segarra, of the United Nations Centre for Disarmament, served as Secretary of the Committee.

5. During the course of the session, the Preparatory Committee discussed the various aspects related to the Review Conference and took, inter alia, the following decisions:

(a) Date and duration

6. The Committee agreed, in principle, that the Review Conference should be held from 3 to 21 March 1980 and requested the Secretary-General of the United Nations to ascertain the views of States Parties to the Convention regarding the suitability of those dates and to inform the Depositary Governments accordingly.

(b) Rules of procedure

7. The Committee considered a set of draft rules of procedure prepared by the Secretariat at the Committee's request (BWC/CONF.I/PC/2) and with certain amendments, decided to recommend them for adoption by the Conference. 1/

(c) Background papers

8. The Committee decided to request the Secretariat to prepare a background paper 2/ on compliance by States Parties with all their obligations under the Convention. The paper would include a review of the negotiations leading up to the Convention and separate sections on compliance with obligations under the Convention and the status of efforts to reach agreement on the prohibition of chemical weapons. The Committee also decided to request the Depositary Governments to prepare a background paper 3/ on new scientific and technological developments relevant to the Convention, and to request the Secretary of the Committee to invite the comments of States Parties concerning that paper. The Committee further decided to invite States Parties who wished to do so to submit their views on new scientific and technological developments relevant to the Convention. 4/ Finally, the Committee decided to request the Secretary of the Committee to compile the comments of States Parties on the paper prepared by the Depositary Governments, together with national contributions on that subject.

(d) Agenda

9. The Committee considered the draft of a provisional agenda for the Review Conference, as proposed by the Chairman, and following deliberations on the question, approved a provisional agenda to be recommended for adoption by the Review Conference. 5/

1/ See document BWC/CONF.I/2.

2/ See document BWC/CONF.I/4.

3/ See document BWC/CONF.I/5.

4/ See document BWC/CONF.I/6.

5/ See document BWC/CONF.I/1.

(e) Final document

10. The Committee agreed that the Review Conference would adopt a final document that would be declaratory in purpose.

11. Within the context of rule 10 the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act on behalf of the Committee as provisional Secretary-General of the Review Conference, in accordance with its rules of procedure. Subsequently, Ms. Amada Segarra of the United Nations Centre for Disarmament was appointed to that post.

12. At its last meeting on 18 July 1979, the Preparatory Committee adopted its final report 6/ and decided that the report would be submitted by the Secretary of the Committee to the Parties to the Convention and its signatories and to the Secretary-General of the United Nations.

B. Organization of the Review Conference

13. In accordance with the decision of the Preparatory Committee, the Review Conference was convened on 3 March 1980 at the Palais des Nations in Geneva, and concluded its session on 21 March 1980. The session was opened by Mr. Jan Martenson, Assistant Secretary-General, United Nations Centre for Disarmament, on behalf of the Chairman of the Preparatory Committee, Ambassador R. Harry Jay (Canada). At the opening session, a message from the Secretary-General of the United Nations, addressed to the participants in the Review Conference was read by Mr. Jan Martenson, Representative of the Secretary-General of the United Nations.

(a) Officers

14. The Review Conference elected the following officers:

President: Ambassador Oscar Vaernø (Norway)

Vice-Presidents: Argentina, Bulgaria, Canada, Ecuador, Ghana, Hungary, Italy, Kuwait, Nigeria, Pakistan, Spain, the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, Venezuela and Yugoslavia.

Chairman of the Committee of the Whole: Ambassador Petar Voutov (Bulgaria)

Chairman of the Drafting Committee: Ambassador C.G. Maina (Kenya)

Vice-Chairman of the Drafting Committee: Ambassador K.V. Mortenson (Denmark)

Chairman of the Credentials Committee: Ambassador C.A. de Souza e Silva (Brazil)

Vice-Chairman of the Credentials Committee: Mr. Y.N. Kochubey (Ukrainian SSR)

15. In accordance with rule 10 of the Rules of Procedure, the Conference confirmed the nomination of Ms. Amada Segarra, United Nations Centre for Disarmament, as the Secretary-General of the Review Conference.

6/ See document BWC/CONF.I/3.

(b) Participants

16. Fifty-three States Parties to the Convention participated in the Conference as follows: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Finland, German Democratic Republic, Ghana, Greece, Hungary, India, Iran, Ireland, Italy, Jamaica, Kenya, Kuwait, Luxembourg, Mexico, Mongolia, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Romania, San Marino, Saudi Arabia, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom, United States of America, Venezuela, Yugoslavia and Zaire.

17. In addition, the representatives of the following States Signatories participated in the work of the Conference, pursuant to rule 43 of the Rules of Procedure: Chile, Egypt, Germany, Federal Republic of, Iraq, Morocco, Netherlands, Sri Lanka and Yemen, People's Democratic Republic of.

18. A list of all participants in the Conference is contained in document BWC/CONF.I/INF.2; which appears in Annex I of the Final Document.

C. Work of the Conference

19. The Conference held 12 plenary meetings.

(a) Adoption of the Agenda

20. At its first plenary meeting, the Conference adopted the provisional agenda recommended by the Preparatory Committee as contained in document BWC/CONF.I/1.

(b) Adoption of the Rules of Procedure

21. At the same meeting, the Conference adopted the provisional rules of procedure recommended by the Preparatory Committee as contained in document BWC/CONF.I/2.

(c) Report of the Preparatory Committee

22. The Review Conference had before it the report of the Preparatory Committee containing its recommendations to the Conference (BWC/CONF.I/3). At its first plenary meeting, the Conference took note of that report.

(d) Committee of the Whole

23. The Conference, at its seventh plenary meeting on 7 March, in accordance with rule 34 of the Rules of Procedure, concerning subsidiary organs, decided to establish a Committee of the Whole to consider in greater detail the substantive issues relevant to the Convention, with a view to facilitating the work of the Conference. The Committee held nine meetings during the period from 11 to 18 March and at its last meeting adopted, by consensus, its report (BWC/CONF.I/7) to the plenary. The plenary took note of the Report at its eleventh meeting on 18 March.

(e) Drafting Committee

24. In accordance with rule 35 of the Rules of Procedure, a Drafting Committee was established, composed of the representatives of the same States represented in the General Committee. At its ninth plenary meeting on 18 March, the Conference decided to request the Drafting Committee to undertake the task of preparing and submitting to the plenary the entire text of the Final Document of the Conference, and decided, furthermore, that in the course of its work the Committee should take into account inter alia the report of the Committee of the Whole, as well as the statements made in the general debate in the plenary. At its fifth meeting on 20 March the Drafting Committee adopted, by consensus, its report to the plenary (BWC/CONF.I/9). The plenary took note of that report at its 12th meeting on 21 March.

(f) Credentials Committee

25. The Conference, at its tenth plenary meeting, on 12 March, appointed the following countries as members of the Credentials Committee: Belgium, Cuba, Iran, Switzerland and Tunisia. The Committee held three meetings during which it considered the status of the credentials of the participants of the Review Conference. At its last meeting held on 20 March the Credentials Committee adopted unanimously its report to the plenary (BWC/CONF.I/8). The plenary took note of the report at its 12th meeting on 21 March.

(g) Documentation

26. A list of the documents of the Conference appear in Annex II of the Final Document.

D. Adoption of the Final Document of the Review Conference

27. At its 12th and final plenary meeting on 21 March the Conference adopted by consensus its Final Document as recommended by the Drafting Committee.

II

FINAL DECLARATION

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, having met in Geneva 3-21 March 1980 under the provisions of Article XII to review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized:

Reaffirming their determination to act with a view to achieving effective progress towards general and complete disarmament including the prohibition and elimination of all types of weapons of mass destruction and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control,

Recognizing the continuing importance of the Convention and its objectives and the common interest of mankind in the elimination of bacteriological (biological) and toxin weapons,

Affirming their belief that universal adherence to the Convention would enhance international peace and security, would not hamper economic or technological development, and further, would facilitate the wider exchange of information for the use of bacteriological (biological) agents for peaceful purposes,

Reaffirming their adherence to the principle and objectives of the Geneva Protocol of 17 June 1925 and calling upon all States to comply strictly with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the said principles and objectives,

Recognizing the importance of achieving international agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction as a matter of high priority,

Noting the relevant provisions of the Final Document of the Tenth Special Session of the General Assembly devoted to Disarmament,

Appealing to all States to refrain from any action which might place the Convention or any of its provisions in jeopardy,

Declare as follows:

The States Parties to the Convention reaffirm their strong determination for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons. They reaffirm their strong support for the Convention, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

Article I

The Conference notes the importance of Article I as the Article which defines the scope of the Convention and reaffirms its support for the provisions of this Article.

The Conference believes that Article I has proved sufficiently comprehensive to have covered recent scientific and technological developments relevant to the Convention.

Article II

The Conference notes the importance of Article II and emphasizes that States which become Parties to the Convention, in implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

The Conference welcomes the declarations of several States Parties to the effect either that they do not possess and have never possessed agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention, or that having possessed them they have destroyed them or diverted them to peaceful purposes. The Conference believes that such voluntary declarations contribute to increased confidence in the Convention and believes that States not having made such voluntary declarations should do so.

Article III

The Conference notes the importance of the provisions of Article III which proscribes the transfer of agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention to any recipient whatsoever and the furnishing of assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them.

Article IV

The Conference notes the provisions of Article IV, which requires each State Party to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, within its territory, under its jurisdiction or under its control anywhere, and calls upon all States Parties which have not yet taken any necessary measures in accordance with their constitutional processes to do so immediately.

The Conference invites States Parties which have found it necessary to enact specific legislation or take other regulatory measures relevant to this Article to make available the appropriate texts to the United Nations Centre for Disarmament, for the purposes of consultation.

Article V

The Conference notes the importance of Article V which contains the undertaking of States Parties to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

The Conference considers that the flexibility of the provisions concerning consultations and co-operation on any problems which may arise in relation to the objective, or in the application of the provisions of, the Convention, enables interested States Parties to use various international procedures which would make

it possible to ensure effectively and adequately the implementation of the Convention provisions taking into account the concern expressed by the Conference participants to this effect.

These procedures include, inter alia, the right of any State Party subsequently to request that a consultative meeting open to all States Parties be convened at expert level.

The Conference, noting the concerns and differing views expressed on the adequacy of Article V, believes that this question should be further considered at an appropriate time.

Article VI

The Conference also notes the importance of Article VI, which in addition to the procedures contained in Article V, provides for any State Party, which finds that any other State Party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council, and under which each State Party undertakes to co-operate in carrying out any investigation which the Security Council may initiate.

The Conference further notes that no State Party has invoked these provisions.

Article VII

The Conference notes with satisfaction that it has not proved necessary to invoke the provisions of Article VII.

Article VIII

The Conference reaffirms that nothing contained in the Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare, signed at Geneva on 17 June 1925. The Conference calls on those States Parties to the Convention which are Parties to the Protocol to comply strictly with its provisions and those States not yet Parties to the said Protocol to ratify or accede to it at the earliest possible date.

Article IX

The Conference notes the importance of the provisions of Article IX and of the preambular paragraphs concerning the commitment of States Parties to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction. The Conference deeply regrets that such agreement has not yet become a reality despite the fact that eight years have already elapsed since the Convention was opened for signature.

The Conference urges the Committee on Disarmament to undertake negotiations on an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, as a matter of high priority, taking into account all existing proposals and future initiatives. To this

end, the Conference welcomes the establishment, by the Committee on Disarmament, of an ad hoc working group on chemical weapons and urges all the members of the Committee to contribute towards the fulfilment of its mandate.

The Conference takes note of the bilateral USA-USSR report (CD/48) presented to the Committee on Disarmament on the progress of their negotiations undertaken with a view to presenting a joint initiative to that Committee and notes their stated intention to continue intensive negotiations to this end.

The Conference reaffirms the obligation assumed by States Parties to the Convention to continue negotiations in good faith towards the recognized objectives of an early agreement on complete, effective and adequately verifiable measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

Article X

The Conference notes that since the entry into force of the Convention, increasing importance has been attached by the International community to the principle that the disarmament process should help promote economic and social development, particularly in the developing countries. Accordingly, the Conference calls upon States Parties, especially developed countries, to increase, individually, or together with other States or international organizations, their scientific and technological co-operation, particularly with developing countries, in the peaceful uses of bacteriological (biological) agents and toxins. Such co-operation should include, inter alia, the transfer and exchange of information, training of personnel and transfer of materials and equipment on a more systematic and long-term basis.

Furthermore, the Conference notes with satisfaction that the implementation of the Convention has not hampered the economic or technological development of States Parties.

The Conference requests the United Nations Secretariat to include in the background materials prepared for the 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, information on the implementation of Article X by States Parties.

Article XI

The Conference notes the importance of the provisions of Article XI and that during the first five years of the operation of the Convention these provisions have not been invoked.

Article XII

The Conference welcomes the spirit of co-operation in which this Review Conference was conducted, and believes that such conferences constitute an effective method of reviewing the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, in particular with respect to any new scientific and technological developments relevant to the Convention.

The Conference decides that a second Review Conference shall be held in Geneva at the request of a majority of States Parties not earlier than 1985 and, in any case, not later than 1990.

Any information provided by States Parties on scientific and technological developments relevant to the Convention, and on its implementation, shall be made available periodically to States Parties, in particular through the United Nations Centre for Disarmament.

Article XIII.

The Conference notes the provisions of Article XIII and expresses its satisfaction that no State Party to the Convention has exercised its right to withdraw from the Convention.

Article XIV

The Conference notes with satisfaction that 81 States have ratified the Convention, 6 States have acceded to the Convention and a further 37 States have signed but have yet to ratify the Convention. The Conference calls upon all signatory States which have not ratified the Convention to do so without delay and upon those States which have not signed the Convention to join the States Parties thereto in their efforts to eliminate the risk of biological warfare.

Article XV

The Conference notes the provisions of Article XV.

III

REPORT OF THE COMMITTEE OF THE WHOLE 7/

1. At its seventh Plenary meeting on 7 March, the Review Conference decided, in accordance with rule 34 of its rules of procedure, to establish a Committee of the Whole, open to each State Party participating in the Conference, to consider in greater detail the substantive issues relevant to the Convention and report to the Plenary not later than 17 March. At its tenth Plenary meeting on 12 March, the Conference agreed that the Committee of the Whole was also open for participation to States Signatories in accordance with rule 43 of the rules of procedure.
2. The Conference at its seventh Plenary meeting elected by acclamation Ambassador Petar Voutov, Permanent Representative of Bulgaria to the United Nations Office at Geneva, Chairman of the Committee of the Whole.
3. At its ninth Plenary meeting on 11 March, on the recommendation of the General Committee, the Conference decided to dispense with the review of the provisions of the Convention under agenda items 10 (b), (c) and 11 in the Plenary and to carry out that function within the framework of the Committee of the Whole.
4. At its second meeting on 11 March, the Committee of the Whole adopted its programme of work by specifying the number of meetings to be allocated to the consideration of the provisions of the Convention and agenda item 11 on the understanding that it would be applied with the necessary flexibility.
5. The Committee held 9 meetings during the period from 11 - 18 March.
6. Statements by the participating States on the Articles of the Convention included the following main points:

Articles I - IV

7. It was a widely held view that the scope of the Convention, as defined in the respective articles, had not given rise to any problems or caused any ambiguities in the process of its application by States Parties. In this connexion, some participants also noted with satisfaction that no complaints had been lodged regarding violations of the obligations as provided for in these articles. On this basis they concluded that the provisions of Articles I - IV had been effectively implemented.

8. Furthermore, it was generally considered that the provisions of Article I were sufficiently comprehensive to have covered, since the entry into force of the Convention, all scientific and technological developments relevant to the Convention. In this context, it was emphasized by a number of participants, that the technological and scientific developments that had taken place subsequently had in no way compromised the validity of the operation of the provisions contained in this Article. Appreciation was also expressed for the paper prepared by the Depositary Governments on the subject. Several participants noted that in view of the fact that the Parties to the Convention had different levels of technical and scientific capabilities it was necessary to ensure the dissemination, through the United Nations Centre for Disarmament, of information on the new developments relevant to the Convention, as provided by the States Parties.

9. In view of the positive appraisal, one participant appealed to the Review Conference to express approval of and support for the provisions of Articles I, II, III and IV in the form in which they appeared in the Convention.

10. In connexion with Article II, several participants welcomed assurances given by a number of States Parties on their compliance with its provisions, which they saw as a confidence-building measure. Some participants, however, noted that some of these declarations were couched in more qualified terms, making no reference to destruction of stocks. They pointed out that confidence in the Convention could be enhanced if clear and unqualified statements were made to the effect that the States concerned had either never possessed any of the objects prohibited under the Convention, or that they had once possessed them but had now destroyed them. Other participants felt that it was not sufficient to make a declaration on the destruction of stockpiles, but that some verification of the destruction of stockpiles or of their diversion to peaceful uses was also necessary.

11. As regards Article III, one participant noted that an increased responsibility rested with all States Parties to prevent the acquisition and use by individuals, groups or organizations within their respective jurisdiction of such agents and products for the purpose of inflicting harm on other countries.

12. Concerning Article IV, one participant considered that it would be useful if States Parties were to share more widely their experience regarding their domestic legislation or comparable non-legislative or regulatory measures introduced for the implementation of the Convention. It proposed that the Conference in its final document should invite States Parties, on a voluntary basis, to supply the relevant information to the United Nations Centre for Disarmament for appropriate dissemination. This view was supported by a number of participants. Other participants, however, felt that the procedure followed in providing information on compliance by States Parties, as contained in the relevant documentation of the Conference, was an adequate method for ensuring the availability of such information.

13. Another participant, also in connexion with Article IV, considered that it would be advisable to expand that Article with a view to providing that States Parties would also be required to prohibit, in accordance with their constitutional processes, the unlawful use of the material specified in that Article. In addition, it proposed that the final document of the Conference should draw attention to the need to take measures to prevent the unlawful use, first, of advances made in regard to the manipulation of genetic materials and, secondly, of sources for protective purposes of toxins and microbial agents causing infectious diseases, some of which have now been eradicated.

Articles V - VII

14. With regard to these articles, it was widely noted that no State Party had found cause to resort to the complaints procedure. The opinion was shared by several States Parties that, nevertheless, it would improve the effectiveness of the Convention if the complaints procedure were strengthened in accordance with principles of flexibility, objectivity and non-discrimination.

15. One participant, supported by a number of others, proposed that an amendment be considered to prevent what, in their view, amounted to unequal treatment of States Parties under the present complaints procedure. It was proposed that the complaints procedure should be based on a combination of national and international measures, including technical investigations, and provide an intermediate ground for preliminary work to assemble factual data, thereby avoiding unnecessary political confrontation. According to the proposal, a Consultative Committee should be established and on-site inspection should be considered as one means of verifying compliance with the Convention; only after such possibilities had been exhausted should complaints be lodged with the United Nations Security Council. It was, thus, proposed that the following provisions might be contained in an amendment: a permanent Consultative Committee should be set up consisting of representatives from States Parties; when so requested, the Consultative Committee should arrange fact-finders, including preparations and execution of on-site visits; the Consultative Committee should report its factual findings and experts' views to States Parties; States Parties should undertake to co-operate with the Consultative Committee.

16. On the other hand, a number of participants urged that the existing procedure of lodging complaints and verifying compliance with the provisions of the Convention be maintained. They emphasized that the provisions of the Convention were being complied with in good faith and that during the five years the Convention had been in effect, no need had arisen for resorting to the procedure of lodging complaints with regard to violations of the Convention. They felt that the provisions of Article V of the Convention contained extensive possibilities of carrying out necessary measures aimed at solving any problems which might arise in relation to the objective or in the application of the provisions of the Convention. Stressing the importance of the Convention as the first measure of genuine disarmament, those participants saw a danger of undermining it by introducing any amendments to it. It was also stated that verification of compliance with disarmament measures should be commensurate with the subject matter, and that this was confirmed by the current practice in other agreements on limiting the arms race and on disarmament. These participants stated their firm resolve to object to the proposed amendment to the Convention on the grounds that it would weaken it.

17. In connexion with Articles V, VI and VII, one participant, while sharing the concern that the Convention should be capable of adequate verification, nevertheless could not support a move to amend the Convention. It was, however, prepared to examine ways of meeting that concern in a manner which fell short of amendment. One way might be to clarify the meaning of the clause in Article V that co-operation may also be undertaken "through appropriate international procedures within the framework of the United Nations". The automatic establishment of a Consultative Committee of Experts in the event of a complaint might be one possible interpretation of the reference to these "appropriate international procedures". Such a clarification would then be reflected in the final document of this Review Conference. A number of other participants expressed interest in and support for this suggestion.

Article VIII

18. With regard to article VIII, concerning the Geneva Protocol of 1925, all participants agreed that it was an important international instrument in the field of disarmament, and that its link to the Biological Weapons Convention, and in particular Article IX, should be reflected in the final document of the Review Conference. One participant noted with regret that several Parties to the Biological Weapons Convention were not Parties to the Geneva Protocol and expressed the hope that this Review Conference would prompt them to become Parties to the Protocol. A number of participants suggested that the final document should invite all States which had not yet done so to become Parties to the 1925 Geneva Protocol.

Article IX

19. As regards Article IX, containing the commitment of the States Parties to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction, the view of many participants was that this provision had not been effectively implemented. Others expressed the view that this provision was being implemented. One participant referred to certain reports alleging the use of chemical weapons in certain regions of the world. The view was widely expressed that the conclusion of an agreement on the prohibition of chemical weapons remained one of the most urgent tasks of multilateral negotiations as had been clearly stated in the Final Document of the Tenth Special Session of the General Assembly Devoted to Disarmament. Several participants emphasized that their adherence to the Biological Weapons Convention had been on the explicit understanding that this Convention was but the first step towards the achievement of a comprehensive ban on both biological (bacteriological) and chemical weapons. One participant stated that despite the fact that eight years have already elapsed since the Convention was opened for signature, the "early agreement" referred to in Article IX of the Convention has not yet become a reality and that the Conference should reflect in the final document its deep regret for this and, at the same time, urge all the States members of the Committee on Disarmament, in particular those whose Governments act as Depositaries of the Convention, to take advantage of the establishment by the Committee of an ad hoc working group on chemical weapons for the prompt negotiation and conclusion of a convention to ensure the total elimination of chemical weapons. A number of participants felt that the Committee on Disarmament should exert all efforts to produce a draft treaty banning chemical weapons and urged that Committee to expedite the establishment of an ad hoc working group for that purpose. One participant considered that a convention on that subject should be concluded not later than 1982 when the Second Special Session on Disarmament is scheduled to convene. A number of participants considered that the ongoing bilateral negotiations between the USSR and the United States of America on chemical weapons should be intensified and thus contribute to multilateral negotiations in the Committee on Disarmament. Other participants took the view that such multilateral negotiations in the Committee on Disarmament need not await the conclusion of the bilateral negotiations. Some participants, while regretting the lack of agreement, considered that it would be better for the ongoing bilateral negotiations between the USSR and the United States of America to take longer, if necessary, to ensure that the level of verification is adequate, than for a draft agreement to be ready sooner, with inadequate controls. One participant urged the two sides engaged in the bilateral negotiations to submit to the Committee on Disarmament, as soon as possible, a further report on the status of their negotiations. The representatives of the States engaged in the bilateral negotiations, the USSR and the United States of America, declared that they were prepared to continue intensive negotiation on this question. A number of other participants, in reiterating their concern for the prompt implementation of Article IX, pointed out that agreement on the prohibition of chemical weapons was a necessary complement to the Biological Weapons Convention. One participant suggested that the final document could include a statement to the effect that the Conference recognizes the urgency and importance of achieving early agreement on effective measures for the prohibition of chemical weapons and for their destruction and that the Conference reaffirms the obligations assumed by States Parties to the Convention in accordance with Article IX to continue negotiations in good faith to that end.

20. In expressing their views on the articles under consideration most participants also made references to the relevant preambular paragraphs.

Article X

21. In the context of Article X, many participants urged an increased exchange of information amongst States, and technical assistance to the developing countries for the use of toxins and microbial agents for peaceful purposes, and the promotion of the fullest possible international co-operation in this field. Parties to the Convention, in a position to do so, should co-operate in contributing, individually or collectively, with other States and international organizations, to the further development of these applications, with due consideration for the needs of the developing countries. In this connexion, one participant noted that since the entry into force of the Convention, the international community had devoted increased attention to the relationship between disarmament and development, and proposed, with the support of other participants, that for future reviews of the Convention a document, for the information of States Parties, should be prepared on the implementation of the provisions of Article X, particularly with a view to promoting economic and social development. The developed countries, it was suggested, should share their knowledge in this field to a greater extent and in a more systematic manner. One way would be the organization of seminars. Another proposal, which was supported by a number of participants, was that information on new scientific and technological developments relevant to the Convention should be channeled through the United Nations Centre for Disarmament for dissemination to other States Parties to the Convention. Some other participants felt that the specific modalities involved in channelling such information should not be determined at the present stage.

Article XI

22. While the validity of this Article was generally reaffirmed, some expressed the view, particularly in conjunction with the consideration of Articles V and VI, that its provisions should not be invoked at a review conference. Others maintained that possible amendments were relevant to the work of the Review Conference and were within its purview. A number of other participants proposed that the Conference note that the provision for amendments contained in Article XI had not been invoked during the period of operation of the Convention.

Article XII

23. All the participants who referred to this Article reiterated its importance and noted that the current Review Conference had, in fact, confirmed the relevance of including such a provision in the Convention because of the necessity to assess, inter alia, the rapid technological and scientific developments occurring in the field.

Article XIII

24. The participants reiterated the importance of the provision for the unlimited duration of the Convention, especially since the Bacteriological (Biological) Weapons Convention was the first and only genuine disarmament measure in force, so far. Satisfaction was expressed that no State Party had found it necessary to invoke the provision under this article permitting withdrawal from the Convention, although it was noted that this provision was a useful safeguard for ensuring the protection of the supreme interests of States Parties.

Article XIV

25. In connexion with this article, States Parties emphasized the crucial significance of universal adherence to the Convention. Consequently, they felt strongly that an appeal should be included in the final document urging States Signatories and other States to consider their early ratification or adherence to the Convention. Several participants proposed that this appeal should be addressed in particular to the scientifically and technically advanced States as well as nuclear weapons States which had not yet done so, to ratify or adhere at the earliest possible date to the Convention. Some participants emphasized that meaningful progress in other disarmament negotiations especially for the prohibition of the production, manufacture and stockpiling of chemical weapons, would encourage universal adherence to the Convention.

Preamble

26. Several participants referred to the preambular paragraphs relevant to the purposes and objectives of the Convention and suggested that the final document of the Conference should reiterate their importance.

Other matters, including the question of future review of the Convention

27. On the question of a future review of the Convention, there was general agreement that a review procedure was an important mechanism for assessing the implementation of international agreements. Different suggestions were made; however, with regard to a review mechanism for the Biological Weapons Convention.

28. The view was expressed that developments in science and technology make the future review of the Biological Weapons Convention necessary. The view was also expressed that parallel negotiations on chemical weapons should be borne in mind with a view to providing mechanisms for improving the implementation of the Biological Weapons Convention.

29. A number of participants were in favour of including in the final document a provision for the holding of another review conference after a certain period of time had elapsed. Five to seven years was proposed by some participants. One participant felt, however, that no automaticity should be instituted in this respect; it proposed that another review conference could be held, for instance, after five years if the majority of States Parties so requested. Otherwise, a review conference could be convened after ten years upon the request of a specified number of States Parties, not necessarily a majority. Other participants suggested that a review conference should be held in future only if its necessity became evident and only if the majority of States Parties to the Convention so decided.

30. The Committee of the Whole at its 9th meeting on 18 March adopted, by consensus, its report to the Plenary of the Conference.

IV

SUMMARY RECORDS

Plenary (BWC/CONF.I/SR.1-12)

Committee of the Whole (BWC/CONF.I/C/SR.1-9)

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

Distr.
GENERAL

BWC/CONF.I/SR.1
4 March 1980

Original: ENGLISH

SUMMARY RECORD OF THE FIRST MEETING

held at the Palais des Nations, Geneva,
on Monday, 3 March 1980, at 3 p.m.

Acting President: Mr. MARTEINSON (Assistant Secretary-General,
Chief, United Nations Centre
for Disarmament)

President: Mr. VAERNØ (Norway)

CONTENTS

- Opening of the Conference
- Election of the President
- Adoption of the agenda
- Submission of the final report of the Preparatory Committee
- Adoption of the rules of procedure
- Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen
of the Drafting Committee and the Credentials Committee
- Credentials of representatives to the Conference
 - (a) Appointment of the Credentials Committee
- Confirmation of the nomination of the Secretary-General
- Programme of work

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

The meeting was called to order at 3.25 p.m.

OPENING OF THE CONFERENCE (item 1 of the provisional agenda) (BWC/CONF.I/1)

1. The ACTING PRESIDENT declared open the 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. The provisional agenda for the Conference provided for the Chairman of the Preparatory Committee to open the Conference. However, Mr. Harry Jay, the former Permanent Representative of Canada to the United Nations Office at Geneva and Chairman of the Preparatory Committee, had assumed other important responsibilities and could not be present. He (the Acting President) was honoured to open the Conference on Mr. Jay's behalf.
2. On the proposal of the Acting President, the participants observed a minute of silent prayer or meditation.
3. The Acting President, in his capacity as representative of the Secretary-General of the United Nations, read out the following message addressed by the Secretary-General to the Review Conference:

"It gives me great pleasure to extend my greetings and best wishes to all delegations participating in the 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. This important Conference is being held at the beginning of the Second Disarmament Decade, which should mark a new stage in the long and difficult road towards disarmament. The fact that the world is faced at present with international tensions and an acceleration of the arms race is all the more reason for us to use every opportunity to invigorate the disarmament process.

"The Biological Weapons Convention occupies a special place in the field of disarmament. In providing for an undertaking by States parties to prohibit and prevent the development, production, stockpiling, acquisition or retention of a whole category of weapons of mass destruction, the Convention represents the first disarmament effort in recent years by the United Nations by which one of the dangerous avenues of the arms race has been closed.

"The significance of the Convention comes into sharper focus when one considers that the unceasing progress in science and technology often leads to the development and production of newer and more dangerous weapons. The arresting of this ominous trend at least in one area is an achievement that resulted from long but persevering efforts of the whole international community. It proves the importance of similar efforts in other areas of disarmament.

"Another positive aspect of the Convention is the provision in its article IX that States parties should continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their destruction. Numerous decisions of the General Assembly have unequivocally accorded high priority to the prohibition of all chemical weapons. Negotiations to this end, therefore, need to proceed without delay.

"I trust that your participation in the work of this Conference will ensure that the purposes of the preamble and the provisions of the Convention, including those concerning negotiations on chemical weapons, are being realized and that the relevant new scientific and technological developments are fully taken into account. Over 100 States have ratified or signed the Convention, including many militarily significant countries. A thorough and forward-looking examination of the functioning of the Convention will no doubt contribute to its broader acceptance, and ultimately to its universal application.

"Your Conference has an important mandate and I wish you every success in its fulfilment."

ELECTION OF THE PRESIDENT (item 2 of the provisional agenda)

4. The ACTING PRESIDENT invited nominations for the office of President of the Conference.
5. Mr. VRHUNEC (Yugoslavia) nominated Mr. Vaernø (Norway).
6. Mr. ONKLINX (Belgium) and Mr. KOMIVES (Hungary) supported the nomination.
7. Mr. Vaernø (Norway) was elected President of the Conference by acclamation.
8. Mr. Vaernø (Norway) took the Chair.
9. The PRESIDENT thanked all delegations for the honour they had bestowed upon him and his country in electing him. He was especially grateful to those delegations which had nominated him for election. He would do everything possible to ensure the successful completion of the Conference's work.
10. As delegations were aware, the Conference's mandate derived originally from article XII of the Biological Weapons Convention, which stipulated that five years after the entry into force of the Convention a conference of States parties should be held to review the operation of the Convention, with a view to ensuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, were being realized. The review should also take into account any new scientific and technological developments relevant to the Convention.

11. The General Assembly had noted in resolution 33/59 B that after appropriate consultations a Preparatory Committee of the parties to the Convention was to be arranged. In accordance with that provision, that Committee had held a session from 9 to 18 July 1979. On behalf of all delegations, he extended thanks to the members of the Committee for their efforts and, in particular, to Mr. Jay of Canada for his work as Chairman of the Committee. The Committee's report was to be found in document BWC/CONF.I/3.

12. The distinguishing feature of the Convention lay in the fact that it was a genuine disarmament measure and that, in one important area at least, the possibility of an arms race had been effectively eliminated. It was encouraging to note that the knowledge available in that particular field had, as a consequence, been channelled towards peaceful activities of potential benefit to mankind.

13. It was now incumbent upon the international community to expand the opportunities for further advance in the field of disarmament arising from the Convention. In that context, he drew attention to the obligations laid down in article IX of the Convention, which affirmed that the recognized objective of all parties to the Convention was the effective prohibition of chemical weapons. In saying that, he looked forward to the day when the commitments listed in that part of the Convention would be fulfilled by all nations which had ratified it, he was surely speaking for the world community as a whole. In that connexion, he drew attention to article 75 of the Final Document of the Tenth Special Session of the General Assembly, in which it was agreed, inter alia, that complete and effective prohibition of chemical weapons was one of the most urgent tasks in multilateral negotiations.

14. The Conference should be seen in a wider context as part of an ongoing process of co-operation to secure a safer world. There was no alternative to the continuation of that process, to which the Conference would, he hoped, make its contribution. All delegates would doubtless agree that it was particularly important to keep that in mind in the present international situation.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda) (BWC/CONF.I/1)

15. The agenda was adopted.

SUBMISSION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE (agenda item 4)
(BWC/CONF.I/3)

16. The PRESIDENT suggested that the Conference should take note of the Preparatory Committee's final report.

17. It was so decided.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 5) (BWC/CONF.I/2)

18. The rules of procedure were adopted.

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

19. The PRESIDENT informed the Conference that consultations were still in progress and suggested that consideration of the item should be deferred until a subsequent meeting.

20. It was so decided.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE

21. The PRESIDENT suggested that consideration of the item should be deferred so as to enable him to conduct the necessary consultations.

22. It was so decided.

CONFIRMATION OF THE NOMINATION OF THE SECRETARY-GENERAL (agenda item 8)

23. The PRESIDENT drew attention to rule 10 of the rules of procedure and to paragraph 18 of the report of the Preparatory Committee (BWC/CONF.I/3). The Secretary-General of the United Nations, in consultation with the members of the Committee, had nominated Ms. Segarra, Chief, Treaties and Resolutions Section, United Nations Centre for Disarmament, as Secretary-General of the Conference. He invited delegations to confirm that nomination.

24. It was so decided.

25. Ms. SEGARRA (Secretary-General of the Conference) thanked the President and the participants in the Conference for the confidence they had placed in her and assured them that, with the able assistance of her colleagues in the Secretariat, she would do her utmost to facilitate the work of the Conference and perform the duties required of the Secretariat with diligence and competence.

PROGRAMME OF WORK (agenda item 9)

26. The PRESIDENT suggested that, in accordance with the practice followed by previous international conferences, the General Committee which would be created as a result of the allocation of the vice-presidencies should be invited to consider the question of the programme of work of the Conference and to submit recommendations.

27. It was so decided.

The meeting rose at 4 p.m.

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

Distr.
GENERAL
BWC/CONF.I/SR.2
5 March 1980
Original: ENGLISH

SUMMARY RECORD OF THE SECOND MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 4 March 1980, at 4 p.m.

President:

Mr. VAERINØ

(Norway)

CONTENTS

Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen
of the Drafting Committee and the Credentials Committee (continued)

Credentials of representatives to the Conference (continued)

(a) Appointment of the Credentials Committee (continued)

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GE.80-60352

The meeting was called to order at 4.20 p.m.

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

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7) (continued)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (continued)

1. The PRESIDENT announced that informal consultations were still being held in connexion with agenda item 6 and that more time would be required before all the outstanding issues could be resolved. He was himself conducting consultations with States parties in connexion with agenda item 7 (a) and hoped to report to the Conference in due course. He urged the regional groups and all the States parties concerned to expedite their informal consultations so that the General Committee could start its work as soon as possible.

The meeting rose at 4.25 p.m.

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

Distr.
GENERAL

BWC/CONF. I/SR. 3
7 March 1980

Original: ENGLISH

SUMMARY RECORD OF THE THIRD MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 5 March 1980, at 3 p.m.

President:

Mr. VAERNØ

(Norway)

CONTENTS

Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen of
the Drafting Committee and the Credentials Committee (continued)

Review of the operation of the Convention as provided for in its article XII

(a) General debate

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GE.80-60375

The meeting was called to order at 3.35 p.m.

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

1. The PRESIDENT said that as a result of the consultations which had taken place, there had been agreement on the distribution of the 16 Vice-Presidents among the regional groups. The distribution would be: two from Africa, two from Asia, three from Latin America, four from Eastern Europe and five from West European and other States. He urged the various regional groups to conclude as early as possible their consultations regarding the specific representatives to be designated as Vice-Presidents.
2. Further consultations were continuing with respect to the chairmanship of the Drafting Committee and the Credentials Committee and the membership of the Credentials Committee. He hoped shortly to be in a position to report on the outcome of those consultations.

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

(a) GENERAL DEBATE

3. Mr. RAJAKOSKI (Finland) said that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction was an important step towards the ultimate goal of general and complete disarmament under effective international control. It was also a significant, although partial, achievement in the general endeavours to prohibit poisonous and toxic agents, both biological and chemical. The importance of such endeavours was emphasized by the fact that scientific and technological advances in recent decades had increased the potential of those weapons to such an extent that they were capable of causing casualties on a vast scale.
4. The first major step towards the prohibition of those weapons had been taken in 1925 when the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare had been adopted. Since its adoption the Protocol had established a standard of international law as far as the use of those gases and methods in war was concerned, as was evidenced by the number of ratifications, including those of all militarily significant States. The fact that the Protocol prohibited only the use of those weapons and methods and that several reservations were attached to the ratifications was, however, diminishing its value.
5. The second step in that field had been taken with the adoption, after lengthy discussions, of the Biological Weapons Convention. In the five years since its entry into force, the Convention had functioned well, and he noted with satisfaction that the provisions of the crucial articles I and II had been complied with. The implementation of the Convention had not hindered activities for peaceful purposes. The report in document BWC/CONF. I/5 indicated that, from the scientific and

technical standpoint, the developments discussed, which were directed to peaceful purposes, did not appear to alter substantially capabilities or incentives for the development or production of biological and toxin weapons. Furthermore, 85 States were at present parties to the Convention. Early adherence to the Convention by the largest possible number of new States would strengthen it further.

6. His Government had supported the Convention from the very outset, having been among the first countries to sign it in April 1972 and having completed ratification in 1974. His Government's positive approach to the Convention had been prompted by the fact that it rendered the Geneva Protocol more complete by prohibiting the development, production and stockpiling of bacteriological (biological) and toxin weapons, and providing for their destruction. Thus it had done away with particularly odious weapons which by their very character would have innocent civilian populations as their prime target. It was the first disarmament measure to contain an element of genuine disarmament not only by prohibiting the development and manufacture of those weapons but also by providing for the destruction of existing stocks. His Government also saw it as a means that would facilitate the achievement of a corresponding ban on chemical weapons.

7. The overwhelmingly positive assessment with which his Government had approached the Convention must, however, be tempered by some more critical observations.

8. The third and most important step in endeavours to prohibit biological and chemical weapons still remained to be taken, namely, an agreement on the prohibition of the development, production and stockpiling of chemical weapons. Such a prohibition was widely recognized as being of the highest priority; chemical weapons had been on the agenda of multilateral disarmament negotiations for almost two decades. A commitment to reaching an early agreement on the prohibition of those weapons was embodied in article IX of the Convention and the urgency of the prohibition had been reiterated by the United Nations General Assembly at its special session on disarmament in 1978.

9. His Government did not underestimate the difficulties connected with the work on a chemical weapons convention. The primary responsibility remained with the United States and the Soviet Union, which, in their report to the Committee on Disarmament dated 7 August 1979 (document CD/48), had promised to exert their best efforts to complete the bilateral negotiations and present a joint initiative to the Committee on Disarmament on that most important and extremely complex problem as soon as possible. His Government expected them to present such an initiative at the earliest possible date. It was evident, however, that participation in the efforts to produce a convention should take place on as broad a basis as possible. Contrary to the situation in the case of nuclear weapons, technical and scientific realities did not drastically limit the number of countries which might have an active interest in chemical weapons. He therefore welcomed the efforts of the Committee on Disarmament to commence multinational negotiations aimed at securing a convention on chemical weapons.

10. His Government had taken a special interest in efforts to prohibit such weapons for a number of years, and as early as 1972 it had launched a research project on the role of instrumental analysis of chemical warfare agents and their verification. The goal of the project was the creation of a national chemical weapons verification capacity which could eventually be put into international use. In his view, such a project would be most appropriate for a neutral country deeply concerned about the arms race.
11. The Finnish project had been conceived as a multipurpose one, which could be used substantively in three different verification activities: the destruction of stocks, non-production of chemical weapons and alleged use. Functionally, it could be used for national verification or any combination of national and international inspection; it could be used in connexion with an investigation ordered by an appropriate international authority; and it could meet some of the concerns expressed by developing countries about possible difficulties in carrying out verification by their national means only.
12. It was of primary importance that the Conference should succeed in creating an atmosphere which would oblige the parties to the Convention and States outside it to continue their efforts to further the objectives of the Convention. Such an atmosphere would encourage as many new States as possible to take measures to adhere to the Convention. That applied also to those signatory States that had not yet proceeded to ratification.
13. The outcome of the Conference would certainly have a bearing on how the very institution of review conferences would evolve in the future. That institution, which had been a feature of several recent arms control and disarmament agreements, was a valuable and useful instrument.
14. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that the conclusion of the Convention had represented the outcome of many years of struggle by those interested in achieving progress in disarmament; it embodied initiatives put forward over a period of many years by the Soviet Union and other socialist countries in the United Nations and in the Committee on Disarmament. The twenty-fifth congress of the Communist Party of the Soviet Union, held in February 1976, had welcomed the Convention as virtually the first genuine disarmament measure in the history of international relations which removed a whole category of highly dangerous weapons of mass destruction from the military arsenals of States. Time had confirmed that assessment. The Convention, which was a logical continuation of the work begun with the Geneva Protocol of 1925, imposed a timely ban upon a form of weapons whose use at any point in the world could, under modern conditions, entail unimaginable consequences for the whole of mankind. It was timely because agreement on the ban had been reached before such a tragedy could occur.
15. The Convention, drafted by the Conference of the Committee on Disarmament and approved by the General Assembly in 1971 without any negative vote being cast, formed part of a whole series of treaties and agreements now existing in the field of limitation of the arms race and disarmament. Those agreements were positive achievements of international détente thanks to which it had proved possible to

close some channels of the arms race and to slow down its dangerous growth. The Convention represented a substantial contribution to the development of that process. The fact that almost 90 States had become parties to the Convention testified to its importance as an international disarmament measure. Regrettably, that number did not include certain States of major military importance, including some permanent members of the Security Council which bore special responsibility under the Charter for the maintenance of international peace and security. For its part, the Soviet Union was determined to pursue vigorously the process of promoting international détente and genuine disarmament measures until general and complete disarmament was achieved, since that was the objective proclaimed in the Soviet Constitution as one of the main tenets of his country's foreign policy. The USSR was doing everything in its power to ensure the resumption and continuation of all disarmament negotiations which had begun in various international forums or at the bilateral level in recent years but had been halted or postponed for reasons of various kinds. It was prepared to conduct such negotiations on a constructive basis.

16. It was also important that agreements already achieved as a result of successful negotiations should enter into force without delay; that was true, above all, of the SALT-II Treaty. Another urgent task was the early completion of work in the Committee on Disarmament on a treaty prohibiting the use of radiological weapons.

17. The Soviet Union's concern that the disarmament process should not be halted but, on the contrary, extended and expanded was shared by many States engaged in efforts directed at the preparation of new agreements in the disarmament field and also at the complete observance of agreements already in force, including the Bacteriological Weapons Convention. In that connexion, he noted with satisfaction that since the Convention's entry into force, none of the States parties had resorted to the complaints procedure provided for in article VI.

18. In accordance with the recommendations of the Preparatory Committee, the Soviet Union had joined the other depositary Governments in preparing a background paper on new scientific and technological developments relevant to the Convention (BWC/CONF.I/5). The document reached the well-founded conclusion that developments in biological science did not appear to alter substantially capabilities or incentives for the development or production of biological or toxin weapons.

19. After summarizing the information in the background paper (BWC/CONF.I/4) concerning the Soviet Union's activities at the international level in connexion with the use of bacteriological science for peaceful purposes, he drew attention to the provision of the Convention which imposed upon States parties the obligation to continue negotiations with a view to reaching early agreement on the prohibition and destruction of chemical weapons. The Soviet Union and other socialist countries had repeatedly put forward constructive proposals on that subject both in the Committee on Disarmament and in the United Nations. More active consideration of the matter in the Committee on Disarmament would be of value. Progress in the preparation of an acceptable text depended to a considerable extent on the bilateral talks taking place between the USSR and the United States, the latest round of which had begun on 11 February 1980.

20. The present Conference could be regarded as successful if, in its final document, it noted the positive results of the Convention's operation over the past five years, reiterated support for the Convention's purposes and objectives, reaffirmed the undertaking of States parties to continue effectively to fulfil the provisions of the Convention, and called upon States which had not yet done so to accede to the Convention. The work of the Conference should be aimed at strengthening the Convention; it should not consist in reviewing for the sake of reviewing. In his opinion, future review conferences could be convened as required, the matter being decided by a majority of States parties.
21. Mr. FLOUWERBEE (United States of America) said that his Government welcomed the opportunity to join the other States parties and signatories in attending the first Review Conference of the Parties to the Convention. The Convention, which was the first genuine disarmament measure designed to eliminate an entire category of weapons from nations' arsenals, had made a significant contribution to international peace and security, and his Government believed it was particularly important to demonstrate to the world at large its effectiveness and continued vitality. The Conference played a significant role in that respect.
22. The fact that so many countries had become parties and signatories testified to the importance attached by the world community to the Convention. The records of his Government, which was a depositary for the Convention, showed that 87 countries were now full parties and 34 others had signed the Convention. He looked forward to the day when there would be universal adherence to it.
23. With regard to article I of the Convention, his Government, as co-author of the background paper on new scientific and technological developments relevant to the Convention, shared the view of the United Kingdom and the Soviet Union that all those developments were already adequately covered by the provisions of the Convention.
24. With regard to article II, his Government had publicly declared its compliance with the requirement concerning destruction of existing stocks of biological agents, toxins, weapons, equipment and means of delivery prohibited under article I. He hoped that other parties would similarly declare their compliance with the provisions of that article.
25. His Government was not aware that there had been any violations of the proscription contained in article III against the transfer of prohibited agents or assistance in their production by others. It took particular note of the fact that no party had felt it necessary to invoke the provisions of article V calling for consultations aimed at resolving any problems related to the objectives or implementation of the Convention. It also noted with satisfaction that no party had so far found it necessary to set in motion the procedure contained in article VI for dealing with complaints relating to any State's compliance with the Convention.
26. It noted that the Convention had in no way limited or detracted from the obligations of the 1925 Geneva Protocol, to which it attached particular importance. It hoped that the Conference would take steps to reaffirm the language of the Convention relating to the principles and objectives of the Protocol.

27. It recognized its commitment and the commitment of all other States parties under article IX to continue negotiations in good faith on effective measures to prohibit chemical weapons, and appreciated the high degree of interest shown by many delegations in pressing ahead with the multilateral phase of negotiating an effective chemical weapon ban. As delegates were aware, the United States and the Soviet Union had been engaged in bilateral negotiations on such a ban since 1977; the current round had begun in Geneva on 11 February 1980. Although substantial progress had been made in a number of major areas several important issues remained unsolved in the search for agreement on an effective and verifiable ban on those weapons. A detailed report on the negotiations had been presented to the Committee on Disarmament the previous summer, and he was pleased to note that the Committee was currently discussing the mandate for a working group on chemical weapons to be established during its 1980 session.

28. On the question of peaceful research in the field of biology, his Government was pleased to note that article X of the Convention had not restricted, but rather facilitated, the fullest possible exchange of equipment, materials and scientific and technological information. His Government co-operated with numerous other parties in such research in an effort to prevent and eliminate disease, particularly in developing countries.

29. He noted that article XII, which called for the holding of the current Conference, did not contain any provision for convening a subsequent meeting. He looked forward to a full exchange of views with other delegations on the need for such conferences in future and the best way to provide for them.

30. His Government was especially pleased to note that no party had deemed it necessary to withdraw from the Convention. In his view, that was the clearest indication of its strength and reinforced the conclusion that it had performed well and would continue to do so.

31. In sum, his Government believed that since its entry into force the Convention had achieved its primary purpose of prohibiting the development, production and stockpiling of bacteriological (biological) and toxin weapons, and saw no need to amend it. His Government was, however, prepared to consider alternative means of improving consultation and co-operation among the parties to the biological weapons régime, if others were persuaded that there was such a need. The final declaration would seem to be the most appropriate vehicle for meeting those concerns. In conclusion, his Government reaffirmed its commitment to the Convention and to a successful Conference.

32. Mr. LIDGARD (Sweden) said that his Government welcomed the opportunity to review the operation of the Convention, since his country had been among those members of the Conference of the Committee on Disarmament which, during negotiations on the Convention, had requested that provision should be made for review conferences. His delegation had also attached considerable interest to the working out of procedures for control and verification. Shortcomings in the complaints procedure had substantially influenced his Government's hesitation with regard to the Convention, with the result that it had become party to it only in 1976.

33. There had been considerable development in the scientific and technological fields relevant to the Convention and present trends indicated that the potential for the production of biological agents and toxins was spreading throughout the world. The depositary Governments had submitted a background paper on those scientific and technological developments. Experts of the Swedish National Defence Research Institute had also penetrated that field, as reported in document BWC/CONF.I/6. After studying the results of those efforts, his Government had come to the conclusion that the present Convention covered all recent advances in science and technology of possible relevance for weapons purposes. A second important conclusion was that scientific advancement for the benefit of mankind had not been hindered by the Convention.

34. His Government noted with satisfaction that during the first five years of the Convention's operation no State party had found cause to express suspicions of possible violation of the Convention by another party and the Convention thus seemed to have fulfilled its primary objectives.

35. Commenting briefly on control and verification, he said that since there were no provisions for international means of verification in the Convention, only national means could be used to monitor compliance with it. That was an unsatisfactory situation.

36. In connexion with article II, account should be taken of the fact that parties were not obliged to report on their destruction of agents, toxins, weapons, equipment or means of delivery, or on the fact that such weapons and facilities had been diverted to peaceful purposes. The Secretariat's background paper (BWC/CONF.I/4) showed that a number of States had formally announced that they had no weapons and facilities of the kind specified in articles I and II and one State had reported that its biological weapons and facilities had been destroyed or diverted to peaceful purposes. In 1970 his Government had declared that Sweden did not possess and did not intend to acquire biological or chemical weapons. Taking into account the situation which would probably exist when a chemical weapons convention was concluded, he believed that it would have been better, with a view to building up confidence if, as a general rule, States which had possessed biological weapons at the time of the entry into force of the Convention had also declared that they had destroyed them. His Government would therefore welcome discussion by the Review Conference of the need for further declarations from States parties on the above-mentioned matters.

37. Under the present complaints procedure in article VI, a party was entitled to lodge complaints of breaches of the convention with the Security Council of the United Nations. Notwithstanding the possibility for international consultations under article V, only the Security Council had a clearly expressed right to initiate investigations. The permanent members of the Security Council were, however, in a position to veto even technical inquiries into the nature of suspected activities. His Government had repeatedly expressed its concern about that manifest inequality of obligations under the Convention and other States parties had stated similar concern.

38. At an early stage of the negotiations leading up to the Convention, it had been proposed that the permanent members of the Security Council should waive their right of veto on resolutions concerning technical investigations on the basis of such complaints, but that had not been accepted. In more recent arms control and disarmament agreements some progress had been made towards separation of the fact-finding stage of the complaints procedure from the stage of political consideration and decision by the Security Council. His delegation intended to revert to that central issue at a later stage of the Conference and would welcome a thorough discussion of ways of strengthening the Convention in that respect.

39. In his Government's view, negotiations on a chemical weapons convention had unfortunately not made satisfactory progress. The bilateral negotiations between the United States and the USSR had not so far yielded any conclusive results. Other parties to the Convention, both members and non-members of the Committee on Disarmament had in different ways made constructive contributions to various aspects of a chemical weapons convention. In a number of General Assembly resolutions grave concern had been expressed about the inability of the two major Powers to reach a speedy and successful conclusion and about the fact that multilateral negotiations had not yet started. He sincerely hoped that it would be possible for the Committee on Disarmament to set up a working group without further delay in order to initiate real negotiations on a chemical weapons convention.

40. With regard to the question of a further review conference, his delegation considered that such conferences were a natural and necessary element in disarmament or arms control agreements. Review was a necessary instrument in order to ensure proper functioning of the Convention in its present form so that it could be adapted when necessary to changing conditions. He therefore suggested that the date of a further review conference should be decided by the present Conference or, alternatively, that a mechanism should be designed for convening review conferences at certain intervals or whenever necessary.

41. Mr. SUMMERHAYES (United Kingdom) said that the United Kingdom had played a major role in the negotiations which had led to the signing of the Convention, and his Government continued to attach great importance to it. By removing, for the first time, a whole category of potential weapons from the arsenals of States, the Convention constituted a small but significant milestone in the long and difficult history of arms control discussions. It was encouraging that 87 States had ratified the Convention and a further 39 had become signatories. In all, they represented over two thirds of the States of the world. While the number of States parties continued to grow, he nevertheless urged those States which had not yet signed or ratified the Convention to do so without further delay.

42. Under the provisions of article XII of the Convention, the present Conference fell into two distinct parts. The first was to deal with the operation of the Convention since its entry into force. The very comprehensive background paper on that question (BWC/CONF.I/4) provided a sound basis for a thorough review. It would be seen from his Government's contribution to the paper that the United Kingdom had, where necessary, taken appropriate action to ensure compliance with the provisions of the Convention. Since the United Kingdom had never possessed any of the agents proscribed by the Convention in quantities other than those explicitly

permitted, related action had been confined to the passing of domestic legislation in compliance with the provisions of article IV. In addition, the United Kingdom had, over the period since the Convention's entry into force, concluded a series of bilateral and multilateral agreements on public health and medical research which, inter alia, supported the provisions of article X.

43. The Conference was also called upon to examine the the question of effective prohibition of chemical weapons. The conviction expressed in the preamble to the Convention that the use of bacteriological weapons would be repugnant to the conscience of mankind was equally applicable to the use of chemical weapons. His Government viewed with the utmost seriousness the obligations set out in article IX of the Convention; in 1976, it had submitted to the Conference of the Committee on Disarmament a draft convention on the prohibition of chemical warfare agents, and, in addition to its active participation in the Committee on Disarmament's consideration of the matter, it was following with close interest the progress of the bilateral discussions on chemical weapons taking place in Geneva. It looked forward to a successful conclusion of the discussions and to the negotiation of a multilateral agreement.

44. The second part of the Conference concerned new scientific and technological developments relevant to the Convention. As one of the depositary Powers, the United Kingdom was a co-author of the background paper contained in document BWC/CONF.I/5. He hoped that that paper, which reached the conclusion that recent scientific and technological developments had not called into question the effectiveness of the Convention, would be given the detailed attention it deserved; in his view, a thorough examination of the paper could best be conducted in a working group.

45. His delegation would state its position on the operation of separate articles of the Convention at a later stage, and would look carefully and constructively at any proposals which would strengthen the Convention or increase the prospects for universal adherence. As a depositary Power it would, of course, resist any proposal which, in its view, might weaken the Convention.

The meeting rose at 4.40 p.m.

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 FOURTH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 6 March 1980, at 10.30 a.m.

President: Mr. VAERNØ (Norway)

CONTENTS :

Review of the operation of the convention as provided for in its article XII

(a) General Debate (continued)

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GE.80-60379

The meeting was called to order at 11 a.m.

REVIEW OF THE OPERATION OF THE CONVENTION AS PROVIDED FOR IN ITS ARTICLE XII

(a) GENERAL DEBATE (continued) (BWC/CONF.I/3 to 6)

1. The PRESIDENT invited participants to continue the discussion of agenda item 10 (a). If he heard no objection, he would take it that the Conference agreed that the list of participants who wished to speak in the general debate should be closed at 6 p.m. that day.
2. It was so decided.
3. Mr. RUZEK (Czechoslovakia) said that Czechoslovakia attached particular importance to the Convention, whose aim was the total elimination of one complete system of weapons of mass destruction from the arsenals of States. His country had been a co-author of the draft convention submitted to the Conference of the Committee on Disarmament in 1971.
4. Eighty-five States had ratified the Convention and 37 had signed it, but his country considered that it would be useful to increase the number further so that the Convention might achieve universality. The fact that the production of bacteriological (biological) and toxin weapons was within reach of a greater number of States than was the case with relatively more expensive systems made it all the more urgent to achieve that goal.
5. His country considered it important that, during the period which had elapsed since the Convention had entered into force, nothing had happened which could lead to the conclusion that the provisions of the Convention had been violated. In its opinion, the provisions of the Convention laying down obligations and regulations pertaining to control were well balanced and effective, and it seemed that all the necessary areas were adequately covered.
6. The question of chemical weapons was closely connected with that of bacteriological (biological) and toxin weapons. It was known that the socialist countries had persistently pressed for the prohibition of chemical and bacteriological weapons in the framework of one common measure. In the end, they had agreed to a compromise in the form of a separate solution to both questions, with the understanding that the Convention was merely the first step on the road towards the prohibition of chemical weapons. Yet in spite of the proposals and offers of compromise that they had submitted since the entry into force of the Convention, the ban on chemical weapons had not materialized. Czechoslovakia wanted the practical preparations for the work on a treaty on complete and effective prohibition of the development, production and stockpiling of chemical weapons and their destruction to be started as speedily as possible within the Committee on Disarmament.
7. His country was convinced that the efforts in the field of disarmament should be continued and become more systematic. It considered that the results of the Conference would contribute towards the deepening of international co-operation in the field of disarmament and it was prepared to co-operate fully to that end.

8. Mr. KOCHUBEY (Ukrainian Soviet Socialist Republic) said that the past five years had made it possible to determine the effectiveness of the Convention. He was happy to note that none of the articles had been violated, that there had been no complaints and that the Convention had been applied in a spirit of co-operation and good will. The Convention, drawn up in the early 1970s, a period essentially characterized by détente, had been the first measure towards real disarmament. His country had ratified the Convention on 21 February 1975 and was fully carrying out its obligations under articles I to V of the Convention.
9. The Convention was in no way an obstacle to the progress of bacteriological and biological science designed to increase agricultural production or improve health and nutrition. The Institute of Microbiology and Virology of the Academy of Sciences of the Ukrainian Soviet Socialist Republic was co-operating with scientific institutes in Czechoslovakia and the German Democratic Republic. Its research formed the subject of articles in various publications and Ukrainian experts participated in international scientific meetings, such as the meeting held at Munich in 1979. Of particular interest was the conclusion in the report of the Preparatory Committee of the Conference (B/C/CONF.I/5) that the activities undertaken for pacific purposes in the bacteriological field had not created possibilities of violating or bypassing the provisions of the Convention. That conclusion bore witness to the effectiveness of the Convention.
10. Article IX of the Convention drew attention to the need to ban chemical weapons as speedily as possible. The socialist countries had always stressed the importance of such a ban and he was happy that the Committee on Disarmament had shown considerable interest in that question.
11. One of the tasks of the Conference was to reaffirm the importance of the effectiveness of the Convention. Renewed efforts to increase the number of States parties should therefore be made. Certain States members of the Security Council were not yet parties to the Convention. France, which was not, had enacted a law banning bacteriological weapons, but China, which was also not a party to the Convention, had taken no such step. It was to be hoped that in its final document the Conference would make an appeal to States to accede to the Convention.
12. The effectiveness of the Convention proved that the possibilities of solving a complex problem concerning the armaments race were very real, provided there was a political will to solve it.

The meeting rose at 11.25 a.m.

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 FIFTH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 6 March 1980, at 3 p.m.

President: Mr. VAERNØ (Norway)

CONTENTS

Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen
of the Drafting Committee and the Credentials Committee (continued)

Review of the operation of the Convention as provided for in its article XII

(a) General debate (continued)

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GE.80-60383

The meeting was called to order at 3.45 p.m.

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

1. The PRESIDENT informed the Conference that the following 16 representatives had been nominated for the office of Vice-President: Mr. Gbeho (Ghana) and Mr. Adeniji (Nigeria) from Africa; Mr. Al-Dabbagh (Kuwait) and Mr. Marker (Pakistan) from Asia; Mr. Dumont (Argentina), Mr. Valdez (Ecuador) and Mr. Taylhardat (Venezuela) from Latin America; Mr. Voutov (Bulgaria), Mr. Kömives (Hungary), Mr. Issraelyan (USSR) and Mr. Vrhunec (Yugoslavia) from the East European group; and Mr. McPhail (Canada), Mr. Ciarrapico (Italy), Mr. de Laiglesia (Spain), Mr. Summerhayes (United Kingdom) and Mr. Flowerree (United States) from the West European and other States.
2. The above-mentioned 16 representatives were elected Vice-Presidents of the Conference by acclamation.
3. The PRESIDENT further informed the Conference that Mr. Maina (Kenya) had been nominated for the Chairmanship of the Drafting Committee and Mr. Mortensen (Denmark) for the Vice-Chairmanship.
4. Mr. Maina (Kenya) and Mr. Mortensen (Denmark) were elected Chairman and Vice-Chairman of the Drafting Committee by acclamation.
5. The PRESIDENT suggested that the election of the Chairman and Vice-Chairman of the Credentials Committee should be deferred until the following meeting so as to enable further consultations to be carried out.
6. It was so decided.

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

(a) GENERAL DEBATE (continued)

7. Mr. VOUTOV (Bulgaria) said that in furtherance of its policy for preserving world peace and security, strengthening the process of disarmament and taking effective disarmament measures, his country had been one of the first to ratify the Convention. That policy had been confirmed in a recent speech by Mr. Zhivkov, the First Secretary of the Bulgarian Communist Party and President of the State Council.
8. In his delegation's opinion, the importance of the existing agreements in the field of disarmament -- agreements which could rightly be called instruments of peace -- was constantly increasing. The Convention under review imposed a ban on weapons development in a field which, given the progress that had been achieved in science and technology, might have produced terrible perspectives for life on earth. The Members of the United Nations therefore had every reason to be pleased that they had taken the significant step of drawing up the text of the Convention in 1971. That first step towards genuine disarmament, to the making of which the socialist countries had contributed in no small measure, had met with the approval and satisfaction of all peace-loving peoples in the world.

9. The Convention was an effective instrument of disarmament, as was proved by the fact that no breach of the Convention had ever taken place and that no complaint had been made regarding attempts to circumvent its dispositions. The monitoring system adopted, which was based on national means of verification and utilized the latest achievements of modern science and technology, in combination with action by the Security Council and other international procedures should the necessity arise, was functioning as envisaged in the Convention. In the opinion of his delegation, therefore, there was no need to devise any additional control or verification measures or to make any amendments to the Convention for that purpose.

10. His Government had already informed the Secretary-General of the United Nations that his country had never developed, produced, stockpiled or acquired by other means bacteriological (biological) weapons or toxins, and had stressed that it was strictly observing its commitments under the Convention. That policy, as well as the socialist character of the country's economic system, in which all enterprises were controlled by the State, provided a safeguard against any violations.

11. In the light of the obligations undertaken by the People's Republic of Bulgaria in ratifying all the international legal instruments banning or limiting the weapons or means used in armed conflicts, article 415 of the Bulgarian Penal Code established severe penalties for anyone who in violation of the existing international rules of conduct in armed conflicts used, or ordered the use of, prohibited methods of warfare.

12. His delegation had noted with satisfaction the report by experts from the depositary Governments (document BWC/CONF.I/5), which threw abundant light on scientific achievements in the sphere of microbiology and genetic engineering. Those achievements were related to the observance of the Convention. His delegation shared the experts' conclusion that the peaceful achievements mentioned in the report did not appear to alter substantially the capabilities or the incentives for the development or production of biological or toxin weapons. That report, together with the statements of the depositary Governments and several other delegations, demonstrated that there was quite an intensive exchange of scientific information in that field and that the exchange could reasonably be expected to increase even further.

13. Together with the other socialist countries, Bulgaria had consistently appealed for the universality of the treaties concluded in the field of disarmament. Such universality would not only contribute to the strengthening of international security but would also diminish the possibility of violation of the treaties. In view of the special significance of the Convention under review therefore, it seemed logical and useful for the Conference to appeal to all those countries which had not yet signed or ratified the Convention to do so in the near future.

14. His Government had long since noted that the Convention should bring the world closer to the long-awaited total ban on chemical weapons. His Government firmly believed that through joint efforts by all States the difficulties involved would be overcome. Bilateral and multilateral negotiations in the Committee on Disarmament would be intensified and that Committee should soon be in a position to present to the General Assembly an agreed text on a general and comprehensive ban on chemical weapons. The importance of a chemical-weapons ban should not, however, divert attention from the main subject of the Conference - bacteriological weapons.

15. In conclusion, he reiterated that his Government, together with those of the other socialist countries, would continue to follow a course designed to strengthen peace in Europe and the world and to preserve and deepen the process of détente and effective disarmament.

16. Mr. HERDER (German Democratic Republic) said that his country had been among the first to accede to the Convention and, in accordance with its policy of promoting peace, it had strictly abided by the obligations it had thereby assumed. His Government held the view that the Convention also covered the prohibition of all new scientific and technological developments in the field of microbiological and other biological agents and toxins and recombinant DNA techniques. The Convention thus prohibited their misuse for military purposes.

17. Along with the other socialist countries, the German Democratic Republic had actively advocated the implementation of the obligation embodied in the Convention to take effective measures to ban and destroy all weapons of mass destruction.

18. The Review Conference was, in his Government's view, of great importance. It was being held at a time which was characterized by aggravated international tensions. The world was witnessing reinforced efforts by certain NATO circles to tilt in their favour the existing approximate regional and global balance of military forces between the two systems, in particular by introducing in Europe a new generation of medium-range missiles to be equipped with nuclear warheads. Not only did that raise new obstacles on the path towards the prohibition of all weapons of mass destruction, but it also unleashed the serious threat of a new round of the arms race.

19. His Government believed that the successful conclusion and consistent implementation of the Convention occupied an important place in efforts to prohibit all weapons of mass destruction. The Convention was the first international agreement prohibiting and banning from the arsenals of States one specific type of those dangerous weapons. It thus constituted a genuine disarmament measure.

20. He welcomed the information in the Conference documents that no violation of the Convention had been noted. The Convention could therefore be considered proof that, provided the political will existed, it was possible to solve even complex disarmament problems and to buttress political détente by measures of military détente.

21. Evidence of the Convention's vitality was provided by the fact that more than 80 States had acceded to it. It was, nevertheless, regrettable that certain military significant States, among them permanent members of the Security Council, had not yet become parties to the Convention. In that connexion, his delegation drew attention to paragraph 73 of the Final Document of the Tenth Special Session of the General Assembly which explicitly requested States that had not yet done so to adhere to the Convention. He was convinced that universal adherence to the Convention would considerably increase its effectiveness and thus pave the way for a general prohibition of all bacteriological and toxin weapons. His delegation would therefore welcome the launching by the Conference of an appeal to all non-parties to adhere to the Convention without further delay.

22. Together with the Governments of other socialist States, and in accordance with article IX, of the Convention, his Government strongly advocated an early agreement on measures prohibiting the production and stockpiling of chemical weapons and on their destruction. In that connexion, it appreciated the Soviet Union's efforts to

promote adequate negotiations through constructive proposals. The results so far attained in the bilateral Soviet Union - United States negotiations and the activities undertaken in that respect in the Committee on Disarmament provided a solid basis for further progress. In view of the existing stocks of chemical weapons and the current possibility of developing new, more dangerous weapons of that type, their prohibition was more urgent than ever before. The Conference should therefore advocate an early and successful conclusion to those negotiations.

23. In the long run, the prohibition of biological and chemical weapons could only be a step towards achieving the prohibition of all weapons of mass destruction. The activities undertaken by the socialist States at the thirty-fourth United Nations General Assembly and in the Geneva Committee on Disarmament to focus attention on the cessation of the nuclear arms race and disarmament, and on the prohibition of new types and systems of weapons of mass destruction should be continued.

24. His delegation would do its utmost to contribute to the successful outcome of the Conference.

25. Mr. de LAIGLESIA (Spain) said that, although some might feel that the Conference was meeting at a time when there was not much cause for optimism concerning disarmament, the very reason for which it was being held perhaps gave cause for optimism. The Convention, which constituted one of the few effective measures aimed at genuine disarmament, had proved its worth since its entry into force, as the review of its implementation would undoubtedly show.

26. Spain, which was a party to the 1925 Protocol and had recently ratified the Convention, hoped that the work of the Conference would help to strengthen the monitoring system, which was so important if the terrible threat of bacteriological war were not to become reality. In that connexion, his delegation wished to stress the need, first, to increase still further the number of States parties to the Convention in the near future and, secondly, to establish some appropriate form of review machinery, bearing in mind the scientific advances that might be made in relation to the matters covered by the Convention.

27. It was encouraging to note that agreement had been reached on at least one of the many aspects of disarmament, and that agreement had yielded positive results, as was reflected by the statements made by various countries regarding compliance with the Convention. The security afforded by knowledge that the danger of bacteriological war was virtually unthinkable would, however, have been greater had all the States which possessed biological weapons declared, at the time when the Convention had entered into force and in accordance with article II thereof, that they had destroyed those weapons.

28. The Convention had also resulted in the elimination of a range of weapons which were largely the monopoly of the major Powers. That was an added reason for persevering in other areas and thereby contributing to the attainment of the goal of general and complete disarmament under effective international control.

29. The Convention was not, however, confined to the prohibition of bacteriological weapons, since article IX constituted a bridge between those weapons and chemical weapons - a bridge that must not be destroyed. In that connexion, while his delegation welcomed the bilateral negotiations between the United States and the Soviet Union and the detailed information which they had provided in the background paper (BWC/CONF.I/4), it also felt that greater participation on the part of the international community was required in the case of chemical weapons than in that of biological weapons, whose manufacture involved more complex technology. The Conference should therefore treat article IX as an unfulfilled obligation, responsibility for which would rest upon all parties until general agreement was reached.

30. Despite the positive results achieved, the Convention was not perfect: it represented only the maximum level of general acceptance and obviously did not reflect all the desires of the States parties. An appropriate task for the Conference, therefore, would be to establish a higher level of agreement. As the Convention was not entirely satisfactory to certain countries, which had nevertheless demonstrated their goodwill by accepting it in its existing form, the points at issue should be reconsidered in a greater spirit of comprehension and harmony. One such point related to the monitoring procedure, which did not appear to be sufficiently effective and called for greater efforts with a view to reaching a consensus. The Conference was the appropriate forum for considering improvements in that area but should take care not to weaken a legal instrument that was undoubtedly useful in its existing form.

31. His delegation hoped that the Conference would serve to stimulate the negotiations being held with a view to drawing up a treaty on chemical weapons which was as effective as that on bacteriological weapons.

32. Mr. ENE (Romania), stressing the importance which Romania had always attached to the prohibition and elimination of weapons of mass destruction, said that the extent of the arms race and of military expenditure on weapons was particularly alarming at a time of heightened international tension. Against that background, the Conference assumed an importance which went beyond its mandate. It was essential to grasp every opportunity to halt the growth of tension, to continue the policy of détente and co-operation, and to initiate negotiations at all levels with a view to the elimination of the material support for the politics of force - arms and armaments. As President Nicolae Ceausescu had stated, there were only two choices: either to continue the arms race with all its harmful consequences or to determine resolutely to achieve disarmament and peace.

33. The review of a treaty under which the parties were legally bound to undertake certain specific disarmament measures was a major task, whose results could prove decisive so far as the credibility of the obligations entered into by States was concerned. Together with other similar conferences, and in particular the review conferences on the Non-Proliferation Treaty, the present Conference was engaged in an over-all assessment of the practical effects of the disarmament measures adopted thus far.

34. In that connexion, his delegation was pleased to note from the background paper submitted by the Secretariat that there had been no recorded violations of the Convention. It also noted, however, that that paper was the only information which most States parties had received since the Convention had entered into force.

States parties to the Convention varied considerably in their technological and scientific potential. Consequently, they were unequal in their ability to keep abreast of developments in biological research, including that carried out for military purposes, and hence also in their ability to participate effectively in monitoring compliance with the Convention. In order to remedy that situation, a more continuous flow of information about new developments in the implementation of the Convention should be made available to States parties, a task which the United Nations Centre for Disarmament could perform with the assistance of States parties. The periodic dissemination of such information would encourage greater participation by all States parties in monitoring compliance with the Convention, while at the same time arousing greater public interest in that question.

35. Two further points fell within the purview of the Conference. The first concerned the Convention as it related to the progress of disarmament in general. The Convention was defined, under its own terms, as a first step towards the total elimination of weapons of mass destruction, and the States parties had entered into a legal undertaking to conduct negotiations with a view to reaching agreement in the near future on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and their destruction. The first paragraph of the preamble to the Convention and article IX were quite clear on that point. Although the Convention had had some positive effects on détente and had increased confidence among States, it had not been followed by genuine disarmament measures. Since the signature of the Convention in 1972 and its entry into force in 1975, the negotiations had simply marked time, whereas there had been no accompanying halt in the accumulation of weapons. The convening of a special session of the General Assembly devoted to disarmament was a reflection of the deep concern felt by the international community on that score. Despite the repeated demands of the General Assembly, and the efforts made over the previous eight years by specialized organizations with a view to prohibiting the development and production of chemical weapons and to destroying existing stockpiles, it had not even been possible to initiate negotiations with the participation of all the States concerned. That state of affairs had been the subject of concern at the two most recent sessions of the General Assembly, as reflected more specifically in the second paragraph of General Assembly resolution A/RES/34/72, and in the Committee on Disarmament since its inception.

36. In his delegation's view, therefore, when the Conference came to consider article IX of the Convention, it should take note of the fact that the negotiations on the elimination of chemical weapons were marking time, should urge all the States parties to the Convention to abide by the legal undertaking which they had entered into under that article, and should request the Committee on Disarmament to embark, at its current session, on negotiations on the preparation of a convention on the complete elimination of chemical weapons with a view to its adoption before the second special session of the General Assembly devoted to disarmament.

37. The second point related to article X of the Convention, which occupied a special place in the structure of the Convention. Its purpose was to ensure the necessary balance between the obligations into which States parties entered and to encourage international co-operation in the peaceful use of bacteriological (biological) agents and toxins. The significance of the latter objective derived

from the ever-growing importance of the biological sciences in various fields ranging from diagnosis, disease prevention and cell research in the health field to the use of bacteria to obtain products necessary for economic development, particularly in the developing countries. The Conference should therefore remind all States parties of their legal commitments in that area and should request those States in a position to do so and the competent international organizations to take the necessary measures, both bilateral and multilateral, to promote international co-operation in the peaceful use of scientific bacteriological discoveries.

38. Article X, together with article V, could, if faithfully observed, provide an effective framework for consultation and co-operation between States parties which could be very useful in the collective monitoring of the implementation of the Convention. His delegation was prepared to give favourable consideration to any proposal for increased participation by States parties in that process.

39. In considering matters relating to the elimination and destruction of biological and chemical weapons, Romania, like many other countries, never overlooked the fact that nuclear weapons were still the most lethal form of mass destruction. The cause of peace and international security therefore called for resolute measures designed to prohibit the production and use of nuclear weapons, to prevent nuclear war and to eliminate nuclear weapons completely. The Conference, too, had a duty to pursue that priority objective of modern time.

40. The experience gained from the disarmament negotiations, and particularly from the Review Conference on the Non-Proliferation Treaty, proved that the effectiveness of a treaty depended both on strict compliance with its substantive provisions and on the extent to which it reflected trends in the international situation and the concerns and interests of States. The deliberations of the Conference were part of the over-all negotiations on disarmament and proper account must therefore be taken of the growing concern of peoples regarding weapons, particularly in the nuclear field.

41. The second Review Conference on the Convention should examine the extent to which the decisions reached at the present Conference had been implemented.

The meeting rose at 4.50 p.m.

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 SIXTH MEETING

Hold at the Palais des Nations, Geneva,
on Friday, 7 March 1980, at 11 a.m.

President:

Mr. VAERINØ

(Norway)

CONTENTS

Review of the operation of the Convention as provided for in its article XII

(a) General debate (continued)

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The meeting was called to order at 11.50 a.m.

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

(a) GENERAL DEBATE (continued)

1. Mr. ONKELINX (Belgium) said that, during the negotiations in 1971, the question of bacteriological weapons had rightly been separated from that of chemical weapons. Although the negotiations on the prohibition of chemical weapons had not yet proved successful, the Bacteriological Weapons Convention constituted an international instrument which was one of the rare successes of the past decade in the disarmament field. The number of countries which had ratified or acceded to it showed the broad international support it had gained; he hoped that that support would shortly become universal.
2. From the standpoint of international law, the use of the words "never in any circumstances" in article I of the Convention was an innovation, since it had hitherto been understood that treaties lapsed in the event of armed conflict. A further innovation was that, ever since its conclusion, the Convention had been considered as the first treaty to contain a genuine disarmament clause. The fact that, according to their statements, every State party to the Convention had respected its provisions should be welcomed.
3. With regard to article IV, Belgium, in common with many other States, had taken the necessary domestic measures, the Belgian Parliament having enacted legislation approving the Convention.
4. On the question of chemical weapons, some people had felt there was a danger that a draft convention covering only bacteriological weapons might encourage the acceleration of the chemical weapons race and lead to diminished interest in negotiations for the prohibition of chemical weapons. However, the description in document BWC/CONF.I/4 of the efforts made in that direction was ample proof that those efforts had never slackened in the Committee on Disarmament in the General Assembly or in relevant bilateral negotiations.
5. With regard to agenda item 11 on future review of the Convention, Belgium would support a flexible approach that would enable the majority of States parties to call, as necessary, either for an ad hoc meeting or for a review conference.
6. Mr. PICTET (Switzerland) welcomed the fact that a large number of States had acceded to the Bacteriological Weapons Convention and expressed the hope that the international community would ratify it in the near future. He noted with satisfaction that the Convention had functioned effectively. Scientific developments since the entry into force of the Convention appeared to pose no new threat, at least in the immediate future, and no case of violation of the Convention had been alleged. That was a further source of satisfaction, but in the absence of a genuine international control procedure the international community had to rely entirely on statements made by one party or another, and that was not an entirely satisfactory situation.
7. Since it had possessed no bacteriological or toxin weapons before the conclusion of the Convention, Switzerland had had no stocks to destroy. With regard to the other States parties, he regretted that they had not all given formal assurances on that point. The Swiss army actually had a biological branch, but its sole purpose was to care for the health of army personnel; it would play only a protective role if bacteriological weapons were used against Switzerland in an armed conflict.

8. As far as chemical weapons were concerned, Switzerland considered that such weapons at present posed the most dangerous threat after nuclear weapons. It was therefore following with great interest the current activities aimed at their prohibition. Prohibition should cover both lethal agents and incapacitating agents which caused lasting psychological injury. Switzerland would, however, prefer a prohibition that was limited to a small number of agents but was effective and controllable, rather than a broader prohibition whose terms were too general or which appeared difficult to monitor. However, the use of simple chemical agents, particularly those intended for the maintenance of domestic order, must continue to be authorized. Prohibition should be total but if, in certain cases, only limitation of use was provided for, the applicable criteria should be simple and clearly defined so that they could be applied without undue difficulty of interpretation for the responsible military command.
9. Prohibition of the development, production and stockpiling of chemical weapons and their destruction would be unacceptable without fully effective international control. Any convention that did not provide for such control would be not only ineffective but even dangerous because of the false sense of security it might engender. It would therefore be preferable to await the development of a fully satisfactory control system; meanwhile, all States should accede to the Geneva Protocol of 17 June 1925 and thus create a situation which would be tantamount to a general prohibition of first use of a broad range of chemical weapons.
10. Lastly, Switzerland considered that any new convention should comprise the same rights and obligations for all States, since the principle of equality of States should be respected in the disarmament field as in other fields.
11. With regard to the future of the Conference, his delegation was in favour of the convening of further review conferences at regular intervals, so that continued account could be taken of new scientific and technological developments relevant to the Convention.
12. Mr. FARNON (New Zealand) reminded the Conference that the Convention had been regarded as a significant step forward on the road to disarmament. However, only 87 States had become parties to it and some States of military significance were not among them. That showed the amount of work to be done by the Conference.
13. Since New Zealand possessed none of the weapons or delivery systems referred to in article I of the Convention, his Government had not considered it necessary to enact any special legislation prohibiting the activities in question.
14. After taking note of the conclusions reached by the depositary Governments in their background paper to the effect that the Convention covered all recent scientific and technological developments relevant for weapon purposes, he observed that the question of the relationship between the 1925 Geneva Protocol and the Convention was of concern to his delegation. Article VIII provided that nothing in the Convention should be interpreted as in any way limiting or detracting from the obligations assumed by any State under the 1925 Geneva Protocol. He therefore appealed to countries which maintained reservations to the Protocol to declare them null and void, at least with regard to biological and toxin weapons.
15. With regard to chemical weapons, his delegation was optimistic about the early conclusion of a convention to prohibit such weapons now that the Committee on Disarmament had established a working group on the subject.

16. In accordance with article X of the Convention, New Zealand had participated on a number of occasions in exchanges of equipment, materials and scientific and technical information on the use of biological agents and toxins for peaceful purposes, and had co-operated in the development of bacteriology for peaceful purposes. In the opinion of his delegation, such exchanges should be encouraged.

17. His delegation was in favour of a periodic review of the Convention, as an important means of guaranteeing compliance with it. A five-yearly review would be adequate for that purpose.

The meeting rose at 12.20 p.m.

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 SEVENTH MEETING

Held at the Palais des Nations, Geneva,
on Friday, 7 March 1980, at 3 p.m.

President: Mr. VAERNØ (Norway)

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Review of the operation of the Convention as provided for in its article XII
(continued)

(a) General debate (continued)

Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen
of the Drafting Committee and the Credentials Committee (continued)

Establishment of a Committee of the Whole

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The meeting was called to order at 3.25 p.m.

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

(a) GENERAL DEBATE (continued) (BWC/CONF.I/3-6)

1. Mr. de SOUZA e SILVA (Brazil) said it was understandable that States, having first considered separately the various aspects of the complex question of the application of scientific knowledge for military purposes, had ultimately concluded a Convention that dealt largely with bacteriological weapons. The Brazilian Government had always been of the opinion that chemical, bacteriological and toxin weapons should be considered as a single issue, but when it had become apparent that progress would be possible only on the two latter types of weapons, it had actively participated in the efforts which had led to the adoption of the Convention. Acceptance of that approach should not, however, in any way detract from the importance of negotiations on the complete prohibition of chemical weapons.

2. Brazil's stand on the issue had been made known at the twenty-sixth session of the General Assembly, when it had recognized that, because of the differences in the military and peaceful uses of biological agents, on the one hand, and chemical weapons on the other, and because of the very nature of the production process and the problems involved in control and verification, it was unlikely that negotiations would result in the simultaneous prohibition of the development, production and stockpiling of both categories of weapons. For that reason, the Brazilian delegation, while supporting the broadest possible prohibition of those weapons, had taken care not to prejudge the nature of the legal instruments that should embody such a prohibition. His delegation therefore hoped that the Committee on Disarmament, which was the proper forum for the negotiation of a convention on the prohibition of chemical weapons, would embark on such negotiations at its current session, while the States parties to the Convention under review should, for their part, abide by the commitment they had entered into under article IX thereof.

3. With regard to the system of verification, when the Convention had been concluded the Brazilian Government had favoured a strictly impartial and factual inquiry mechanism. The Brazilian delegation to the Conference of the Committee on Disarmament had therefore suggested that, initially, a subsidiary body of the Security Council, acting informally and immediately, might deal with complaints of violations of the Convention and thus prevent a dispute from deteriorating into a political confrontation. Such a procedure might expedite preliminary investigations, while ensuring that a permanent member of the Security Council could not, by using the veto, debar an investigation into a complaint made against it or one of its allies. That point had been noted by the Swedish representative in the First Committee at the twenty-sixth session of the General Assembly. The formula finally agreed on, however, fell short of the requirements of the Convention and could serve as an undesirable precedent for future disarmament measures, other international legal instruments and even settlement of disputes in general.

4. The Brazilian Government, which also attached importance to the relationship between disarmament and development, had, together with the members of the Group of Twelve of the Conference of the Committee on Disarmament, submitted a proposal (CCD/341) for the inclusion in the Convention of a provision on that question. It was therefore regrettable that the final text of the Convention had not taken account of that issue, which had since acquired greater relevance.

5. As Brazil was an active member of a group of experts which was carrying out a study of the matter, his delegation felt bound to underline the principle that a substantial portion of the savings deriving from disarmament measures should be devoted to economic and social development, particularly in the developing countries. Advances in biology, bacteriology, toxicology and chemistry were of direct relevance since, as was clear from the background paper submitted in document BWC/CONF.I/5, technology that could be used for hostile purposes was also needed for such important peaceful purposes as medicine, agriculture and industry. The Brazilian Government therefore attached the utmost importance to full compliance with article X of the Convention, the implementation of whose terms would amply demonstrate that the technology used for hostile purposes could also be used to promote international well-being through co-operation, with special regard to the needs of developing countries.

6. In that connexion, the proposal that a mechanism be established for future review of the Convention merited further consideration. For instance, so far as article X was concerned, it might be advisable to think in terms of the next review of the operation of the Convention. It would also be of interest to have a paper, prepared by the Secretariat with the assistance of the parties, on the progress achieved in regard to technological co-operation, particularly with developing countries, with a view to assessing the extent of compliance with article X. If a further review conference was not held within a reasonable period, the paper could be distributed to the parties for information and comment.

7. His Government would make every endeavour to further the objectives of the Convention and thereby achieve the goal of general and complete disarmament under effective international control.

8. Mr. ERDEMBILEG (Mongolia) noted with satisfaction that a number of important international treaties and agreements aimed at limiting certain aspects of the arms race had been concluded during the past two decades thanks to the persistent efforts of the peace-loving countries, especially the socialist countries. The Bacteriological Weapons Convention represented the first real disarmament measure and the first major step towards the achievement of agreement on the effective prohibition of other forms of weapons of mass destruction, including chemical weapons. As such, the Convention was an instrument of immense importance. The fact that almost 90 States had ratified the Convention bore eloquent witness to the recognition it had received, and the representatives of the States parties gathered at the Review Conference had every reason to regard it as a reliable instrument capable of continuing to serve the noble aims of disarmament.

9. He joined previous speakers in welcoming the fact that the Convention's basic provisions had been faithfully observed by all States parties in the five years since the Convention's entry into force. It was important that all participants in the Conference should collectively reaffirm the purposes and objectives of the Convention and their firm resolve to continue to abide by their obligations under it.
10. Another important action which the Conference should take was to issue an urgent appeal to all States which had not yet done so, particularly nuclear-weapon Powers, to adhere to the Convention without delay. Such an appeal was already contained in paragraph 73 of the Final Document of the tenth special session of the General Assembly. No instrument of international law, especially in the vitally important sphere of disarmament, could be fully effective without the participation of all States, particularly those with a major military and industrial potential. The absence of a number of States, including nuclear-weapon States which were permanent members of the Security Council, from the parties to the Convention could not be ignored.
11. The matter was particularly important for Mongolia, which had a common frontier with a country which persistently ignored international treaties and agreements in the disarmament field and, in particular, the Biological Weapons Convention, although that Convention was a logical continuation of the Geneva Protocol of 1925, the only treaty relating to disarmament to which China was a party. In that connexion, Mongolia could not but bear in mind the hostile acts committed by that country's leaders. Those acts represented a real threat to Mongolia's sovereignty and independence, and a gross violation of elementary standards of international conduct, in particular standards set in the 1925 Geneva Protocol.
12. On the subject of the prohibition of chemical weapons, he noted with regret that efforts to achieve agreement on the removal of such weapons from the arsenals of States, made for many years in the Committee on Disarmament and other forums, had so far failed owing to the lack of the necessary political will on the part of certain Western States. Nevertheless, Mongolia, as a member of the Committee on Disarmament, took an optimistic view of the future and placed great hopes in the current USSR-United States negotiations on the prohibition of chemical weapons and also in multilateral negotiations under the auspices of the Committee on Disarmament. The present aggravation of the international atmosphere made more essential than ever the search for further effective means of limiting the arms race and achieving disarmament.
13. Mr. ADENIJI (Nigeria) said that his country regarded the Convention, to which it was a party, as a very positive disarmament measure in that it provided for the prohibition of one of the most repulsive weapons in the arsenals of States. Moreover, the Convention furthered the contribution which the 1925 Geneva Protocol had made to man's endeavours to control the means of warfare. He was therefore pleased to report that Nigeria had complied fully with its obligations under the Convention. As Nigeria did not possess biological weapons, as defined in article I, it followed that it had no such weapons to destroy, as required by article II, or, indeed, to transfer.
14. The operation of the Convention had, on the whole, been satisfactory. A measure of its effectiveness was the fact that there had been no reported use of biological warfare agents and that recourse to article V had therefore not been necessary. That did not, however, mean that there was no need for the

Conference to examine ways of strengthening the Convention by closing certain loopholes and removing ambiguities. His delegation would welcome, for example, the introduction of some system under which the destruction of stockpiles or their diversion to peaceful purposes could be verified.

15. The complaints procedure, as provided for under article VI, was not entirely satisfactory since under its terms only the Security Council could initiate an investigation. In view of the obvious political and practical difficulties that would cause, his delegation agreed that some way should be found of separating the fact-finding stage of the complaints procedure from the Security Council's political consideration of, and decision on, the matter.

16. With regard to article X, his delegation had taken note of the efforts being made by the developed countries as outlined in document BWC/CONF.I/4. It would, however, urge the need for greater efforts in view of the developing countries' pressing health problems, particularly in regard to debilitating diseases such as malaria and cholera. That would also open up an avenue for the transfer of resources from military to civilian needs.

17. On the subject of a prohibition on chemical weapons, he said that the failure of the Committee on Disarmament to negotiate a convention was due not to any lack of effort on its part but, in his delegation's view, to a lack of political will on the part of the nuclear-weapon States. Paragraphs 21 and 25 of the Final Document of the special session of the General Assembly devoted to disarmament were unequivocal in their reference to the urgent need to reach agreement on a chemical weapons ban, as were a number of General Assembly resolutions, the most recent of which was resolution 34/72. Although the Conference should urge the United States and the Soviet Union to bring their bilateral negotiations to an early conclusion, the Committee on Disarmament should not allow the conduct of its own negotiations to be delayed on that account. It would be useful if the partners in the bilateral negotiations could submit a report on the status of those negotiations as soon as possible. His delegation hoped that the Committee on Disarmament would respond positively to the proposals made by the Group of 21 in two working papers (CD/11 and CD/64) concerning the need to establish a working group to deal with the question of a chemical weapons ban. That was an urgent task, for the signs were ominous and any delay in negotiations could result in feverish efforts to develop or test those inhumane weapons.

18. Mr. DUMÉVÍ (Ghana) said that, at the start of the Second Disarmament Decade, when the disarmament process assumed even greater urgency, new energy must be generated in the search for measures to free mankind from the serious threat posed by the arms race. The Conference was particularly significant in that it was dealing with a category of weapons that was regarded with universal horror. It was therefore imperative that it take a critical look at the Convention and make constructive proposals for improving its operation with a view to ending the threat to mankind which was inherent in the proliferation and use of such weapons.

19. Ghana had abided strictly by its obligations under the Convention and, as a developing country, had no intention of developing bacteriological weapons. Its main concern was to secure a comprehensive and verifiable prohibition that was consistent with the goal of disarmament. In that connexion, while it had noted the satisfaction expressed concerning the operation of the Convention, it considered that certain provisions should be strengthened. For example, with regard to control and verification, article II seemed to provide solely for national verification whereas a combination of international and national methods would promote mutual confidence.
20. His delegation also felt that the Convention should have imposed on States an obligation to declare possession of biological weapons and production facilities, to invite experts from other countries to observe the destruction of plants, and to exchange information on protection activities. Those requirements, which had been successfully tried and tested elsewhere, were not incompatible with industrial secrecy. As verification was so vital for the implementation of the Convention, his delegation would welcome further consideration of those points by the Conference.
21. His delegation was not altogether satisfied with the complaints procedure as laid down in article VI. The designation of the Security Council as the only body competent to receive complaints could mean that the veto might be exercised to nullify the procedure in the case of a complaint against a permanent member of the Security Council or one of its close allies. An international complaints committee, operating within the framework of the United Nations, would therefore be preferable.
22. His delegation considered that the Conference should recommend the early conclusion of an agreement to prohibit the development, production and stockpiling of chemical weapons. The close connexion between the efforts to ban those weapons and the ban on bacteriological weapons was recognized in the eighth preambular paragraph of the Convention. The extensive discussions that had taken place on the question for over a decade, together with the numerous resolutions passed on it, had highlighted the crucial nature of the technical problems involved, while clarifying the views of States. They had also resulted in a number of documents which could provide a useful basis on which at least to commence negotiations.
23. In the final analysis, the attainment of the Convention's basic objective depended not on its formulation but on the political will of States parties, which derived in turn from the climate of international relations. In that connexion, he wondered whether the Conference could really claim that the stated objective of strengthening confidence between States and improving the international atmosphere in general had been attained. The serious setback which disarmament had recently suffered was a cause of deep disquiet to his delegation: in recent months, certain major military Powers had engaged in a dangerous escalation of their nuclear arsenals, and even the modest ceilings agreed upon at the SALT II talks seemed to be in jeopardy. Possibly the most disturbing fact of all, to a founding member of the non-aligned movement, was that the two key elements of the disarmament process, détente and non-alignment, had perhaps been seriously undermined. His delegation would therefore urge the Conference to appeal for restraint and strict adherence to the principles and purposes of the Charter.

24. Mr. VRHUNEC (Yugoslavia) stressed the importance of the Biological Weapons Convention which, for the first time in the history of negotiations on disarmament, represented a genuine disarmament measure. It was the duty of the Conference to review the implementation of the Convention's provisions and to see to what extent the States parties had lived up to their commitments. The Conference also offered an opportunity to establish whether and how the implementation of the Convention had had a positive effect on the arms race or whether, conversely, the prevailing negative situation in the disarmament field was hindering the full implementation of the Convention's provisions.
25. The present unparalleled accumulation of weapons throughout the world created a pressing need to establish equitable and lasting security for all countries without distinction. Like other non-aligned countries, Yugoslavia had always stressed that relaxation of tension could be achieved only through the active participation of all members of the international community in the establishment of a new international political and economic order based on equity and non-interference, a predominant feature of which would be the effective reduction of armed forces and weapons. If the resources used for armaments were channelled towards development, the world would rapidly enter a new era of prosperity. Peace, security and development could not be promoted parallel with the arms race. The Convention offered an opportunity to all its signatories, through co-operation on an equal basis, to utilize the relevant scientific developments for peaceful purposes.
26. Although the Convention did not provide for verification measures, it contributed to progress in the disarmament field in general by creating a greater degree of confidence. The very existence of the possibility that biological agents might be used for inadmissible purposes made each party responsible for preventing their misuse by individuals, groups or organizations in a way that could cause damage to any country. There was also an obligation and a need for all signatories of the Convention to co-operate very closely in preventing such misuse, since without effective co-operation and suitable measures to prevent misuse adequate implementation of the Convention was impossible. Each State party was particularly responsible for the activities of persons or organizations which might acquire biological agents or their products within its territory for the purpose of inflicting harm on other States. It was a well-known fact that research in molecular biology, particularly in so-called "genetic engineering", could involve accidental and unpredictable risks affecting not only the institution and the country in which the research was taking place but other countries as well. In such a situation, immediate and urgent intervention would be necessary, implying a commitment not only for the State party in which the incident had occurred, but also for any State directly threatened or one that had identified the existence of a risk, to inform other States parties and the United Nations without delay of the type and likely duration of the risk and to make proposals for its control and elimination. His delegation attached special importance to such co-operation, which it regarded as the only appropriate way of ensuring the full implementation of the Convention's provisions.
27. Since the Convention's entry into force, considerable efforts had been made to promote co-operation in accordance with article X and certain results had been achieved. Unfortunately, however, the situation with regard to

international co-operation in the use of available knowledge and expertise was as yet far from satisfactory. There was an urgent need for more tangible and direct co-operation and assistance in the application of scientific achievements and the transfer and exchange of information, equipment, material and technological know-how to developing countries. Such co-operation between the developed and the developing countries should be of a long-term nature and should proceed on a footing of equality without monopolistic or protectionist restrictions by the developed countries. The most immediate form of such co-operation was the training of personnel from developing countries and their active engagement in the execution of national programmes agreed on with United Nations agencies and implemented under their supervision and guidance. Projects devised for that purpose were already in existence, but they by no means satisfied the developing countries' needs.

28. Turning to the question of chemical weapons, he noted with regret that the provisions of article IX of the Convention had not been implemented in the five years since the Convention's entry into force; indeed, some military Powers continued to avoid negotiations on chemical weapons within the Committee on Disarmament, the only multilateral negotiating body on disarmament problems. Attempts to set up an ad hoc working group within the Committee on Disarmament to draft an international agreement on chemical weapons had failed for lack of a necessary consensus. In a statement at the end of the 1979 session of the Committee on Disarmament, the Group of 21 non-aligned and neutral countries had reiterated its call for the establishment of such a group at the beginning of the 1980 session (document CD/50). The Yugoslav delegation wholeheartedly identified itself with that appeal.

29. Mr. GREKOV (Byelorussian Soviet Socialist Republic) remarked that the general debate had so far confirmed the Convention's importance and effectiveness. By averting the possibility of use of bacteriological weapons, the Convention served the cause of improving the international situation and strengthening international peace and security. Its conclusion had represented a step towards a similar agreement on chemical weapons and had given a fresh impulse to negotiations on the limitation of the arms race and disarmament in general, an area in which further decisive progress was urgently called for.

30. He was happy to note, with previous speakers, that in the five years since the Convention's entry into force none of the States parties had had occasion to resort to the complaints procedure provided for in article VI. The States parties were implementing the Convention's provisions in a spirit of co-operation and goodwill. It was also evident that scientific and technological developments relevant to the Convention were not creating new capabilities or incentives for the clandestine violation or circumvention of the Convention.

31. Referring to critical comments made by some previous speakers, more particularly concerning article II of the Convention which, allegedly, failed to establish an obligation for States parties to report on their destruction of biological agents, toxins, weapons, equipment or means of delivery he observed that such a provision would be unnecessary in view of the obligations expressly assumed by States parties to the Convention under article II. As for the

procedure for lodging complaints in the event of a breach of the Convention, it should be borne in mind that the effectiveness of the Convention largely depended not on the use of the right of veto by permanent members of the Security Council, but on the willingness of all major military Powers and, in particular, two permanent members of the Security Council to become parties to the Convention.

32. Generally speaking, he saw no reason for calling the complaints procedure into question. It was to be supposed that all States parties would continue to discharge their obligations under the Convention in a spirit of goodwill. There were no grounds for doubting their readiness to abide by obligations freely assumed. The question of appealing to permanent members of the Security Council who were States parties to the Convention to renounce their right of veto in connexion with technical problems relating to the Convention touched upon the provisions of the United Nations Charter and could not be discussed at conferences for the review of the operation of conventions. In the present case, raising that question was particularly irregular since not all the permanent members of the Security Council were parties to the Convention.

33. After referring to the communication from the Byelorussian SSR on its compliance with the provisions of the Convention (document BWC/CONF.I/4, p. 18), he reviewed in detail his country's participation in international co-operation in the field of peaceful bacteriological (biological) activities. The results of peaceful scientific activity were widely published by the States parties to the Convention, and his delegation saw no reason for organizing other forms of scientific information on questions relevant to the Convention.

34. On the subject of chemical weapons, he reiterated his delegation's wholehearted support of article IX of the Convention. The Byelorussian SSR had been a co-author of the draft convention on that subject submitted by the socialist countries to the Conference of the Committee on Disarmament in 1972. It welcomed the bilateral and multilateral negotiations currently taking place and was confident of their early successful completion.

35. In conclusion, he expressed the view that the final document of the Conference should be in the nature of a declaration reflecting the positive aspects of the Convention's operation and calling upon all States which had not yet done so to adhere to the Convention. The convening of future review conferences could be left to the decision of a majority of the States parties.

36. Mr. MARKER (Pakistan) said that the Convention under review had been the first practical disarmament measure adopted by the international community, and endeavours should be made to ensure that it was not the only one. The current international situation was hardly propitious for progress towards the goals of disarmament set out in the final document adopted by the General Assembly at its tenth special session. International tensions had escalated, the principles of the United Nations had been flouted and there was a possibility of an escalation of the nuclear and conventional arms race between the major Powers. His delegation hoped that that trend could be reversed. The Conference,

which represented States that had legally adhered to the first international disarmament measure, must underline their continuing commitment to the reversal of the arms race and to the elimination of the threat posed to international peace and security by the growing danger of a nuclear conflict.

37. His delegation proposed that the Conference should objectively assess, first, the implementation of all the obligations undertaken under the Convention, and secondly, measures to ensure fuller adherence to those obligations both in letter and spirit, and steps to enhance the prospects of a chemical weapons ban and other disarmament measures.

38. Pakistan, like many other States during the negotiations in the Conference of the Committee on Disarmament (CCD), had favoured a comprehensive approach to the prohibition of both biological and chemical weapons. It had been deeply disappointed when it had not been found possible to include chemical weapons in the convention prepared in the CCD. Pakistan had been able to support and adhere to the Convention under review in large measure because, under the preamble and article IX, it clearly embodied a solemn undertaking by the parties to achieve a comprehensive ban on chemical weapons as soon as possible.

39. It was a matter of concern that the negotiations regarding chemical weapons had so far remained stagnant. That question had been removed from the purview of the multilateral negotiating body and had languished in more restricted talks between two major Powers. That state of affairs constituted a derogation of the obligations undertaken under the Convention. The General Assembly had called, repeatedly and most recently in resolution 34/72, for the conclusion of an agreement on prohibition of the development, manufacture and destruction of chemical weapons as a matter of the highest priority. The technical basis for the conclusion of a chemical weapons convention was present; what was now required was the political will on the part of the major Powers to give up the option of using that terrible means of mass destruction. The Conference must underline the importance of the conclusion of a Convention prohibiting chemical weapons for the continuing relevance and viability of the Biological Weapons Convention.

40. His delegation also attached considerable significance to article X of the Convention, which provided for greater co-operation among State parties in the peaceful uses of bacteriological agents and toxins. The application and uses of those agents for various peaceful purposes had increased significantly, especially in the field of medicine. However, international co-operation in that area had remained restricted and ad hoc in nature, and was not consonant with the letter and spirit of article X of the Convention. The Conference should recommend the convening of a meeting under the auspices of the United Nations to promote the objectives of greater participation, especially by developing countries, in the economic and medical uses of bacteriological agents and toxins.

41. His delegation also supported the suggestion made by the Romanian representative for the establishment of institutional means to ensure a greater and more regular flow of information about technological developments which could affect the implementation of the Convention.

42. It would be recalled that at the time of adoption of the Convention doubts had been expressed regarding the complaints and compliance procedures provided for therein. Those procedures had not been tested in practice, but their importance was not restricted to the context of the Convention. It must be ascertained whether they conformed to the standard for verification and control which would be necessary for the implementation of other arms control and disarmament measures expected to be concluded in the near future, in particular a chemical weapons convention and a treaty banning nuclear weapon tests. His Government believed that any control procedure which was dependent entirely on action through the Security Council, with all its limitations, was not entirely suitable as a means of ensuring the implementation of obligations undertaken by sovereign States as equal parties. The fact that some permanent members of the Security Council had the greatest potential for possible derogation from the provisions of the Convention and other disarmament agreements further increased doubts about the viability of the procedure. His delegation suggested that an appropriate procedure should be found for beginning examination of a verification system for the Convention which accorded equal opportunity for participation by all States parties and aroused real confidence in the fuller application of the Convention.

43. He hoped that the Conference would adopt recommendations for specific action on the points he had outlined. That would give credibility to the commitments by all States parties to the Convention. His delegation also considered that the Conference should recommend a mechanism for the more frequent and periodic review of the application of the Convention, in view of the currently more rapid pace of both political and technological developments. Perhaps the United Nations Centre for Disarmament could be entrusted with the responsibility of disseminating information on technological developments and other developments which impinged on the implementation of the Convention.

44. His delegation hoped that the results of the Conference would enhance not only the adherence by States to the Convention but also the prospects for other disarmament measures, especially a chemical weapons convention.

45. Mr. CIARRAPICO (Italy) reaffirmed his delegation's commitment to the cause of disarmament and expressed the opinion that the Conference represented an important and significant moment in the process of disarmament. He reserved the right to comment on the specific provisions of the Convention at a later stage.

46. He noted with great satisfaction that since the Convention's entry into force no complaints had been lodged. That could be seen as the best indication of the effectiveness of the Convention.

47. He welcomed the reports on article II, which provided for the destruction or diversion to peaceful purposes of all agents, toxins, weapons, equipment and means of delivery specified in article I, and hoped that other similar reports would follow. It was, moreover, important to stress that the Convention had not hindered activities

for peaceful purposes. His delegation expressed appreciation to the depositary Governments for the report (document BWC/CONF.I/5) they had produced on new scientific and technological developments relevant to the Convention. He had taken note with interest and satisfaction of the document's conclusion that the Convention covered all recent scientific and technological developments.

48. His delegation therefore shared the opinion, already largely voiced by other speakers, that the Convention had fulfilled its essential purposes. If that opinion was generally confirmed at the end of the Conference in a more complete and detailed way, it should encourage other countries to accede to the Convention. Although there were now 87 States parties to the Convention, it was desirable that other States should accede with a view to ensuring universal adherence.

49. While his delegation would consider with interest any constructive proposals which might be put forward, it considered that the present text of the Convention had proved its substantial effectiveness and that there were scarcely grounds for attempting to change or amend its provisions. Nevertheless, steps should be taken to find appropriate ways of enhancing consultation and co-operation among States parties so as to ensure, in the framework of the present provisions, the full and complete implementation of the Convention.

50. Despite his delegation's generally positive attitude towards the Convention, it felt a certain disappointment with regard to the provisions on chemical weapons, in particular article IX. It had always attached particular interest to the question of chemical weapons and his Government had made serious efforts to attempt to bring about an agreement on the prohibition of the development, production and stockpiling of such weapons and on their destruction.

51. While his delegation was well aware of the delicacy of the subject, it nevertheless considered that a solution of the problem was overdue. Many substantive and procedural proposals, including three draft conventions, had been submitted in the Committee on Disarmament, which should promptly begin effective negotiations leading to the conclusion of a multilateral agreement acceptable to all States.

52. To that end, his delegation had taken the initiative of suggesting to the Committee on Disarmament the establishment of a special working group which should identify topics to be covered by the future convention. The extensive support given to that proposal aroused hopes of further progress on that crucial issue.

53. He assured the Conference of his delegation's desire to co-operate in the most constructive way in order to ensure its positive outcome.

The meeting was suspended at 5.10 p.m. and resumed at 5.35 p.m.

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

54. The PRESIDENT reported that after consultations, Mr. de Souza e Silva (Brazil) had been nominated for the office of Chairman of the Credentials Committee and Mr. Kochubey (Ukrainian Soviet Socialist Republic) for the office of Vice-Chairman.

55. Mr. de Souza e Silva (Brazil) and Mr. Kochubey (Ukrainian Soviet Socialist Republic) were elected Chairman and Vice-Chairman of the Credentials Committee by acclamation.

ESTABLISHMENT OF A COMMITTEE OF THE WHOLE

56. The PRESIDENT said that there appeared to be wide agreement that the work of the Conference would be facilitated by the establishment of a Committee of the Whole to consider in greater detail the substantive issues relevant to the Convention. He therefore proposed that, in accordance with rule 34 of the provisional rules of procedure, the Conference should establish a Committee of the Whole open to each State party participating in the Conference to consider the substantive issues concerned and report to the plenary not later than 17 March.

57. It was so decided.

58. The PRESIDENT further stated that there appeared to be general agreement that Mr. Voutov (Bulgaria) should serve as Chairman of the Committee of the Whole.

59. Mr. Voutov (Bulgaria) was elected Chairman of the Committee of the Whole by acclamation.

60. Mr. FLOWERREE (United States of America) expressed satisfaction with the decision to establish a Committee of the Whole in order to assist the Conference in its work by considering the substantive issues in detail. However, while he was glad to accept that step as a means of speeding up the Conference's work, he pointed out that the tasks in question were not those normally undertaken by a Committee of the Whole. The procedure should not therefore be regarded as constituting a precedent.

61. Mr. PERFILEV (Union of Soviet Socialist Republics) expressed his delegation's satisfaction at the fact that the Conference had been able to set up a Committee of the Whole, which, he hoped, would enable the Conference to accomplish its task successfully. He was sure that the Chairman's extensive experience would enable the Committee to conclude its work and to reach an agreement which could be translated into a final document that would receive the Conference's approval.

The meeting rose at 5.45 p.m.

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 EIGHTH MEETING

Held at the Palais des Nations, Geneva,
on Monday, 10 March 1980, at 10.30 a.m.

President:

Mr. VAERNØ

(Norway)

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Review of the operation of the Convention as provided for in its article XII

(a) General debate (continued)

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GE.80-60404

The meeting was called to order at 10.55 a.m.

REVIEW OF THE OPERATION OF THE CONVENTION AS PROVIDED FOR IN ITS ARTICLE XII

(a) GENERAL DEBATE (continued) (BWC/CONF.I/3 to 6)

1. Mr. SUJKA (Poland) said that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction had made an important contribution to international security. By outlawing an entire category of particularly horrible weapons, it had resulted in their removal from the arsenals of States, thus proving that multilateral efforts based on real political will could lead to genuine disarmament measures. Document BWC/CONF.I/4 made it plain that States parties had fully complied with their obligations, either by destroying their stocks and directing their research to peaceful purposes or by declaring that they did not possess, never had possessed and did not intend to possess, bacteriological or toxin weapons. He drew attention to paragraph 46 of that document, which gave an excerpt from Poland's communication on the subject.

2. Another proof of the efficacy of the Convention was the fact that States parties had at no time failed in their obligations and that consequently none of them had been obliged to invoke its consultation procedures or to lodge a complaint before the Security Council. Furthermore, it should be noted that far from hampering bacteriological research for peaceful purposes, the Convention had encouraged international co-operation in biological research programmes for medical, prophylactic or protective purposes. Poland participated in those activities, pursuant to article X.

3. Nearly 90 States had become parties to the Convention and 34 had become signatories. Those were encouraging figures, but it was Poland's view that only full universality, and particularly the accession to it of all the permanent members of the Security Council, would render that agreement wholly effective. That would make it possible to consolidate the existing system of multilateral arms limitation and disarmament agreements and above all to halt the arms race and create a climate of confidence.

4. At the present Conference, many speakers had stressed the importance of Article IX and the need to reach an early agreement on the prohibition and destruction of chemical weapons. Poland, like the other socialist States, favoured the production of an instrument covering both bacteriological and chemical weapons. It was prepared to participate in every effort to prohibit chemical weapons, the elimination and destruction of which would greatly enhance the credibility of the Convention. The entry into force of the Convention had created the necessary preconditions for the prohibition of chemical weapons. That objective was far from being achieved, but the concerted efforts currently being pursued bilaterally by the Soviet Union and the United States of America and multilaterally by the Committee on Disarmament gave grounds for great hope.

5. It would be inappropriate to ask the Conference to fix a date for another review of the Convention. The scientific and technical findings in document BWC/CONF.I/5 made it clear that newly developed techniques were fully covered by the provisions of the Convention. On the other hand, the Conference must draw the proper practical conclusions from the recommendation of the experts of the three Depositary Governments, in the same document, that developments in the ability to manipulate genetic material intentionally should be followed closely and periodically re-evaluated.

6. Mr. KOMIVES (Hungary) pointed out that his country, which had from the outset attached great importance to the principle of prohibiting chemical and bacteriological weapons, had as far back as 1966 taken the initiative of submitting to the General Assembly a resolution aimed at strengthening the 1925 Protocol and at completely prohibiting those weapons. Together with other socialist countries, Hungary had participated actively in the work of the Committee on Disarmament and was one of the sponsors of the Convention. It had strictly abided by its obligations under the Convention, especially since it considered the latter to be the first genuine agreement to be concluded in the matter of disarmament and the first stage in a process aimed at the prohibition of all bacteriological and chemical weapons.

7. His delegation welcomed the fact that the Convention had proved to be an effective instrument of disarmament. According to the documents before the Conference, no breach of its provisions had been observed since its entry into force, and there was reason to hope that that would continue to be the case in the future. The effective operation of the Convention justified the conclusion that there was no need for any amendment to it at present.

8. Document BWC/CONF.I/5, prepared by experts of the Depositary Governments, gave an interesting account of new scientific and technological developments relevant to the Convention. He agreed with the main conclusions formulated in the document, according to which the Convention covered all scientific and technological developments relevant to it and the implementation of the Convention's provisions had not hindered any scientific activities for peaceful purposes. He mentioned in that connexion the conclusion in 1977, under the auspices of the World Intellectual Property Organization, of the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure.

9. The preamble and article IX of the Convention were inseparable from the question of chemical weapons. Hungary was convinced that the prohibition and elimination of all types of weapons of mass destruction would be possible only through a treaty on the prohibition of the development, production and stock-piling of chemical weapons and on their destruction. It was imperative that efforts aimed at the elaboration and adoption of such a treaty should be intensified. It was to be hoped that the bilateral negotiations between the Soviet Union and the United States of America, as also the multilateral negotiations under way in the Committee on Disarmament, would produce tangible results. His delegation would do all in its power to achieve that end.

10. Hungary noted with satisfaction that nearly 90 States had ratified the Convention and that more than 30 had signed it. Nevertheless universality, failing which the Convention would remain incomplete, must be the goal. It was especially deplorable that some militarily significant States, including permanent members of the Security Council, were not yet parties to the Convention. He recalled that the General Assembly, in paragraphs 40 and 73 of the Final Document of the Tenth Special Session, called for the universality of disarmament agreements and explicitly requested the countries in question to adhere to the Convention.

11. Mr. EL BARADI (Egypt), referring to paragraph 17 of the Final Document of the Tenth Special Session of the General Assembly devoted to disarmament, stressed that it was within the context of that paragraph that the Convention had to be viewed. The Convention was a first step which should be followed by a series of specific measures and a comprehensive disarmament programme. A disarmament measure was all the more valuable in so far as it provided an impetus for further measures in the same direction. It was with that in mind that his delegation wished to refer to the question of another widely spread type of weapon of mass destruction, namely chemical weapons. He recalled that Egypt and the other non-aligned countries had agreed to the regulation of bacteriological weapons separately from chemical weapons on the understanding that negotiations regarding the latter would soon follow. Furthermore, the preamble and two articles of the Convention under consideration, particularly article IX, dealt extensively with the question of chemical weapons.

12. Egypt therefore deplored the fact that eight years after the conclusion of the Convention and five years after its entry into force no progress had been achieved towards the conclusion of a chemical weapons convention. It was to be hoped that the bilateral negotiations currently under way between the Soviet Union and the United States of America would soon result in a joint initiative and that the Committee on Disarmament would be enabled to discharge its responsibilities in that regard.

13. He took note of the conclusions in document BWC/CONF.I/5, particularly the conclusion that the implementation of the Covenant's provisions had not hindered activities for peaceful purposes and that the Convention covered all scientific and technical developments which might serve military purposes. In that connexion, he stressed that a faithful implementation of article X, paragraph 1, was imperative.

14. The substantial scientific and technical progress which had been made and the increased possibilities it offered for the production of biological agents and toxins led his delegation to favour a periodic review of the Convention to ensure its adaptation to realities.

15. He noted that since the entry into force of the Convention no State party had found it necessary to lodge a complaint concerning a possible breach of its provisions. That did not necessarily indicate that the control and verification system provided for in the Convention was adequate. Egypt was still convinced that the national means of verification provided for in the Convention should be complemented and enhanced by international procedures which, by reason of their impartiality, would be likely to provide better support for action to promote disarmament.

16. The complaints procedure under article VI of the Convention also seemed inadequate. As the representative of Sweden had pointed out, the veto power which could be exercised by certain States against the initiatives of the Security Council deprived it of much of its effectiveness.

17. In conclusion, he declared that Egypt had never developed, produced, stockpiled, acquired or retained bacteriological and toxin weapons. After the Conference, Egypt would be able to become a party to the Convention if it became universal, and particularly if all the countries of the Middle East acceded to it.

18. Mr. DUMONT (Argentina) said that it was only through general and complete disarmament under international control that peace and security would be ensured; in that context, the Convention, which was the first specific measure in favour of disarmament, since it sought to eliminate an entire category of weapons whose victims would be mainly civilians, was of considerable importance. It constituted a first step towards the elimination of weapons the use of which was prohibited by the Protocol of 1925. True to its pacifist ideals, Argentina was a party to the 1925 Protocol; it had participated actively in the negotiations which had led to the conclusion of the Convention and, at the end of 1979, had ratified it.

19. It was because it had only recently acceded that Argentina had not received the request for information concerning compliance with the obligations assumed under the Convention and that was why its reply did not appear in document BWC/CONF.I/4. To fill that gap, he stated that Argentina had never possessed bacteriological or toxin weapons and that it had no intention of acquiring any. Complying with the provisions of the Convention even before it had become a party to it, Argentina had for the past few years excluded in its scientific and national defence bodies any activity relating to the development, production and stockpiling of bacteriological (biological) substances and toxins which were not explicitly for peaceful purposes; the same was true with regard to weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

20. It was clear from document BWC/CONF.I/4 that the Convention had so far proved to be an effective instrument for since its entry into force all States parties had fulfilled their obligations and no breach of the Convention had been noted. New causes for concern, however, had appeared since then. On the one hand, rapid scientific and technological progress gave reason to believe that at any moment agents or processes not coming within the framework of the Convention might be developed; hence it was essential to set up a periodic evaluation system, a system which was, moreover, indispensable for any disarmament measure. Furthermore, the increase in world tension made it desirable to seek a means of controlling and verifying the implementation of the Convention at the international level, a means which would not be weakened by the right of veto. At the Conference of the Committee on Disarmament, Argentina had repeatedly mentioned the possibility of dealing with the problem of verification within the framework of separate instruments. It was not a matter of seeking a perfect verification system that would eliminate any possibility of violation; the effectiveness of such a system would depend on its deterrent power. In other words, there must be genuine possibility for the parties to detect breaches of the Convention, even though detailed monitoring of every activity connected with the provisions of the Convention was out of the question.

21. It was regrettable that the States parties had not fulfilled their obligations under article IX and had not reached a consensus on the conclusion of an agreement relating to chemical weapons. It was of course a complex problem, both from the point of view of national security and from that of the technical and economic development of countries, but it should not be forgotten that the existence of such weapons constituted a potential danger for peace and security and for the very existence of man and his environment. The threat was all the more serious in that the technology for the production of chemical agents was not possessed solely by a few great Powers; many countries had the necessary knowledge and agents to provide themselves with chemical weapons quite rapidly. That being the case, it was not surprising that for the past twelve years the General Assembly of the United Nations had reaffirmed each year the priority nature of the question and that for seven years the Conference of the Committee on Disarmament had been studying it unremittingly. It was therefore disquieting to note that no tangible result had been obtained and that the bilateral negotiations conducted on the subject by the United States and the Soviet Union since 1976 had not yet come to anything. Argentina therefore urged the States members of the Committee on Disarmament - of which it was itself one - to reach agreement without delay on the establishment of a working group to start negotiations forthwith on the implementation of article IX.

22. Mr. SOLA VILA (Cuba) said that his country had been among the sponsors of the many draft resolutions submitted on the question of chemical and bacteriological weapons and was a party to the Geneva Protocol of 1925. The Convention on the Prohibition of Bacteriological Weapons made a useful and specific contribution to the cause of general and complete disarmament, since it constituted a first genuine and objective disarmament measure. It was to be hoped that the number of States parties would continue to increase in order to ensure the universality of the instrument and to dispel the concern felt by the international community at the constant acceleration of the arms race, which also had the effect of jeopardizing the establishment of a new international economic order. The implementation of the Convention on Bacteriological Weapons would also be strengthened by the accession to the Geneva Protocol of 1925 of the States which had not yet done so.

23. He noted with satisfaction, on the one hand, that no breach of the Convention had been reported, which showed clearly that, given the political will, States were capable of honouring their international obligations and, on the other hand, that the Convention had in no way hampered scientific and technological progress. In that regard, his country attached particular importance to the document submitted by the three depositary Governments on new scientific and technological developments relevant to the Convention. The Convention had also shown that it was possible to avoid a biological war; that represented an important step towards preserving the world from monstrous and inhuman wars.

24. With regard to article X, he reviewed Cuban achievements in the field of medicine and stated that, true to its policy of international co-operation and solidarity, Cuba had come to the assistance of countries and peoples, not only of the Latin American continent but also in Africa and Asia, by sending them physicians, medical personnel and medicaments. That utilization for peaceful purposes of scientific and technological developments in the field of bacteriology was something which the international community, and in particular the developing countries, were entitled to demand.

25. Cuba, which had always advocated the absolute prohibition of chemical weapons, welcomed the establishment, within the Committee on Disarmament, of a working group especially entrusted with that question with a view to the early conclusion of a treaty which a great number of States sincerely desired.
26. With the \$300 million that the arms race cost yearly, a great many peaceful projects could be carried out, as had been pointed out by President Fidel Castro at the inaugural meeting of the Sixth Conference of Heads of State or Government of Non-Aligned Countries. The Review Conference coincided with the beginning of a new disarmament decade; it therefore constituted an appropriate occasion to launch an appeal to all States with a role to play in disarmament, and to invite them to bear that fact in mind and to contribute to the realization of the just aspirations of the peoples and countries that wished to live not for war, but for peace.
27. Mr. THOMSON (Australia) said that the Convention on Biological Weapons - the first instrument since the Second World War to provide for the elimination of an entire category of weapons - represented an important disarmament measure which helped to create a climate of trust between nations. As the representative of New Zealand had said, one of the main objectives of the Review Conference should be to persuade States which were not yet parties to the Convention to accede to it as soon as possible, particularly since some of them were militarily significant countries.
28. Australia did not possess any of the weapons or delivery systems prohibited under article I of the Convention, and it had no intention of acquiring them. Having signed the Convention on Bacteriological Weapons on the very first day and ratified it on 5 October 1977, Australia had provided itself, on 1 March 1980, through the machinery provisions of the Crimes (Biological Weapons) Act of 1976, with the means of giving full effect to its obligations under the Convention. His delegation considered that it would be well if all States made it known, by a formal declaration, that they too had complied with their obligations. Such a step would help to build confidence between States.
29. While the fact that no breach of the Convention had been reported was to be welcomed, his delegation shared the concern expressed by several delegations that the complaints procedure envisaged for breaches of the Convention was not entirely satisfactory. It suggested that consideration should be given to the possibility of remedying that situation and it thought that some suitable reference could well be included in the Final Document of the Conference.
30. Australia attached great importance to article IX, relating to the prohibition of chemical weapons, as the Australian Minister for Foreign Affairs had stated the previous year in the Committee on Disarmament. His delegation was glad to note that the Committee on Disarmament was considering the establishment of a working group on chemical weapons in the very near future.
31. Like other delegations, his delegation fully approved of the importance given to the question of the exchange of scientific and technological information for peaceful purposes. Besides favouring the exchange of information for the prevention of disease, his delegation wondered whether consideration should not be given to

the possibility of internationalizing research into means of defence against bacteriological weapons. For example, it might be possible to arrange for the exchange of scientists between establishments or to place all research activities under international control. Although there would be practical difficulties in so doing, the Conference could perhaps consider the question.

32. With regard to new scientific and technological developments relevant to the Convention, his delegation endorsed the views expressed by the Depositary States in their background paper on the question and took note of their conclusion that the developments considered were already covered by the provisions of the Convention. His delegation thought it important not to lose sight of that question and it proposed that a second review conference should be held in 1985.

33. Mr. McPHAIL (Canada) said that efforts at the Conference should be concentrated on the search for means to reinforce and improve the implementation of the Convention. One of the most important steps, as had already been suggested, would be to call upon all States not yet parties to the Convention to sign or ratify it. Another means might be to endeavour to build confidence by, for instance, urging all States which had possessed biological weapons to declare that they had been destroyed, and by collecting information between review conferences on scientific and technical innovations bearing upon biological weapons. Lastly, assurance should be sought that the States parties had indeed honoured the obligations they had undertaken under the Convention. The most fundamental of those obligations was the undertaking not to develop, produce or stockpile biological weapons and, where applicable, to destroy them. The question arose whether it was sufficient to accept the statements made by States. He wondered whether the Convention could be relied on as an effective mechanism to deal with possible violations if, for instance, scientific research led to the development of more effective biological weapons. His delegation did not feel that it could.

34. With regard to the other important obligation contracted by States parties, that of negotiating for a ban on chemical weapons, his delegation felt that it would be difficult to be sure that States parties had fulfilled their undertaking to pursue negotiations in good faith, since those negotiations involved the fundamental security interests of the leading military powers. Some progress had been made but there remained large areas of disagreement. The idea of setting up a chemical weapons working group of the Committee on Disarmament was encouraging, but any treaty completely banning chemical weapons must include verification provisions sufficiently stringent to take into account the quantity and lethality of such weapons.

35. If the Convention was to be strengthened, the fundamental need was to make its verification provisions more effective. That was the most important task for the Conference.

36. Mr. GARCIA ROBLES (Mexico) said that it was urgently necessary to supplement the Convention on Biological Weapons with a convention on chemical weapons. The first draft convention, submitted to the General Assembly on 19 September 1969 by nine socialist countries, had covered both bacteriological (biological) weapons and chemical weapons. In paragraph 6 of its memorandum of 25 August 1970 (CCD/310), the Group of 12, which had later become the Group of 21, had expressed the view of the majority of Members of the United Nations when it had pointed out at the Conference of the Committee on Disarmament (CCD) the need to solve the problems of eliminating

chemical weapons and bacteriological (biological) weapons together. Unfortunately, after two years of discussion in the CCD and the General Assembly, the result was a draft convention referring only to bacteriological (biological) and toxin weapons; and that had been achieved only by recognizing in the preambular paragraphs that the Convention was only a first step towards the elimination of chemical weapons and by undertaking in article IX to continue negotiations with a view to eliminating chemical weapons.

37. More than eight years had gone by since the General Assembly had adopted resolution 2826 (XXVI) to which the text of the Convention was annexed, but no agreement had yet been reached on the prohibition of chemical weapons, although the Convention referred to "reaching early agreement". His country therefore felt that it was the inescapable duty of the Conference to urge the members of the Committee on Disarmament, and in particular the Depositary States, to ensure that the Committee decided upon the establishment of a chemical weapons working group to be responsible for bringing to a successful conclusion the negotiations for the elaboration of a convention which would provide for the total elimination of chemical weapons.

38. Mr. TAYLHARTAT (Venezuela) said that the definition of weapons of mass destruction adopted in a Security Council resolution in 1948 referred to three types of weapon: nuclear, chemical and biological. To appreciate the significance of that definition, it was sufficient to know that, according to the Institute for Peace Research (Stockholm), the effects of a 10-megaton atomic bomb extended over 300 km², of 15 tons of chemical agents over 60 km² and of 10 tons of bacteriological agents over 100,000 km². Furthermore, the report on chemical and bacteriological weapons submitted by the Secretary-General in 1969 had shown that bacteriological weapons and chemical weapons were among the most odious and most abominable instruments of war conceivable.

39. Among the efforts accomplished by the international community to achieve general and complete disarmament, his Government considered the Convention of outstanding importance. It was in fact the only measure of disarmament adopted up to the present. It had ensured the elimination of bacteriological (biological) and toxin weapons. It had prevented the introduction of such weapons into military arsenals and the application of scientific progress in biology to warlike purposes. The preventive character of the Convention was confirmed in the interesting document submitted by the three depositary countries (BWC/CONF.I/5). That document also attested to the constructive co-operation which could be achieved between great Powers for the purpose of disarmament. It was an important contribution to the work of the Conference and his delegation wished to express its appreciation to the three depositary countries.

40. Among the main conclusions in document BWC/CONF.I/5, he drew particular attention to two: the first, in paragraph 10 (b) of section I (Recombinant DNA techniques), which read "developments in the ability to manipulate genetic material intentionally should be followed closely and periodically re-evaluated", and the other, in paragraph 17 of section II (New Infectious Diseases), which read "it may be useful in the future to evaluate the implications of eradication of smallpox and other infectious diseases".

41. His delegation wished also to thank the Secretariat for the document providing up-to-date information on compliance with the provisions of the Convention and the

status of efforts to reach agreement on chemical weapons (BWC/CONF.I/4). His country did not engage in any activity contrary to the provisions of the Convention. It did not possess any of the weapons, equipment or means of delivery referred to in the Convention, never had possessed any and had no intention of acquiring any. The research on biology and bacteriology carried on in its scientific establishments was directed exclusively to peaceful purposes.

42. With regard to the effort to reach agreement on chemical weapons, it must be acknowledged that since the conclusion of the Convention progress in giving effect to the provisions of article IX and the eighth preambular paragraph had been insignificant. His country was one of those which in the Committee on Disarmament and in the Group of 21 had tried to get negotiations under way for the preparation of a convention on chemical weapons. There was some reason to think that those efforts had not been in vain and that during the current session of the Committee on Disarmament the obstacles to the establishment of a working group responsible for such negotiations might be overcome.

43. His delegation shared the concern that others had expressed about the weakness and ambiguity of the rules governing complaints that a State party might place before the Security Council if it considered that another State party was in breach of the provisions of the Convention or evading its obligations thereunder. It would be desirable for the Conference to consider the possibility of improving those rules, taking as its basis the provisions of other more recent international instruments which provided for more effective machinery. The provisions of article VI should be supplemented by some machinery offering greater facility and flexibility in consultations and co-operation between States parties and providing for speedier inquiry into situations and problems connected with the aims and provisions of the Convention.

44. His delegation was ready to consider with interest any proposal submitted in that spirit, and indeed any proposal which might improve the Convention. It noted with regret that many signatory States had not yet ratified the Convention and that some members of the Security Council had not yet signed it. It was nevertheless important for the Convention to be of universal application.

45. Mrs. RAADI-AZARAKHCHI (Iran) said that according to article XII of the Convention, the Conference should review the operation of the Convention and inform itself on the status of the negotiations to prepare an agreement prohibiting chemical weapons. With respect to the application of the Convention, her delegation noted with satisfaction that, according to the document submitted by the Secretariat (BWC/CONF.I/4), the provisions of the Convention had in practice been observed. Furthermore, it was clear from the conclusions in document BWC/CONF.I/5 that progress in scientific and technical fields concerning the Convention had had little impact on its effectiveness.

46. It was a matter for satisfaction that the procedure for consideration of complaints concerning any breach of the obligations deriving from the Convention (article VI) had not yet found any practical application. In view, however, of certain problems which possible application of article VI of the Convention might raise, her delegation was prepared to welcome any suggestion designed to improve the operation of the complaints procedure.

47. As far as chemical weapons were concerned, the impact of the Convention was slow in making itself felt, despite the relation between chemical weapons and biological weapons, first set out in the 1925 Geneva Protocol and referred to explicitly in the preamble to the Convention, in which the Convention was described as a first step towards the prohibition of chemical weapons, and in article IX, in which States parties undertook to continue negotiations to reach an agreement on the prohibition of chemical weapons. The importance of the matter called for immediate action which should not be confined to the great Powers, since it concerned many countries, industrialized and developing. The negotiations on setting up a working party on chemical weapons in the Committee on Disarmament would undoubtedly enable progress to be made towards the prohibition of such weapons. Those negotiations should be complementary to the initiative of the two major Powers, to which Iran looked to spare no effort to solve the problems still outstanding between them.

48. The Conference should provide for machinery which would make it possible for review conferences to be held at regular intervals or as required; such conferences could not fail to contribute towards the effective operation of the Convention and, where necessary, its adaptation to new conditions.

49. Iran had been one of the first States to sign and ratify the Convention. It had frequently expressed the hope of seeing the efforts made towards general and complete disarmament reach a successful conclusion. The application of the Convention was an important step on the road to international confidence and security, and for that reason Iran hoped that the greatest possible number of States would accede to it.

50. Mr. LIE (Norway) complimented the Preparatory Committee on its work, which, together with the documents prepared by the secretariat and by the depositary States, meant that the Conference was well prepared for its task. His delegation shared the view of the Preparatory Committee that the work of the Conference should result in a final declaration based on consensus and setting out the conclusions which it had reached.

51. The Convention was the first agreement to be reached setting forth specific provisions for disarmament, as in article II. It was also an important step in the direction of a similar ban on chemical weapons. The effect of the Convention was not only to remove biological weapons from arsenals but also to release scientific resources which could be used for peaceful and life-giving purposes. While some 90 States were parties to the Convention, some militarily important States had not yet acceded to it. The States parties should endeavour to secure the accession of all other States to the Convention.

52. His country had never developed, produced or stored any biological weapons or toxins, nor had it ever had any intention of using such weapons in a conflict. All research on micro-organisms and toxins in his country was directed solely to problems of medical treatment and prophylaxis and was under constant supervision by the national health authorities. In accordance with the letter and spirit of article X of the Convention, the research was not secret and its findings were published in scientific literature.

53. Regarding article VI, on the complaints procedure, his delegation felt that the solution offered for that problem was not altogether satisfactory. On the other hand, article V did establish the principle of consultation and co-operation within the framework of the United Nations for solving any problems which might arise.

54. His Government regarded the adoption of international measures to prohibit the development, production and stockpiling of chemical weapons as a most urgent and important task. His delegation added its support to the appeals already made for the negotiating parties to reach speedy agreement on the prohibition of chemical weapons. The urgency of the matter was pointed out in paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly. His delegation also took note of the report of the Committee on Disarmament (CD/48) and the undertaking by the United States of America and the Soviet Union to exert their best efforts to be able to present a joint initiative to the Committee on Disarmament. It was to be hoped that the successful conclusion of the work of the Conference would help to secure a safer world.

55. The CHAIRMAN announced that the general debate had now been completed.

The meeting rose at 12.50 p.m.

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

Distr.
GENERAL
BWC/CONF.I/SR.9
12 March 1980
ENGLISH
Original: FRENCH

SUMMARY RECORD OF THE NINTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 11 March 1980, at 10.30 a.m.

President:

Mr. VAERNØ

(Norway)

CONTENTS

Programme of work (continued)

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GE.80-60441

The meeting was called to order at 11 a.m.

PROGRAMME OF WORK (agenda item 10) (continued)

1. The PRESIDENT informed the Conference that, at its meeting held the previous day, the General Committee had decided to recommend that, in order to expedite the work of the Conference and to avoid duplication of effort, the provisions of the Convention should be considered in the Committee of the Whole. The General Committee had also considered the procedure to be adopted in reviewing the provisions of the Convention. In order to facilitate that review, a number of proposals had been made for the grouping of the provisions of the Convention, and several delegations had felt that those proposals should be referred to the Plenary.
2. In the view of some delegations, the provisions of the Convention should be divided into four groups. Group 1 would consist of articles 1, 2, 3 and 4 (scope and application of the Convention) and article 10 (use of biological (bacteriological) agents for peaceful purposes). Group 2 would comprise articles 5, 6 and 7 (co-operation in solving problems arising in connexion with the Convention, breach of obligations and co-operation in case of violation of the Convention). Group 3 would comprise articles 8 and 9 and the second, third, fourth, seventh and eighth preambular paragraphs (Geneva Protocol of 1925 and further negotiations on chemical weapons). Group 4 would include the remainder of the preamble and articles 11 to 15 (amendments, review conferences, duration of the Convention, withdrawal, signing, ratification and entry into force and authenticity of the text of the Convention). A number of delegations had expressed their preference for the separate consideration of article 10 (peaceful uses).
3. Other delegations had expressed a preference for reducing the number of groups to three, in order to expedite proceedings. Under that arrangement, group 1 would comprise articles 1, 2, 3, 4, 8, 9 and possibly 10, as well as the preamble. Group 2 would consist of articles 5, 6 and 7 (verification and complaints procedures). Group 3 would be concerned with administrative questions, including the review mechanism.
4. One delegation, supported by a number of others, had suggested that those proposals should be merged in order to arrive at a consolidated proposal which might be generally acceptable. Finally, some delegations had expressed the view that the question of organizing the consideration and the grouping of articles of the Convention could be more appropriately discussed in the Committee of the Whole.
5. Mr. ISSRAELIYAN (Union of Soviet Socialist Republics) said that the programme of work described by the President was satisfactory. Although other proposals had been made at the meeting of the General Committee, the manner in which the provisions of the Convention were grouped would not hamper the deliberations of the Conference. However, those proposals should be referred to the Committee of the Whole for decision. The Conference might also indicate which agenda items should be dealt with by the Committee of the Whole. The Conference should therefore decide to assign to the Committee of the Whole the task of considering in great detail the substance of the questions relating to the Convention and of considering Conference agenda items 10 (b), 10 (c) and 11, in accordance with its mandate. With regard to the order in which the provisions of the Convention should be taken up and the way in which they should be grouped, the Conference should recommend that the Committee of the Whole should take into consideration the proposals submitted at the meetings of the General Committee and those made in the course of the general debate. The work of the Committee of the Whole could then be organized, and all delegations could be made aware of the specific proposals submitted at the meeting of the General Committee and subsequently.

6. Mr. BRANKOVIC (Yugoslavia) said that, at the meeting of the General Committee, his delegation had expressed the view that the Committee of the Whole should be given a fairly broad mandate and should consider procedural questions. His delegation would agree to have items 10 (b), 10 (c) and 11 considered by the Committee of the Whole, on the understanding that, under item 10 (b), the Committee would proceed article by article.

7. The PRESIDENT said that, if there were no further observations, he would take it that the programme of work which he had submitted was acceptable. In the absence of objection, he would take it that the Conference decided that, in order to expedite its work, the Committee of the Whole should consider the various articles and provisions of the Convention in accordance with the agenda, i.e. under items 10 (b), 10 (c) and 11, and that, inter alia, it should take into account the papers submitted to the Conference, and the general debate.

8. It was so decided.

The meeting rose at 11.35 a.m.

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

Distr. .
GENERAL
BWC/CONF.I/SR.10
14 March 1980
ENGLISH
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SUMMARY RECORD OF THE TENTH MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 12 March 1980, at 10.30 a.m.

President: Mr. VAERNØ (Norway)

CONTENTS

Election of Vice-Presidents of the Conference and Chairmen and Vice-Chairmen
of the Drafting Committee and the Credentials Committee (continued)

Organization of work

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GE.80-60498

The meeting was called to order at 11.10 a.m.

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

1. The PRESIDENT suggested that, under rule 3 of the rules of procedure, the following five States parties should be appointed to the Credentials Committee: Belgium, Cuba, Iran, Switzerland and Tunisia.
2. It was so decided.

ORGANIZATION OF WORK

3. The PRESIDENT reminded the meeting that it had originally been decided that the Committee of the Whole would comprise only States Parties to the Convention, but he now understood that the intention was that signatory States too should be authorized to participate in the work of the Committee of the Whole. If there was no objection, he would consider that that was the wish of the Conference.
4. It was so decided.

The meeting rose at 11.10 a.m.

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

Distr. GENERAL
BWC/CONF.I/SR.11
19 March 1980
Original: ENGLISH

SUMMARY RECORD OF THE ELEVENTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 18 March 1980, at 3.30 p.m.

President:

Mr. VAERNØ

(Norway)

CONTENTS

Consideration of the report of the Committee of the Whole

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

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GE.80-60633

The meeting was called to order at 4.05 p.m.

CONSIDERATION OF THE REPORT OF THE COMMITTEE OF THE WHOLE (BWC/CONF.I/7)

1. The PRESIDENT invited the Conference to consider the report of the Committee of the Whole (BWC/CONF.I/7).
2. Mr. VOUTOV (Bulgaria), Chairman of the Committee of the Whole, introducing the report, said that the Committee had played an essential role during the Conference. It was gratifying to note that representatives of practically all participating countries had taken part in its discussions. On the basis of a fairly flexible programme, it had, in his opinion, carried out very useful work and largely fulfilled its tasks, thus making a positive contribution to the remaining work of the Conference and, more particularly, to the preparation of the final document. He thanked the members of the Committee for the work they had done and for the spirit of co-operation they had displayed. He also thanked the Secretary-General of the Conference and her staff.
3. The PRESIDENT, speaking on behalf of the Conference, thanked the Committee of the Whole and its Chairman in particular for their excellent work. Despite the complexities involved, the Committee, under its Chairman's guidance, had successfully discharged its mandate. He suggested that the plenary Conference should note with thanks the report contained in document BWC/CONF.I/7.
4. It was so decided.
5. The PRESIDENT suggested that the Drafting Committee, which was to begin its work immediately after the conclusion of the present meeting, should be instructed to take into account the report of the Committee of the Whole together with the statements made in the general debate.
6. Although the precise functions of the Drafting Committee were set out in rule 35 of the rules of procedure (BWC/CONF.I/2), he further suggested that, in view of the pressure of time, that Committee should be requested to undertake the task of preparing and submitting to the plenary Conference the entire text of the final document. He hoped that the Committee would be able to conclude its work within the next two days, thus giving the Conference time to consider and adopt the final document on Friday, 21 March.
7. Mr. ENE (Romania) said that the report of the Committee of the Whole presented in general terms the substantive conclusions of the Conference. He agreed with the President's suggestion that the Drafting Committee should take that report into account and that it should be requested to draft the final document, but pointed out that under rule 35 of the rules of procedure the Drafting Committee's functions were only of an editorial nature. Furthermore, rule 35 was not very clear about the status of delegations other than those represented on the General Committee which wished to participate in the Drafting Committee's work.
8. The PRESIDENT said that his suggestion amounted, in effect, to a somewhat liberal interpretation of rule 35.

9. Mr. ISSRAELYAN (Union of Soviet Socialist Republics), after thanking the Chairman of the Committee of the Whole for his skilful guidance of the Committee's work, said that he supported the President's procedural suggestions. He hoped that the Drafting Committee would make every effort to complete its work not later than Thursday, 20 March, as many delegations, including his own, would have to consult their Governments before endorsing the final document. Experience of earlier arms limitation talks suggested that a problem of time tended to arise in such a situation.

10. The PRESIDENT assured participants that a draft of the final document would be produced by Thursday, 20 March. If there was no further comment, he would assume that the procedure he had outlined was acceptable.

11. It was so decided.

The meeting rose at 4.20 p.m.

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

Distr.
GENERAL

BWC/CONF.I/SR.12
25 March 1980

Original: ENGLISH

SUMMARY RECORD OF THE TWELFTH MEETING

held at the Palais des Nations, Geneva,
on Friday, 21 March 1980, at 3 p.m.

President:

Mr. VAERNØ

(Norway)

CONTENTS

Credentials of representatives to the Conference (continued)

(b) Report of the Credentials Committee

Report of the Drafting Committee

Preparation and adoption of a final document

Closure of the Conference

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GE.80-60715

The meeting was called to order at 4.10 p.m.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7) (continued)

(b) REPORT OF THE CREDENTIALS COMMITTEE (BWC/CONF.I/8)

1. Mr. de SOUZA e SILVA (Brazil), Chairman of the Credentials Committee, introduced the Committee's report (BWC/CONF.I/8).
2. The Conference took note with gratitude of the report of the Credentials Committee.

REPORT OF THE DRAFTING COMMITTEE (agenda item 12) (BWC/CONF.I/9)

3. Mr. MAINA (Kenya), Chairman of the Drafting Committee, introduced the Committee's report (BWC/CONF.I/9).
4. He drew attention to some minor amendments to the text. In paragraph 5 of the report, the word "document" should be replaced by "declaration". In the annex, in the section of the final declaration relating to article VIII, the word "or" at the end of the third line should be replaced by "of", and the word "the" at the end of the sixth line should be replaced by "its".
5. Mr. ONKELINX (Belgium), referring to the French text of the final declaration, said that in the second paragraph relating to article XII, the comma after the words "Etats parties" should be deleted.
6. Mr. DUMONT (Argentina) said that, since the Spanish text of document BWC/CONF.I/9 was not yet available, his delegation reserved the right to make any comments it deemed necessary when it had that text before it.
7. There seemed to be some confusion as to whether the Conference was to adopt a final document or a final declaration by the Drafting Committee.
8. Mr. FLOWERREE (United States of America) agreed.
9. The PRESIDENT said that the text would be amended to make it clear that the Conference was to adopt a final document.
10. Mr. ARTEAGA (Venezuela) proposed, on the basis of informal consultations, that the report of the Committee of the Whole (BWC/CONF.I/7) should be added to the final document as an annex.
11. The proposal was adopted.
12. The Conference took note with gratitude of the report of the Drafting Committee (BWC/CONF.I/9), as amended.

PREPARATION AND ADOPTION OF A FINAL DOCUMENT (agenda item 13)

13. The PRESIDENT invited the Conference to adopt by consensus the draft final document annexed to the report of the Drafting Committee (BWC/CONF.I/9).
14. It was so decided.

15. Mr. ANGELIOTTI (Chile) informed the Conference that his Government had enacted Decree-Law No. 3176, which had been published in the Diario Oficial on 11 March 1980 and made the Convention part of Chilean domestic legislation. His Government would shortly deposit the necessary instruments of ratification making Chile a party to the Convention. In so doing, Chile was once again showing that it was a peace-loving country; it was prepared to take part in any efforts designed effectively to promote international peace and security.
16. Mr. FLOWERREE (United States of America), referring to article V of the Convention, which provided that the States parties undertook to consult one another and to co-operate in solving any problems which might arise, said that his Government had initiated such consultations with the Soviet Union as a result of information which it had received over a period of months, including some quite recent information, and which raised the question whether a lethal biological agent had been present in 1979 in the Soviet Union in quantities inconsistent with the provisions of the Convention.
17. His Government intended to take action on that matter in the same responsible and serious manner as it had in the case of questions of compliance with other arms control agreements. It was still engaged in the initial stages of its consultations with the Soviet Union. It was holding them in a spirit of co-operation and in accordance with the relevant provisions of the Convention, and hoped that the Soviet Union would proceed in a similar manner.
18. He stressed that his Government's purpose had been and would continue to be to pursue the actions which would be taken by any party cognizant of the importance of the Convention's obligations and continuing viability. He hoped that all the parties to the Convention would pursue that matter strictly on its own merits, that there would be a satisfactory outcome and that the Convention would continue to serve the important purposes which had led to its adoption.
19. The Conference had carried out the task entrusted to it, namely, to subject the Convention to a searching review. The results reflected in the Final Declaration were, as was to be expected in a document of that kind, not entirely satisfactory to all participants. The Convention had nevertheless emerged a stronger instrument as a result of the Conference and his Government was pleased that provision had been made for further review during the coming decade.
20. His delegation had paid particular attention to the efforts made by the Conference to make more explicit the rights of States parties under article V to make use of various international procedures, including the right to request a consultative meeting of the parties when a question arose concerning the objectives or implementation of the Convention. Although the section of the Final Declaration dealing with that aspect of the Convention did not provide the clearest possible guidance to the parties, it constituted a significant step in the right direction.
21. His delegation was aware of the fact that the rapid advance of technology required constant vigilance in the field of arms control and disarmament. Consequently, although it welcomed the finding that so far scientific and technological developments were adequately covered by the Convention, it attached particular importance to the conclusion in the technical report prepared by the depositary Governments that certain developments in that field should be closely followed and periodically evaluated.

22. Mr. SUMMERHAYES (United Kingdom) said that, earlier in the Conference, his delegation had made a proposal designed to clarify the procedures for consultation and co-operation provided for in article V of the Convention. It considered that the clarification now provided for in the Final Declaration was a useful step forward and it attached particular importance to the procedures outlined in the section of the Final Declaration relating to article V. In its view, however, those procedures could be seen to be effective and adequate only if all the States parties to the Convention fully complied with them. It therefore considered that, if a request was made for a consultative meeting of all the parties to be convened at expert level, all the parties should co-operate in holding such a meeting in order to make appropriate findings of fact and to provide expert views relating to any problem raised by the party requesting the meeting. His country stood ready to assume its responsibilities as a depositary Government in the event of such a request being addressed to depositary Governments. Moreover, his delegation recommended that any such consultative meeting should transmit to the depositary Governments a summary of its findings of fact incorporating all the views and information presented during the proceedings, for distribution to all parties.

23. With regard to the section of the Final Declaration relating to article X, he drew the Conference's attention to the fact that, in his country, it was the private sector which undertook much of the work in the fields of exchange of bacteriological and biological technology and the training of personnel. His Government would, however, seek to fulfil the recommendation made by the Conference in all appropriate ways.

24. Mr. LIDGARD (Sweden) expressed his delegation's appreciation for the support it had received from the non-aligned and neutral countries and some Western countries in its efforts to draw attention to the need for a revision of the verification and complaints procedure provided for in the Convention. It also appreciated the spirit of co-operation which had characterized the consultations it had held in the past few days with the delegations of the United Kingdom and the Soviet Union.

25. Although the section of the Final Declaration relating to article V did not fully meet his delegation's expectations or those of the delegations which had supported it, it welcomed the clarifications contained in that section as a positive commitment by States parties and as a step in the right direction. It shared the view of the Conference that that question should be further considered at an appropriate time. With regard to the third paragraph of the section of the Final Declaration relating to article V, his delegation considered that it was the right of any party to request, when it considered that circumstances warranted such a measure, that a consultative meeting open to all parties should be convened at expert level by, for instance, the Secretary-General of the United Nations.

26. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that the Conference represented an important step forward in the history of disarmament; the implementation of the Convention had eliminated an entire category of weapons of mass destruction. The unanimous adoption of the Final Declaration showed the spirit of co-operation and goodwill with which the States parties to the Convention supported its aims and objectives. His delegation welcomed the determination shown by all the participants to make progress towards further agreements with a view to general and complete disarmament, and their desire to use the Convention as a means to strengthen international peace and co-operation. The text of the Final Declaration, which reflected the intensive discussions that had been held in the Committee on Disarmament and the United Nations, responded to the need to abolish such weapons of mass destruction.

27. The appeal to States not yet parties to the Convention to accede to it and the appeal for continued negotiations on the prohibition of chemical weapons were timely. The Soviet Union had from its earliest years advocated the banning of chemical weapons and, having signed the Geneva Protocol of 1925, had never used such weapons. In 1972 it had introduced, with other socialist countries, a draft convention on that question and in 1976 it had held bilateral talks with the United States with a view to submitting, in the Committee on Disarmament, a joint initiative on the prohibition of chemical weapons. His delegation welcomed the establishment of a working group in the Committee on Disarmament for that purpose.

28. The Soviet Union, as a depositary State, remained ready to co-operate with the other depositary States, by means of consultations and other measures referred to in the Final Document, with the assistance of the United Nations Secretariat.

29. The Conference had been successful despite the tension resulting from a recent campaign by Western mass media. That campaign, together with statements such as that just made by the United States delegation, constituted an attempt to cast doubt on the Soviet Union's compliance with the Convention. The Soviet Union had always scrupulously observed the Convention's provisions, pursuant to a decree by the Presidium of the Supreme Soviet on 11 February 1975. The incident in 1979 referred to by the United States delegation had in fact resulted from an epidemic caused by consumption of infected meat which had not been subjected to normal inspection before sale; it in no way reflected on the Soviet Union's compliance with the Convention. Such outbreaks sometimes occurred in other countries, but the incident in the Soviet Union had been cited in such a way, and at such a time, as to prejudice the work of the Conference and hinder the important efforts being made towards international agreement on disarmament.

30. Mr. FLOWERREE (United States of America) said that his delegation would take account of the information provided by the delegation of the Soviet Union. In that connexion, he repeated that his Government's purpose had been, and would continue to be, to pursue the actions which would be taken by any State party cognizant of the importance of the Convention when it received information requiring verification. It intended to pursue that matter and would do so in a spirit of co-operation and in accordance with the provisions of the Convention.

31. Mr. ISSRAELYAN (Union of Soviet Socialist Republics), referring to the comments made by the representative of the United States, again stated that his country was strictly complying, as it had always done, with the provisions of the Convention. Moreover, there had been, and continued to be, no basis whatever for the question raised by the representative of the United States. The campaign that had been waged in the Western information and propaganda media was bound to have adverse effects on the Conference and its results. His delegation could only regret the fact that such a campaign had deliberately been waged just when the Conference was completing its work.

32. Mr. DUMEVI (Ghana) said that the work of the Conference had been characterized by a frank exchange of views and that the in-depth discussions held in the Committee of the Whole and in the Drafting Committee had reaffirmed the commitment of the States parties to the provisions of the Convention. During those discussions, delegations had stressed the urgency of drafting an agreement banning chemical weapons and had endorsed the promotion of international co-operation in the application of the results of biological research for peaceful purposes, in accordance with the principle that the disarmament process should contribute to economic and social development.

33. Another significant achievement had been the recognition of delegations' concern about the adequacy of some of the provisions of the Convention. In his delegation's view, some provisions needed to be strengthened. That view should, however, not be misconstrued as an indication of mistrust or suspicion of other parties. Rather, it was a reflection of his country's wish to strengthen confidence by making the Convention more credible and more effective. His delegation was disappointed that the Final Declaration of the Conference did not contain any firm commitments along those lines and hoped that, in the near future, the parties would show the necessary flexibility and political will to make such commitments.

34. Mr. PISSAS (Cyprus) said that, although his delegation supported the Final Declaration which had just been adopted by consensus, it wished to remind the Conference of the fears felt by peoples everywhere that the provisions of the Final Declaration might not be strong enough to prevent Governments or irresponsible groups from plunging the world into lethal havoc. Such fears were particularly justified in view of the progress that had been made, since the adoption of the Geneva Protocol of 1925, in the preparation of chemical weapons of all kinds.

35. The people and Government of his country fully supported all the measures provided for in the Convention, but also associated themselves with the concern expressed by delegations about the following points: the Convention's lack of effective machinery for verification; the non-obligatory character of the reports of States parties on the destruction of biological weapons; the lack of effective measures for the collection of convincing evidence that bacteriological and toxin weapons were no longer being produced and had been totally destroyed; and the unsatisfactory procedure for the submission of complaints, particularly against members of the Security Council which had veto power. His Government was nevertheless encouraged by the provision of the Convention relating to the elimination of all chemical weapons through effective measures under strict and effective international control and by the provision that no effort should be spared to minimize the risk of bacteriological agents and toxins being used as weapons.

36. What had happened in the past, namely, the reservation by some States of the right to use chemical weapons in retaliation against an enemy that resorted to them first, was close to the procedure provided for in article XIII of the Convention and, indeed, weakened the Convention as a whole.

37. Another danger to be borne in mind was that, since 1970, binary chemical munitions had been successfully developed. The Convention unfortunately contained no provision for the control, restriction and prohibition of the production and stockpiling of such munitions, whose components were non-toxic until mixed together.

38. Referring to the section of the Final Declaration relating to article IX of the Convention, his delegation welcomed in particular the establishment by the Committee on Disarmament of an ad hoc working group on chemical weapons.

CLOSURE OF THE CONFERENCE

39. The PRESIDENT said that the proceedings of the past three weeks, during which the Conference had carried out a successful review of the Convention, had once again confirmed the importance of the Convention and reaffirmed its validity as the first genuine disarmament measure taken in recent years to close one of the dangerous avenues of the arms race. The Conference had shown that the Convention occupied a special place in the field of disarmament by providing for the prohibition and prevention of the development, production, stockpiling, acquisition or retention of a whole category of weapons of mass destruction. The review carried out had also underscored the fact that the Convention had proved sufficiently comprehensive to cover recent scientific and technological developments. That conclusion was of even greater significance in the light of the fact that progress in other areas of science and technology often led to the development and production of newer and more dangerous weapons. The halting of that ominous trend in the field of biological and toxin weapons was an achievement worthy of praise.

40. He declared closed the first Review Conference of the Parties to the Convention on the Prohibition of Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

The meeting rose at 5.35 p.m.

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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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

(Geneva, 3-21 March 1980)

SUMMARY RECORDS OF THE 1st TO 12th MEETINGS

held at the Palais des Nations, Geneva,
from 3 to 21 March 1980

Corrigendum

The present document contains the corrections received from delegations and from the secretariat applying to the English text of the summary records of the plenary meetings of the Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction (BWC/CONF.I/SR.1-12).

With the issuance of this corrigendum, the summary records of the above-mentioned meetings are to be considered as final.

1st meeting

Page 2

In the second line, item 1 of the provisional agenda should read as follows:
"OPENING OF THE CONFERENCE BY THE CHAIRMAN OF THE PREPARATORY COMMITTEE".

Paragraph 13

In the last sentence, the reference "article 75" should read "paragraph 75".

Paragraph 6

The first name should read "Mr. ONKELINX".

3rd meeting

Paragraph 5

In the second sentence, after the words "he noted with satisfaction" insert the words "from document BWC/CONF.I/4".

Paragraph 8

In the second sentence, replace the words "the highest priority" by the words "a high priority".

4th meeting

5th meeting

Paragraph 35

In the last sentence, the reference "A/RBS/34/72" should read "34/72".

6th meeting

Paragraph 13

The paragraph should read as follows:

13. He declared that New Zealand did not possess any of the weapons or delivery systems proscribed in article I of the Convention. His Government had not considered it necessary to enact special legislation prohibiting its citizens from undertaking such activities because it was satisfied that none of those activities were being conducted in New Zealand and that existing legislation contained the necessary measures to control those activities.

7th meeting

Paragraph 17

In the second sentence, the reference "Paragraphs 21 and 25" should read "Paragraphs 21 and 75".

8th meeting

Paragraph 11

The name of the speaker should read "Mr. EL BARADEI".

Paragraph 26

The opening words of the first sentence, should read "With the \$300 billion".

Paragraph 37

In the first sentence, replace the word "prohibition" by the words "total elimination".

The second sentence should read as follows:

His country therefore felt that it was the inescapable duty of the Conference to urge the members of the Committee on Disarmament, and in particular the Depositary States of the Convention, to take advantage of the recently established Ad Hoc Working Group on Chemical Weapons in order to bring to a successful conclusion the elaboration of a convention to ensure the total elimination of chemical weapons.

Paragraph 38

The name of the speaker should read "Mr. TAYLHARDAT".

9th meeting

Page 2

In the second line, replace "(agenda item 10)" by "(agenda item 9)".

Paragraph 2

All references to articles of the Convention should be in Roman numerals.

Paragraph 3

All references to articles of the Convention should be in Roman numerals.

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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12 March 1980
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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE FIRST MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 11 March 1980, at noon

Chairman:

Mr. VOUTOV

(Bulgaria)

CONTENTS

Organization of work.

This record is subject to correction.

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

GE.80-60445

The meeting was called to order at 12.05 p.m.

ORGANIZATION OF WORK

1. The CHAIRMAN drew attention to the decision of the Conference that the Committee of the Whole should consider the various articles and provisions of the Convention in accordance with the agenda of the Conference, i.e. under items 10 (b), 10 (c) and 11, taking into account the papers that had been submitted to the Conference and the general debate. The Committee could begin its substantive work without further delay by considering articles 1 to 15 (item 10 (b)).
2. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) pointed out that, at a plenary meeting of the Conference, he had proposed that the Committee of the Whole should devote its first meeting to organizational questions and should decide, inter alia, whether it should consider the various articles one by one, or in groups. In any event, he felt that delegations should first study the documents which had as yet been distributed only to members of the General Committee. The first requirement was to establish a preliminary timetable for the Committee's work so that delegations might be ready to make their statements when the various articles were taken up.
3. The CHAIRMAN said that, in view of the decision of the Conference, substantive consideration of articles 1 to 15 could begin immediately. While there was nothing to prevent delegations from proposing an alternative procedure, the Committee should avoid devoting too much time to organizational questions. A work timetable could be prepared by the Chairman, with the assistance of the secretariat, and be submitted to the Committee for approval at its next meeting.
4. Mr. DUMEVI (Ghana) said that, while he was in favour of the programme of work decided on by the Conference, delegations needed time to prepare their statements and proposals on each article; he proposed, therefore, that the Committee of the Whole should not meet until the following morning.
5. The CHAIRMAN pointed out that the General Committee had allowed the Committee up to six meetings for in-depth consideration; the Committee should lose no time and should hold a meeting that same afternoon.
6. Mr. MAINA (Kenya) asked at what stage of the Committee's deliberations the preamble of the Convention would be considered. It was also his understanding that each article or provision would be considered once only and that, in order to avoid any waste of time, there would be no question of taking them up again later.
7. The CHAIRMAN said that the preamble would be taken up under Conference agenda item 10 (c). If there was no objection, he would take it that the Committee decided to begin consideration of the provisions of the Convention at its next meeting, in the order laid down in the Conference agenda, after he had proposed a work timetable.
8. It was so decided.

The meeting rose at 12.35 p.m.

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

Distr.
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12 March 1980
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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE SECOND MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 March 1980, at 3.30 p.m.

Chairman:

Mr. VOUTOV

(Bulgaria)

CONTENTS

Organization of work (continued)

Review of the operation of the Convention as provided for in its article XII

(b) Articles I - XV

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The meeting was called to order at 4 p.m.

ORGANIZATION OF WORK (continued)

1. The CHAIRMAN outlined a proposed time-table for the Committee's work, suggesting that the articles of the Convention and the preambular paragraphs might be dealt with in three broad groups. The proposed time-table was completely flexible and any delegation would be free at any time to address itself to any article as it considered appropriate.
2. After a brief discussion, the proposed time-table was adopted.
3. In reply to a question by Mr. THEOLIN (Sweden), the CHAIRMAN said that the report by the depositary Governments on new scientific and technological developments relevant to the Convention (BWC/CONF.I/5) would be considered in connexion with article XII during the discussion of the group of articles X - XV.
4. Mr. TAYLHARDAT (Venezuela) observed that the report by the depositary Governments was relevant to many articles and not merely to article XII, so representatives should be able to refer to it in connexion with other articles also.
5. The CHAIRMAN reiterated that any delegation would be free at any time to speak on any subject it considered appropriate.

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

(b) ARTICLES I - XV

Articles I - IV

6. Mr. KÖHIVES (Hungary) said that article I was the most important article of the Convention in that it defined the tasks and aims of that important international legal instrument. He associated himself with those representatives who, in the general debate, had expressed the view that the Convention had been and continued to be a valid and well-functioning treaty. It covered all aspects of the problem effectively, as was indicated in documents BWC/CONF.I/4 and 5. He drew attention to his Government's report in document BWC/CONF.I/4, paragraph 40, which stated that his Government had never been in possession of any of the agents, toxins, weapons and so on specified in article I and that it had always complied fully with that article.
7. His delegation was of the opinion that since no complaints had been submitted regarding violations of the letter or spirit of the Convention and since article I was its most important article, the Committee could speedily conclude its review. The fact that the Convention had always functioned efficiently should be reflected in the Conference's final document.
8. Mr. THEOLIN (Sweden), commenting on article I, said that experts of the Swedish National Defence Institute had examined the scientific and technological developments achieved during the past 10 years in various fields of relevance to the Convention. After consideration of their analysis, it was his delegation's view that no development had occurred that jeopardized the coverage of the Convention. New possibilities of developing harmful agents were, in its view, also covered by the language of the Convention. The experts' analysis, which had covered many fields, including biosciences such as genetics, biochemistry and microbiology, had formed the basis of his Government's report to the Secretary-General of the United Nations.

9. During the past decade there had been a tremendous development of new genetic techniques such as genetic engineering. Because scientists in the mid-1970s had feared that the molecules and organisms created by those new techniques might involve dangers to mankind, a world-wide voluntary moratorium on that type of research had been instituted. It had later been shown, however, that the dangers were exaggerated and the moratorium had been removed. Thus it could be seen that scientists today considered themselves socially responsible for the results of their scientific activities.
10. Another development of great importance had been the invention of methods of using cells or parts of cells to make possible alternative production of pharmaceuticals, fuels and food components.
11. The background paper prepared by the depositary Governments (BWC/CONF.I/5) covered more or less the same fields as the analyses conducted by the Swedish experts and the conclusions were largely the same. Of special interest had been the discussions concerning new infectious diseases such as Marburg disease, Ebola, Lassa fever and legionnaire's disease. In his delegation's opinion, there was a continuing need to develop vaccines against new infectious diseases and the recent proposal for the use of genetic manipulation techniques for large-scale production of such vaccines appeared promising. Some of the new developments which, it had been feared, might constitute means for the production of new diseases for military purposes might thus be used for protective purposes for the benefit of mankind, provided the Convention was duly observed.
12. Mr. FRANCIS (United Kingdom), referring to article II of the Convention, welcomed the assurances which States parties had given during the general debate to the effect that they had never possessed biological or toxin weapons. Those assurances reinforced article II of the Convention in so far as they reduced, by a process of elimination, the number of States parties which might have possessed biological or toxin weapons and would therefore have been under an obligation to destroy them or divert them to peaceful purposes. In that connexion, he drew attention to his Government's official communication on its compliance with the provisions of the Convention and, in particular, article I thereof (BWC/CONF.I/4, p. 27). His delegation agreed with those delegations, particularly the delegations of Australia and Canada, which had described such assurances as confidence-building measures. The same could not be said of declarations couched in more qualified terms, such as one which stated that the State concerned did not at present possess the prohibited objects, but made no reference either to the past or to destruction of stocks. Confidence in the Convention would be increased if a clear and unqualified statement were made to the effect that the State in question had either never possessed any of the objects prohibited under the Convention or had once possessed them but had now destroyed them. The extract from the United Kingdom's official communication to the Secretary-General, which he had quoted, was an example of the former type of statement; the United States statement of 4 March 1975 was an example of the latter.
13. Mr. ANTONOV (Union of Soviet Socialist Republics) noted with satisfaction that speakers in the general debate had reaffirmed the importance and effectiveness of the Convention by expressing support for its provisions and by reiterating their Government's undertaking to abide strictly by those provisions. In particular, participants in the Conference had endorsed the provisions of article I, which determined the scope of the prohibition imposed by the Convention, and had associated themselves with the finding contained in document BWC/CONF.I/5 to the effect that the language of article I fully covered all agents which could result from the application of new scientific and technological developments and that such developments had not created new possibilities which could be exploited to violate covertly or bypass the Convention. His delegation shared the view that the provisions of article I were sufficiently comprehensive to cover all known technical

factors and all possible new scientific and technological developments. To modify article I or to spell it out in greater detail would therefore be unnecessary.

14. Participants in the Conference had made declarations to the effect that their countries did not possess bacteriological (biological) or toxin weapons and did not intend to acquire such weapons. As far back as in 1975, the Soviet Union had stated in the Conference of the Committee on Disarmament that it did not possess any bacteriological (biological) agents or toxins, weapons, equipment or means of delivery as specified in article I.

15. It was gratifying to note that all speakers had reaffirmed their support for article II, which imposed upon all new parties to the Convention the obligation to implement its provisions and, in doing so, to observe all necessary safety precautions to protect populations and the environment. The effectiveness of the Convention's operation also manifested itself in the fact that in the five years since the Convention's entry into force no breach of article III had occurred. He hoped that the Conference would reaffirm its endorsement of the provisions of that article.

16. During the general debate no criticism had been levelled against the provisions of article IV. In that connexion, he observed that, in accordance with Soviet jurisdiction and practice, implementation of the Convention, which had been ratified by a decree of the Presidium of the Supreme Soviet of the USSR in February 1975, was guaranteed by the appropriate State institutions. The final document of the Conference should contain an appeal to those States parties which had not yet taken the necessary measures under article IV to do so without delay.

17. In conclusion, he appealed to participants in the Conference to express their support for the provisions of articles I - IV in the form in which they appeared in the Convention.

18. Mr. TAYLHARDAT (Venezuela) said that articles I - III were entirely satisfactory to his delegation. As far as article IV was concerned, however, he wished to point out that the background paper submitted by the depositary Governments on new technological and scientific developments relevant to the Convention (BWC/CONF.I/5) sounded two important notes of warning: section I, paragraph 10 (b), of that paper referred to the possible intentional manipulation of genetic material, while section II, paragraph 17, referred to the implications of the eradication of certain diseases. It would therefore be advisable to expand article IV to provide that States parties should also be required to prohibit, in accordance with their constitutional processes, the improper use of the materials specified in article I. In addition, in the final document of the Conference, attention should be drawn to the need to take measures to prevent the unlawful use, first, of the knowledge gained from advances made in regard to the manipulation of genetic material and, secondly, of bacteriological agents isolated as a result of the eradication of certain infectious diseases.

19. Mr. FLOWERREE (United States of America) said that his delegation had made known its views on articles I - III in its statement in the general debate. He assumed that the Committee would take account of the views expressed in such statements as well of those submitted in the Secretariat's background paper (BWC/CONF.I/4). With regard to article IV, he would refer the Committee to the relevant part of the excerpt from the United States official communication regarding compliance with its obligations under the Convention (BWC/CONF.I/4, p. 29).

20. His Government had already declared its compliance with the obligation under article II to destroy all existing biological agents, toxins, weapons, equipment and means of delivery prohibited under article I. It trusted that other parties would likewise declare their compliance with article II.
21. Mr. MULONGAILOUSU (Zaire) said that, although his delegation was generally satisfied with articles I - IV, it considered that article II could be interpreted in one of two ways: either in the manner in which most States parties interpreted it, which would mean that the provisions of the Convention were being faithfully observed, or in a manner which could mean that certain biological weapons fell outside its purview. He therefore considered that article II called for closer examination, in order to determine whether some more effective form of control was required.
22. Mr. CHELBI (Tunisia), referring to article II, said he noted that, since the start of the Conference, there had been no mention by any State of the destruction or diversion to peaceful purposes of the agents, toxins, weapons, equipment and means of delivery which were the subject of the Convention. It seemed as though no one had ever possessed them. His delegation would be very pleased if that were so.
23. Like the representative of Zaire, he considered that article II lent itself to two possible interpretations. In his view, therefore, the Conference should decide, in a clear statement, which of the two was valid. Moreover, implicit in article II was the notion of transfer. In the circumstances, and bearing in mind that five years had elapsed since the entry into force of the Convention, the time had perhaps come to reconsider the wording of that article.
24. Mr. BRANKOVIC (Yugoslavia), speaking with reference to article III, said that the very existence of biological agents and similar products, even when used for peaceful purposes, inevitably opened the door to possible abuse. His delegation therefore considered that an additional obligation rested on States parties to prevent the acquisition and use, by individuals, groups or organizations within their respective jurisdiction, of such agents and products for the purpose of inflicting harm on other countries. States parties should also have an obligation to co-operate closely in the prevention of such possible misuse, failing which there could be no proper implementation of the Convention.
25. Mr. AL-MUSSA (Kuwait) said that his country's position regarding compliance with its obligations under articles I - IV was stated in the first four paragraphs of the excerpt from his Government's official communication (BWC/CONF.I/4, p. 22).
26. Mr. OLUMOKO (Nigeria) said that, in his delegation's view, article II should be strengthened to provide for verification of the destruction of stockpiles or of their diversion to peaceful uses. The terms of that article should not be confined to a requirement to make a declaration to that effect.
27. Mr. FRANCIS (United Kingdom) said that, pursuant to article IV and in order to enable the United Kingdom to fulfil its obligations under the Convention, the United Kingdom Parliament had enacted the Biological Weapons Act, which had entered into force on 8 February 1974. In that connexion, his delegation had been interested to learn of the domestic legislation or comparable non-legislative or regulatory measures introduced by certain States parties, and considered that it would be useful if parties were to share more widely their experience in that area. It would therefore suggest that the Conference should invite the States parties in question to co-operate with the United Nations Centre for Disarmament, on an entirely voluntary basis, in furnishing the relevant texts so that they could be made available for consultation at the Centre's Research and Reference Collection in Geneva. He hoped that his delegation's suggestion would be reflected in the Committee's report to the Conference.

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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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 12 March 1980, at 11.15 a.m.

Chairman:

Mr. VOUTOV

(Bulgaria)

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Review of the operation of the Convention as provided for in its
article XII (continued)

(b) Articles I-XV (continued)

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GE.80-60490

The meeting was called to order at 11.15 a.m.

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

(b) ARTICLES I-XV (continued)

1. Mr. LIDGARD (Sweden) said that, both during and after the negotiating stage, Sweden and other countries had consistently expressed concern over the procedure for complaints in the event of a breach of the Convention. Each State Party undertook to co-operate in carrying out an investigation in case of a violation of the Convention, but that undertaking did not have a binding force. There was, of course, a possibility of ultimately bringing the matter before the Security Council, but what guarantee was there that one of the permanent members of the Security Council would not exercise its right of veto, if it saw fit? It should be established beyond doubt that the lodging of a complaint with the Security Council by a State Party to the Convention on Bacteriological Weapons was a procedural matter and, hence, that permanent members of the Council could not exercise their right of veto on such an occasion.
2. Since it appeared doubtful, as matters stood, that a decision to investigate a complaint would ever be taken against the interests of a permanent member of the Security Council, it appeared equally doubtful that the present procedure could ever make it possible to determine whether or not there had been a violation, and it was necessary to find a way of eliminating the discriminatory elements in the Convention, he proposed the adoption of an approach based on the following fundamental principles.
3. In the first place, there was a need for a flexible procedure. A combination of national and international procedures should be used and problems should be solved at the proper level in order to avoid any political confrontation between States. Secondly, there must be objectivity. A State Party which suspected another Party of having violated the Convention had a right to expect that the procedure followed would lead to objective and speedy results. To that end, a consultative committee should be instituted with a well-defined mandate and sufficient resources to undertake effective investigations with the compulsory participation of all parties. Only after those remedies were exhausted should the matter be referred to the Security Council. Thirdly, the principle of non-discrimination must be applied. The verification procedure would be less discriminatory if the fact-finding stage were clearly separated from the political decision of the Security Council, even if the permanent members of the Council insisted on retaining their veto power as far as questions regarding their compliance with the Convention were concerned.
4. Those various principles could be incorporated into the Convention by means of amendments, and his delegation intended to propose such amendments during the next few days, in the hope that they would win the acceptance of a majority of States Parties to the Convention.

5. Mr. IONESCU (Romania), after remarking that it was apparent from the documents submitted by the Secretariat and the depositary States and from the statements made by delegations that no violation of the provisions of the preamble and articles of the Convention had been recorded, drew attention to the inequality in the technical and scientific resources available to States Parties, which resulted in a difference in the level of information regarding developments in biological research. A further result was that the States Parties did not have the same opportunities of verifying compliance with the provisions of the Convention.
6. His delegation believed that a continuing flow of information between the Parties to the Convention on advances in biology and biochemistry would help to build confidence between States and would provide an assurance that the Convention was being strictly observed. Such a system of information should be implemented by better utilization of United Nations structures, in particular the United Nations Centre for Disarmament. In that connexion, the final document of the Conference might stipulate that the Centre should ensure that States Parties were at all times kept informed of new developments coming within the scope of the provisions of the Convention. For that purpose, the Centre might draw upon all available sources, including States Parties themselves, which submitted periodic reports to the Secretariat on compliance with the Convention, and international organizations whose work was connected with research in the biological sciences.
7. Mr. de QUEIROZ DUARTE (Brazil), referring to the complaints procedure, welcomed the Swedish delegation's proposal, which was constructive and worthy of serious consideration. He awaited with interest the wording of the amendments to be submitted and hoped that they would be the subject of constructive discussion with a view to strengthening and improving the Convention.
8. Mr. DUMONT (Argentina), observing that the complaint and verification procedures dealt with in articles V and VI had long caused his country concern, said that he had duly noted the ideas put forward by the representative of Sweden. He hoped that the amendments to which reference had been made would be submitted and that they would win the acceptance of the majority.
9. Mr. DUMEVI (Ghana) said that he also found the Swedish delegation's proposal very interesting, and he fully supported it.
10. With regard to article II, he thought that the Convention would gain in credibility if greater attention were paid to the dangers inherent in possible scientific and technical advances; machinery for verifying the destruction of the agents and weapons covered by article II should also be strengthened. Too much emphasis was placed on national means of verification and too little on measures which could be taken at the international level. That should not be taken as an indication of systematic mistrust: rather, it was a question of strengthening confidence by rendering the Convention more credible and more effective.

11. Mr. PICTET (Switzerland) said that Switzerland was in favour of anything which could strengthen the effectiveness of the Convention in general and of the verification procedure in particular. A priori, his Government supported the objectives of the Swedish delegation, but the substance of the latter's proposals must be thoroughly examined. With regard to article II of the Convention, the Swiss delegation would like States Parties to provide more precise and detailed information on the way in which they had discharged their undertakings, particularly with regard to measures taken to destroy possible stocks of bacteriological weapons.

12. Mr. McPHAIL (Canada), referring to article II of the Convention, said that if it could be made known that, following their voluntary accession to the Convention, States which had possessed bacteriological weapons had destroyed them, confidence in the Convention would be increased. In its final document, the Conference should ask - or at least suggest - that those States should make a unilateral declaration announcing that they had destroyed their stocks.

13. With regard to article IV of the Convention, his delegation supported the United Kingdom delegation's proposal that States Parties which had adopted laws to ensure compliance with the Convention in their own countries should be invited to share their experience by making the text of such legislation available to other States.

14. On the subject of articles V and VI, the Canadian delegation supported the principles underlying the Swedish representative's proposals. It was essential that a State Party having reason to believe that another State Party had violated the Convention should have the right to expect that the complaints procedure would produce objective and speedy results. The problem was to determine how to achieve that aim. The first principle was that the same treatment should be applied to all States Parties to the Convention. As the Convention stood, any permanent member of the Security Council was in a position to veto the initiation of an investigation to determine whether there had been a violation; yet the States with a right of veto were the very ones presumed to have the capability to produce bacteriological weapons. It was possible, therefore, that they or one of their allies might be the subject of a complaint, in respect of which they might be tempted to exercise that right. With regard to an international instrument which they had freely ratified, all States Parties had an equal responsibility. It was on the basis of that principle that the Convention's provisions should be reviewed. The majority of delegations doubtless agreed that the Convention would be a better instrument if the verification procedure did not permit of the veto, but it would be difficult for the Conference to remove that option. Therefore, a mechanism should be introduced into the verification procedure which would allow an objective investigation to be conducted before the complaint came before the Security Council.

15. Such a measure would derive from the second principle underlying the Swedish proposals - namely, that of effective verification. It could doubtless be argued that the provisions relating to verification were sound, since apparently there

had been no violation. Nevertheless, the Canadian delegation was not convinced that the provisions were stringent enough to withstand pressure which could lead to production of bacteriological weapons. That was why it thought that the creation of a consultative committee - or some other open-ended international body - should be provided for in those articles of the Convention which related to verification.

16. It had been said that any State Party should be able to request and obtain a meeting of all the States Parties to consider any alleged violation of the Convention. Such a procedure might be useful, but it should be asked what exactly the States Parties attending the meeting would be considering; if they did not have before them an objective report from a consultative committee, the meeting would not accomplish much and was liable to degenerate into mutual accusations or allegations. His delegation was ready to consider any proposal which might improve the provisions relating to verification and make them non-discriminatory. Some measures must be taken, and it was for the Conference to work them out.
17. Mrs. RAADI-AZARAKHCHI (Iran) welcomed the Swedish proposal concerning the complaints procedure, and especially the possible creation of a consultative committee. The existing system of verification and the system for considering complaints did not seem fully adequate and were liable to give rise to some discrimination and politicization which could lead to needless confrontation. For that reason, Iran thought that the amendment proposal submitted by Sweden was likely to improve and strengthen the Convention.
18. Mr. MIKULAK (United States of America) said that the United States had taken measures to fulfil its obligations under article IV of the Convention. It welcomed and supported the United Kingdom's suggestion that States Parties which had adopted legislative measures to meet their obligations should communicate the relevant texts to the other States Parties, through the Centre for Disarmament.
19. Mr. MULONGANDUSU (Zaire) referred to the reservations made by his delegation the previous day concerning the various possible interpretations of article II of the Convention. Whilst having the greatest respect for the statements by those States Parties which had affirmed that they no longer possessed bacteriological weapons, his delegation was worried by the merely curative nature of the measures provided for by the Convention, which covered only a situation of non-compliance; a preventive system would go a long way towards ensuring observance of the Convention. Such prevention could be ensured by periodic verification freely accepted by all. His delegation would therefore view favourably any proposal aimed at strengthening observance of the Convention by means of a dependable verification system and an improved procedure for the consideration of complaints. It was persuaded that a study of the Swedish proposals would enable the problem of verification and that of receipt and consideration of complaints to be resolved equitably.

20. Mr. SUMMERHAYES (United Kingdom) reminded the Conference that his delegation had indicated its willingness to look at any proposal designed to strengthen the Convention or to increase the prospects of universal adherence to it. It was in that spirit that consideration should be given to whether articles V and VI could and should be strengthened, and how that could be done.
21. It might first be asked whether the complaints or verification procedures set forth in articles V and VI should be strengthened, since their scope was less extensive than that of procedures laid down in other arms control treaties, which provided for the establishment of a consultative committee in the event of a complaint. His delegation respected the intentions of delegations which felt concern about the effectiveness of the provisions of the Convention that related to verification and complaints; however, since those provisions had not been invoked, they could not be said to have proved deficient. Nevertheless, his delegation was prepared to consider any proposal which might dispel such anxieties. It agreed with the Swedish delegation in thinking that any arms control measure should be capable of verification.
22. The second question concerned the manner of strengthening the verification and complaints procedures. An amendment procedure was provided for in article XI of the Convention, but it was extremely elaborate: for a State Party accepting the amendment, the latter did not enter into force until it had been accepted by a majority of States Parties; thereafter, in the case of a State Party which had not accepted the amendment, the latter entered into force only on the date of its acceptance by that State. To amend the Convention would therefore introduce an element of uncertainty and confusion, since some States Parties would accept the amendment and others would not. The effect would not be to reinforce the Convention, but the contrary, and the chances of universal ratification would be diminished. For that reason, his delegation would not support proposals aimed at amending the Convention.
23. On the other hand, it was ready to examine ways of dispelling the misgivings of certain States Parties. One way of doing so would be to clarify the meaning of co-operation "through appropriate international procedures within the framework of the United Nations" (article V). The automatic establishment of a consultative committee in the event of a complaint was one possible interpretation of that part of article V. If the Conference reached an understanding to that effect, it should record in its final document that the procedure would be followed either in the event of a complaint being made or at the request of any State Party to the Convention.
24. Mr. BERG (Belgium), referring to article II of the Convention, endorsed the view that the States concerned should have provided further details. He welcomed the United Kingdom proposal relating to article IV, to the effect that countries which had taken legislative measures should communicate the text of such measures to the Centre for Disarmament. Apart from their documentary interest, such texts could serve as a reference source for States which did not yet have legislation on the subject. Belgium, for its part, had published in its official journal (the Moniteur belge) the text of the law relating to the Convention, and that text was reproduced on pages 17 and 18 of document BWC/CONF.I/4.

25. Mr. LAIGLESIA (Spain) said that articles V, VI and VII of the Convention were not sufficiently effective, since the mechanism provided for in the case of a possible violation of the Convention failed to place all States Parties on an equal footing. Certain States could obstruct the initiation of an investigation. The need to prove the validity of complaints lodged with the Security Council could make it very difficult to supervise compliance with the Convention. Article VI of the Convention in no way obliged the Security Council to take account of a complaint brought before it. His delegation considered it desirable to strengthen the verification procedure and to base any modification of the delicate balance achieved in the Convention on a broad consensus. The Swedish delegation's suggestions were extremely interesting, and the Spanish delegation hoped that the Conference would study them closely.
26. Mr. IONESCU (Romania) supported the Swedish delegation's suggestions, which could strengthen the operation of the Convention and place States Parties on an equal footing.
27. Mr. PERFILIEV (Union of Soviet Socialist Republics) said that, while he understood the desire of delegations to ensure the fulfilment of all the conditions needed to enable the Convention to operate as effectively as possible in the future, many delegations appeared to be dramatizing the situation unduly. There was no reason to worry about problems which did not exist, for in the view of all concerned, the Convention was operating admirably. The Conference was meeting, in pursuance of article XII, precisely in order to review the operation of the Convention and to ensure that the purposes of the Convention - including the provisions concerning negotiations on chemical weapons - were being realized.
28. Reviewing the operation of the Convention did not mean reviewing the text, as certain delegations had somewhat hastily asserted. Moreover, the present situation gave grounds for an optimistic view of the future; the complaints and investigation procedure had thus far given every satisfaction, and to seek to establish more effective procedures in case of a hypothetical violation of the Convention was an exercise in speculation; all concerned recognized that States Parties were applying the Convention in a spirit of good-will; there was therefore no reason to question their sincerity.
29. The concern expressed by certain countries over the Security Council's internal procedures was all the less justified in that, under article V, States Parties were to consult one another and to co-operate in solving any problems which might arise by means which they themselves would have chosen; the article stated that such consultation and co-operation "may" also be undertaken through appropriate international procedures within the framework of the United Nations. Care should be taken not to give excessive importance to the consideration by the Security Council of questions arising from the application of the Convention: that would be contrary to the very spirit of the Convention. Moreover, the functioning of the Security Council was regulated by the Charter of the United Nations and it in no way came within the competence of the Conference.
30. Article XII assigned to the Conference the far more constructive task of seeking to identify the positive elements which had characterized the application of the Convention thus far, with a view to developing them in the future. For the sake of international public opinion, and particularly public opinion in countries which had not yet acceded to the Convention, it was important to bring out the more satisfactory aspects of the Convention's operation rather than to focus on points of detail which were considered unsatisfactory by a particular State Party but which were actually without significance.

31. With regard to verification measures, comparison of the provisions of the Convention with those of other disarmament agreements was unjustified. The Soviet Union had always declared itself in favour of disarmament measures under appropriate international control, since, in its view, any disarmament measure taken by the international community should be accompanied by such control. In the case of the present Convention, the verification provisions had been formulated by a large number of States for the purpose of that Convention alone; provisions on the subject in other disarmament agreements would differ from them. It might also be pointed out that the 1925 Protocol, which made no provision for a verification procedure, was operating satisfactorily. That meant that no single system valid for all agreements could be applied in that field.

32. He therefore supported the view of the United Kingdom representative that it would serve no useful purpose to review the text of the Convention. The Conference should strengthen the structure of the Convention, not undermine it. The best means of doing so was to try to obtain universal accession. To seek to reshape the Convention would be to waste valuable time that the international community could use to work out further disarmament agreements.

33. Mr. EL BARADEI (Egypt) said that although no violation of the provisions of the Convention had been reported, that did not necessarily mean that the verification system was effective; on the contrary, the discussions had shown that the system could usefully be strengthened. That was not an imaginary problem undeserving of attention, as the Soviet Union representative appeared to be saying, but a very real difficulty, since one of the stumbling blocks for the all too many States which had not yet acceded to the Convention was precisely the possible inadequacy of the complaint and verification procedures. Egypt therefore supported the Swedish proposal to amend those procedures with a view to ensuring greater equality between all States Parties. It was true that it was not for the Conference to consider questions which were the concern of the Security Council; it was for that very reason that the Swedish proposal endeavoured to separate the operation of the Convention from that of the Security Council which, while satisfactory from the point of view of the Charter, was not necessarily so as far as the Convention was concerned.

34. Article XII did not preclude the possibility that the Conference might amend the text of the Convention if it considered that to be necessary in order to achieve the purposes of the Convention and if it deemed the present text to be inadequate. The United Kingdom had expressed concern that the introduction of amendments into the Convention might lead to the establishment of a dual system under which some countries would be bound by the original text and others by the amended one; that was a problem common to all international instruments, yet they were subject to amendment. If the Conference adopted any amendments, they should be done by consensus. He would, in any event, be interested in any other procedure which the United Kingdom might have to propose in that connexion.

35. Mr. AKRAMI (Pakistan) reminded the Conference that, at the time of adoption of the Convention, his country and other non-aligned countries had expressed misgivings regarding the effectiveness of the complaints and verification system; their doubts had not been dispelled since then. With regard, firstly, to principles, the control and verification procedure appeared discriminatory, since it failed to offer the same opportunities to all States in the matter of lodging complaints. Moreover, from the practical standpoint, the existing control procedures did appear to be inadequate. As the first disarmament agreement comprising truly specific provisions, the Convention should provide for a control and verification system that could serve as a good precedent. The Soviet representative had stated that the Conference should take no

account of other disarmament agreements; on the contrary, what was decided on in the matter of control and verification in the case of the present Convention would serve as a reference for other instruments, and particularly for the future convention on chemical weapons. The Soviet representative had cited the example of the 1925 Protocol which, although providing for no verification procedure, was still in force; that was a very poor example, since it was precisely the lack of such a procedure that prevented verification of the validity of recent complaints concerning the use of chemical weapons in certain areas of the world. An effective verification procedure was therefore essential, and he attached great importance to the Swedish representative's proposals, which appeared capable of allaying the anxieties of many States.

36. Mr. KEISALO (Finland) supported the United Kingdom proposal that States should communicate to the United Nations Centre for Disarmament the texts of legal provisions adopted by them in fulfilment of their obligations under article IV. Any proposal capable of strengthening the Convention and commanding the approval of all States Parties was welcome. The Swedish delegation's proposals appeared to meet legitimate concerns, and the Conference was perfectly competent to consider them. The United Kingdom suggestion deserved consideration, since it might offer a means of eliminating differences.

The meeting rose at 1 p.m.

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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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 12 March 1980, at 3 p.m.

Chairman:

Mr. VOUTOV

(Bulgaria)

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Review of the operation of the Convention as provided for in its article XII
(continued)

(b) Articles I-XV (continued)

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GE.80-60494

The meeting was called to order at 3.35 p.m.

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

(b) ARTICLES I - XV (continued)

Articles V - IX (continued)

1. Mr. ERANKOVIC (Yugoslavia) noted with regret that the provisions of article IX had not been implemented in the five years since the Convention's entry into force; indeed, there had been a continuing tendency to avoid multilateral negotiations on chemical weapons, particularly in the Committee on Disarmament. Attempts made in that Committee in 1979 to set up an ad hoc working group to draft an international agreement on chemical weapons had failed for lack of the necessary consensus. The wish of the great majority of States Members of the United Nations that the issue of chemical weapons should be resolved as soon as possible in view of its exceptional significance and urgency had been reiterated in numerous General Assembly resolutions. His delegation fully associated itself with the proposal submitted by the Group of 21 non-aligned and neutral countries to the Committee on Disarmament to the effect that substantive negotiations on the preparation of a chemical weapons convention should be initiated without delay at the 1980 session of that Committee.

2. Mr. de LAIGIESIA (Spain) said that there were no grounds for optimism with regard to article IX of the Convention since it had not yet been implemented. At the most recent session of the General Assembly, his delegation had been among the sponsors of a resolution on chemical weapons; it had expressed its views in the Committee on Disarmament and intended to continue to do so in the appropriate negotiating body.

3. In its opinion, the prohibition of chemical weapons was an urgent necessity and insufficient progress was being made in that direction. Responsibility for negotiating a ban on such weapons had been entrusted to the Governments of the USSR and the United States, and confidence must be placed in them. However, if negotiations on the subject were unduly delayed, it was up to other members of the Committee on Disarmament to pursue the initiative and to produce a draft treaty banning chemical weapons. While the difficulties involved should not be underestimated, it should be realized that time was growing short and that practical results should be achieved.

4. Mr. CACERES (Mexico) pointed out that his delegation had clearly stated its views on article IX at the eighth plenary meeting of the Conference. In particular, it had stressed that it was the duty of the Conference to issue an urgent appeal to all members of the Committee on Disarmament, and especially the depositary Governments, to take advantage of the establishment of an ad hoc working group on chemical weapons in order to conclude negotiations on a treaty prohibiting such weapons. It hoped that the appeal to which it had referred would be reflected in the Conference's final document.

5. Mr. BOGDAN (Romania) reminded the Committee that during the negotiations which had preceded the adoption of the Biological Weapons Convention several States had emphasized that their acceptance of a solution limited to biological weapons would depend on further developments with regard to the adoption of a similar agreement on chemical weapons. Unfortunately, despite repeated appeals by the General Assembly, full-scale negotiations on the chemical weapons issue had not been initiated in the eight years that had elapsed since the signing of the Convention; in other words, one of the principal obligations imposed by the Convention had not yet been implemented. Consequently, the Convention could not be said to have contributed in any way to a halt in the arms race or the adoption of real and effective disarmament measures. Many speakers in the general debate had expressed concern on that score and had called for the adoption of urgent measures aimed at the prohibition of chemical weapons.

6. In its final document, the Conference should take note of the fact that negotiations on the abolition of chemical weapons were bogged down and call upon all States parties to respect their legal obligation under article IX by initiating effective negotiations on the complete abolition of chemical weapons without further delay at the present session of the Committee on Disarmament. A convention on that subject should be adopted, if possible, before the General Assembly's next special session devoted to disarmament.

7. Mr. BASHIR (Pakistan) said that his delegation had always favoured a comprehensive approach to the question of the prohibition of bacteriological (biological) and chemical weapons. Both the preamble and article IX of the Convention contained a solemn undertaking by the parties to achieve a comprehensive ban on chemical weapons as soon as possible. His delegation viewed with concern the present state of negotiations on the subject of chemical weapons, which still remained outside the purview of multilateral negotiating bodies. The technical basis for the conclusion of an agreement, repeatedly called for by the General Assembly, was now available; what was needed was the political will on the part of the major Powers to give up their option of using chemical weapons. The continuing relevance and viability of the Biological Weapons Convention largely depended on the conclusion of a similar convention on chemical weapons.

8. Mr. LANG (Austria), referring to articles VI and VII, said that, in view of his country's well-known position on the necessity for objective and reliable verification measures, his delegation welcomed the proposals by Sweden as an important contribution to the establishment of still more efficient machinery for verifying compliance with the Convention. Both the Swedish and the United Kingdom proposals should be given thorough consideration. If there was room for improvement, all possibilities for a better and broadly acceptable solution should be explored in detail.

9. The powers which article VII conferred on the Security Council went beyond the provisions of Chapter VII of the Charter. Because Austria had become a Member of the United Nations as a permanently neutral State, his Government had, whenever mandatory sanctions had been decided on by the Security Council, made it quite clear that its application of those sanctions must be subject to close scrutiny in view of its other obligations deriving from its particular

international status. It had always regarded the undertaking contained in article VII of the Biological Weapons Convention as not exceeding the limits set by the status of permanent neutrality which the Austrian people and its elected representatives had freely embraced. That position in no way affected Austria's strict adherence to the Convention itself. Accession to the Convention had been a foregone conclusion for his country; the legal instrument which had re-established its full independence in 1955 also provided that Austria was not to possess, construct or experiment with asphyxiating, vesicant or poisonous material or biological substances in quantities greater than or of types other than, were required for legitimate civil purposes. The Convention thus only strengthened a legal obligation already incumbent upon Austria, and it was his Government's firm intention to abide by that obligation.

10. Mr. PERFILYEV (Union of Soviet Socialist Republics), speaking on article IX, referred to the statement made on that subject by his delegation at the third plenary meeting of the Conference. From the very first years of its existence, the Soviet Union had actively sought a prohibition of chemical weapons. As early as in the 1920s, it had called for an unconditional ban on poisonous substances and it had been one of the first countries to sign the Geneva Protocol of 1925. That document, whose provisions, principles and purposes the USSR had strictly observed at all times, had played an important role in the Second World War. After the War, the Soviet Union had been the first to propose the abolition of chemical and biological weapons by including an article to that effect in the draft treaty on universal and complete disarmament which it had proposed on 15 March 1962. Further proposals on that subject had been made by the Soviet Union and other socialist countries in the General Assembly and the Conference of the Committee on Disarmament in 1966, 1968, 1969 and 1972. The draft convention on chemical and bacteriological (biological) weapons submitted by the USSR and other socialist countries at the twenty-fourth session of the General Assembly in 1969 had envisaged a simultaneous ban on chemical and biological weapons. The adoption of that text had, however, been thwarted by another group of countries. In accepting a convention limited to bacteriological (biological) weapons, the representatives of the socialist countries had emphasized that they regarded chemical and biological weapons as forming part of a single problem, and were accepting a compromise only because the negative attitude of certain Powers made the simultaneous prohibition of both groups of weapons unlikely.

11. In the course of the Soviet-United States meetings held at the highest level in 1974, the two countries had agreed to hold bilateral negotiations on chemical weapons. Such negotiations had begun in 1976 and were still continuing. In 1979, the USSR and the United States had submitted to the Committee on Disarmament a detailed joint report on progress in the bilateral negotiations on the prohibition of chemical weapons.

12. The USSR continued to regard the prohibition of chemical weapons as one of the most urgent and essential tasks in the disarmament field. It was prepared to take an active part in the consideration of all relevant issues by the Committee on Disarmament and would do everything in its power to assist the conduct of multilateral negotiations. At the same time, and despite the many difficulties involved, it was determined to forge ahead with the bilateral talks. It had no objection to an ad hoc working group on the same subject being set up within the Committee on Disarmament.

13. In conclusion, he suggested that the final document of the Conference might include a decision on the following lines: "The Conference recognizes the urgency and importance of achieving early agreement on effective measures for the prohibition of chemical weapons and for their destruction. The Conference reaffirms the obligations assumed by States parties to the Convention in accordance with article IX to continue negotiations in good faith to that end".

14. Mr. OLUMOKO (Nigeria) said that his delegation had already referred in the plenary debate to the importance which it attached to a ban on chemical weapons in the light of the eighth preambular paragraph and article IX of the Convention. The fact that a convention on chemical weapons had not yet been negotiated was not due to any lack of effort in the Committee on Disarmament; that was clear from the appreciable number of proposals, working papers, statements and draft treaties that had been submitted to it. What was lacking, however, was the political will on the part of the nuclear-weapon States to conclude as early as possible an effective convention prohibiting chemical weapons. Paragraphs 21 and 75 of the Final Document of the tenth special session of the General Assembly were unequivocal with regard to the urgency of concluding a chemical weapons ban, as were the various General Assembly resolutions on the subject, the latest being resolution 34/72.

15. The Conference should therefore urge the bilateral negotiating partners, the USSR and the United States to bring their negotiations to a rapid conclusion. The Committee on Disarmament should not, however, allow those bilateral negotiations to delay its own negotiations; the two countries should submit to it as soon as possible a structured report on the status of their negotiations.

16. The Group of 21 of the Committee on Disarmament, of which his delegation was a member, had submitted to the Committee two working papers (CD/11 of 9 April 1979 and CD/64 of 27 February 1980) on the need to set up an ad hoc working group in the Committee to deal effectively with the question. He hoped that the Conference would press for the early establishment of the proposed working group since the task confronting it was most urgent.

17. Mr. KOSTENKO (Ukrainian Soviet Socialist Republic) said that his delegation, which, together with the Polish, Canadian and other delegations, had taken an active part in the preparation of General Assembly resolution 34/72 on the subject of chemical weapons and was a sponsor of the draft convention on the prohibition of chemical weapons that had been before the Committee on Disarmament since 1972, fully shared the concern expressed by many previous speakers. It

should be noted, however, that work on the preparation of an agreed mandate for an ad hoc working group of the Committee on Disarmament to deal with the chemical weapons issue was at present nearing completion. Much depended, of course, on the success of the current bilateral Soviet-United States negotiations. In that connexion, he referred to the joint progress report (CD/48) issued in August 1979 and expressed the hope that the negotiations would yield results which would contribute significantly towards the prohibition of chemical weapons. In the light of the above, his delegation associated itself with the view that the Conference, in its final document, should recognize the urgency and importance of an early agreement on effective measures for the prohibition of chemical weapons and for their destruction, and should reaffirm the obligations assumed by States parties under article IX of the Convention.

18. Mr. MULONGANDUSU (Zaire), noting that the Convention dealt formally with the question of chemical weapons, said that at the preceding session of the Committee on Disarmament his delegation, in association with the other members of the Group of 21, had indicated what steps should be taken in that area. The appeal to the international community made in the Convention for the conclusion of a ban on chemical weapons showed the path which should be followed. It was therefore essential that progress should be made as soon as possible in the negotiations in the Committee on Disarmament. While his delegation appreciated the practical contribution made by the report submitted to the Committee on Disarmament by the parties engaged in bilateral negotiations on chemical weapons, it continued to agree with the views expressed by the other members of the Group of 21.

19. Ms. FREYRE PENABAD (Argentina), referring to article IX, said that the Convention constituted the first step by the international community towards the eradication of the weapons prohibited by the Geneva Protocol of 1925 but that step must be complemented by the adoption of a convention banning chemical weapons as called for in article IX. Her delegation was therefore concerned about the fact that, despite the time which had elapsed since the adoption of the Convention, no text had yet been adopted for a treaty on chemical weapons.

20. During the preceding 12 years, the General Assembly had repeatedly drawn attention to the need for such a treaty. In her opinion, the negotiations which had taken place over a seven-year period in the Committee on Disarmament, the hundreds of documents considered by that Committee and the three draft treaties submitted to it constituted an adequate basis from which to proceed to the adoption of a chemical weapons convention. The Committee on Disarmament was the forum in which such a convention should be negotiated. Her delegation therefore believed that the Conference's final document should contain a paragraph urging that Committee to take steps to set up a working group to initiate negotiations on a chemical weapons convention.

21. Mr. CIARRAPICO (Italy) reiterated the particular interest felt by his Government in the prompt implementation of article IX of the Convention. Agreement to ban chemical weapons constituted a necessary complement to the Convention and his Government was accordingly devoting continuing efforts to achieving practical progress in that field. In view of the delicate nature of the subject, his Government had contributed to the initiative for the setting up of a working group to consider the topics to be covered by the proposed chemical weapons convention. Support for that initiative gave hope for future progress, but he emphasized the need for an appropriate commitment to it. He hoped that the final document of the Conference would reflect that view.

22. His delegation, like that of the United States, endorsed the United Kingdom's approach to articles V and VI. While it was always open to any constructive proposal and had listened with interest to the proposal by the Swedish delegation, it could not agree that the mechanisms and procedures provided for under the Convention were inadequate. It considered, moreover, that an amendment to the Convention, if supported by some States but not others, could lead to confusion. It would therefore be preferable to examine ways and means by which States parties could consult and co-operate with one another with a view to ensuring that all the provisions of the Convention were implemented.

23. Mr. FLOWERREE (United States of America), speaking with reference to articles V and VI, reiterated his delegation's view that there was no need to amend the Convention. At the same time, his delegation agreed that the Conference must consider the concerns of all parties regarding implementation of the Convention. It was therefore prepared to consider alternative means of enhancing consultations if other delegations felt that there was such a need. In its view, the final declaration would be the most appropriate vehicle for dealing with that point. It therefore wished to associate his delegation with the United Kingdom proposal, which seemed to be consistent with its own views.

24. Mr. DUMEVI (Ghana), referring to the need to prohibit chemical weapons as recognized in the preamble and article IX of the Convention, said his delegation had already pointed out that there were a number of useful documents on the basis of which negotiations could be initiated without further delay. His delegation had had in mind, for example, the working paper prepared by the Secretariat of the Conference of the Committee on Disarmament, which reflected the discussions that had been held on the question (CD/26), the joint report by the USSR and the United States on the bilateral negotiations between those two countries (CD/48), various reports based on the practical experience of individual States in on-site inspection and destruction of plant facilities, the reports on the workshops on on-site verification which had been organized by the Federal Republic of Germany and the United Kingdom, the very useful papers prepared by the Polish delegation, and a series of papers submitted to the Committee on Disarmament by, inter alia, France, Italy and the Netherlands.

25. In his delegation's view, the first objective of any agreement to prohibit chemical weapons must be complete and verifiable prohibition based on a commitment not to develop, produce, acquire, stockpile or retain chemical weapons or munitions.

Such an agreement should extend to all chemical agents that were not justified on technological, medical or industrial grounds, and to toxic chemical agents, incapacitating agents and other agents which caused temporary disability. Moreover, for the agreement to be truly effective, it must be devoid of ambiguity and must make adequate provision for the prevention of transfers to third parties.

26. The question of compliance was crucial, for it would promote trust and ensure that no single State had an advantage over the others. All States parties should therefore be required to observe the agreement faithfully, as a practical demonstration of their support for the letter and spirit of its terms. Verification which was also extremely important, should be carried out through a judicious combination of both national and international measures and should not interfere with the economic development or security interests of any State.

27. Basic to the success of any chemical weapons agreement was the need to strengthen confidence between peoples and to contribute to a general improvement of the international atmosphere, as indeed was already recognized in the fifth preambular paragraph of the Convention. In the final document of the Conference, therefore, it would be appropriate to reflect briefly on the current international situation and to stress the need for improvement with a view to securing the fullest co-operation of all States in attaining the objective of banning such weapons of mass destruction.

28. Mr. WHITE (New Zealand) said that his preliminary reaction to the Swedish and United Kingdom proposals was that the latter proposal was the more realistic and likely to receive broader support. He hoped, however, to have another opportunity to speak on the matter when the two proposals had been submitted in writing.

29. Mr. KOCHUBEY (Ukrainian Soviet Socialist Republic), also referring to the proposals made with regard to articles V and VI, said that the purpose for which the Conference had been convened was clearly stated in article XII, namely, to review the operation of the Convention with a view to ensuring that its provisions were being realized and, in so doing, to take into account any new scientific and technological developments relevant to it. Accordingly, it was only on the basis of practical experience that any revision of its terms could be justified. No such justification was, however, apparent from the documents submitted to the Conference on new scientific and technological developments. The general debate had indicated that the Convention had proved effective and there had been no recorded violation of its terms. In the circumstances, any proposals for revision must necessarily be of a hypothetical nature, as indeed was apparent from the language in which the proposal submitted to the Conference had been couched.

30. A revision of any international instrument was a serious matter, for it could well weaken that instrument rather than strengthen it. The best way of strengthening the Convention, in his delegation's view, would be to make it more universal in character and to provide for adequate control measures. In so doing, however, it must be remembered that control measures would not be the same for all disarmament treaties since the character and purposes of such treaties varied as widely as the weapons which they prohibited. The Convention, like all similar texts,

represented a balanced compromise that should not be disturbed. So far as the Security Council was concerned, it was plain from Article 24 of the Charter that its role under the Convention reflected but a small part of the powers which it enjoyed. For all those reasons, his delegation saw no need to amend the Convention.

31. Mr. LAKATOS (Hungary) said his delegation agreed that the main task of the Conference was to review the operation of the Convention and that there was no need to amend its terms. His delegation was gratified to note that the Convention had proved to be an effective instrument of disarmament and that there had been no recorded violation of its terms since its entry into force. It was to be hoped that States parties would continue to comply with the Convention.

32. If the representatives of the three depositary Governments agreed that there was no need to amend the Convention, it was in part due to the fact that, as had been recognized during the general debate, the Convention was the first genuine agreement on the prohibition of lethal weapons to be concluded since the Second World War.

The meeting rose at 5.10 p.m.

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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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE FIFTH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 March 1980, at 10.30 a.m.

Chairman: Mr. VOUTOV (Bulgaria)

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Review of the operation of the Convention as provided for in its article XII
(continued)

(b) Articles I to XV

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GE.80-60533

The meeting was called to order at 11 a.m.

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

(b) ARTICLES I TO XV (continued)

1. The CHAIRMAN, inviting the Committee to consider articles X to XV of the Convention, said that members could comment on articles that had already been examined, should they so wish.

2. Mr. SUJKA (Poland) said that, during the general debate, his delegation had noted with satisfaction that, since the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, had entered into force, no State Party had been in breach of the Convention. That was telling proof of its effectiveness and, in the circumstances, any suggestion that articles V and VI should be amended would be quite unjustified on several counts.

3. In the first place, the fact that those provisions had not yet been invoked or, therefore, tested in practice, was not an argument in support of their amendment, but quite the contrary. Secondly, as had already been noted, the amendment procedure envisaged in the Convention was distinct from the current review process. Thirdly, the Convention was generally recognized to be the only multilateral agreement of genuine disarmament which provided for an effective ban on a whole category of weapons of mass destruction. To tamper with it at the present stage, within the context of the review process, would only undermine its effectiveness and shake the confidence that it inspired. Lastly, it was not possible to devise a uniform system of control and verification for all multilateral agreements on arms limitation and disarmament. Poland had always taken the view that any such agreement should provide for a mechanism of verification that was suited to its character and objectives; in the present case, the system provided for under articles V and VI was entirely satisfactory.

4. Mr. ZAPOTOCKY (Czechoslovakia) said that the Swedish proposals on articles V and VI had given rise to differing reactions on the part of delegations and had not received overwhelming support, contrary to what the Swedish representative had stated at the end of the previous meeting. Those proposals were even less justified since the general view was that there had been no problem regarding compliance with the Convention since it had entered into force. A change in the complaints procedure would not therefore meet any actual need. The proposals might, of course, be prompted by a desire to strengthen and improve the Convention generally but, while that concern was highly commendable, it should not be allowed to complicate the situation needlessly, particularly since the Convention was the only one in force on disarmament. Instead, more attention should be paid to strengthening it in other ways, particularly by seeking to achieve universal accession and by furthering the adoption of similar conventions in other areas, for instance, on chemical and radiological weapons.

5. Mr. de QUEIROZ DUARTE (Brazil) said that his delegation had already had occasion to refer to one aspect of the Convention to which it attached great importance, namely, international co-operation for peaceful purposes in the field of bacteriology and microbiology. At the time of the negotiation of the Convention, Brazil had stated its position regarding the relationship between disarmament and development, but the final text of the Convention, and in particular article X, reflected only in an indirect way the concerns of the developing countries in that regard. After the Convention had entered into force, however, those concerns had received greater attention in the various international forums that dealt with disarmament and, in paragraph 16 of the Final Document of the Tenth Special Session, the General Assembly had stated that resources released as a result of the disarmament process should be used to promote the well-being of all peoples and to improve the economic conditions of the developing countries.
6. As a result of the international community's increased awareness of the need to establish a link between disarmament and development, studies on the question had been carried out which had revealed new aspects of the matter and had brought to the forefront the concerns of the developing countries. For instance, document BWC/CONF.I/5, which was before the Conference, referred to the importance of the possible peaceful applications of technology in the fields of bacteriology, biology, toxicology and chemistry.
7. During the general debate, several delegations had stated that the objectives of the Convention had been attained, since there had been no recorded violation of its provisions to date. While that was certainly cause for satisfaction, there was obviously some room for improvement. So far as article X was concerned, it would be noted that document BWC/CONF.I/5 dealt with the technological developments relevant to the Convention mainly from the point of view of their possible military applications; that was not enough in the light of the principles enunciated in the Final Document of the Tenth Special Session of the General Assembly.
8. During the general debate, his delegation had submitted a specific proposal in that connexion, the gist of which was that, as several delegations favoured the establishment of some form of review mechanism of the Convention, the Parties might wish to decide that, on the occasion of such reviews, information regarding the implementation of article X should be made available to them. The Conference should reflect that concern in its Final Declaration. As the Convention was the first genuine international agreement on disarmament, and not merely on arms control, it was all the more important that the principles embodied in the Final Document of the Tenth Special Session regarding the relationship between disarmament and development should be duly taken care of in the context of the Convention.
9. Mr. TERREFE (Ethiopia) said that he shared the views expressed by the Polish and Czechoslovak representatives on articles V and VI; no change in the provisions of the Convention regarding control seemed to be needed for the time being.

10. Mr. GAVRILOV (Bulgaria) said that he agreed with the Soviet representative that a working group on the prohibition of chemical weapons should be set up in the Committee on Disarmament. The fact that some delegations had shown a desire to introduce changes into the Convention which did not appear to be essential for its proper operation could only be a source of surprise and concern. Any amendment proposed should be treated with the utmost caution, bearing in mind that the general view was that the provisions of the Convention had been observed and that no breaches had been recorded. The Convention was the first genuine multilateral instrument on disarmament and any attempt to amend it might render it less effective. For that reason, he shared the concern expressed by the United Kingdom representative at the previous meeting.
11. Lastly, article XII should be fully respected: in other words, in future a conference of States Parties should be convened only if the majority of those States deemed it necessary.
12. Mr. HERBER (German Democratic Republic) noted that the task of the Conference was to review the operation of the Convention with a view to assuring that its purposes were being realized and that, as was apparent from the statements made by States Parties, the provisions of the Convention had been fully implemented. He therefore saw no reason for any amendment of the provisions of the Convention, as proposed by one delegation. Such an approach would only weaken its further operation, since States which had not yet acceded to it would probably be dissuaded from doing so. It would be preferable to concentrate on strengthening it and on giving new impetus to the negotiations on other types of weapons of mass destruction, such as chemical weapons.
13. Mr. ERDENBILEG (Mongolia), referring to articles XI and XIII, said that it was encouraging to note that, during the preceding five years, no State Party had exercised its right to propose amendments or to withdraw from the Convention. Moreover, none of them had had to have recourse to the complaints procedure. That was ample demonstration of the vitality and viability of the Convention, which was rightly regarded as the first measure of genuine disarmament.
14. Since the purpose of the Conference, as stated in article XII, was to review the operation of the Convention, that was the essential task to which it should devote itself. Without seeking to deny the right of any State Party to propose amendments, his delegation wondered whether, at the present juncture, such a step was called for. The arguments which had been adduced in support of such an approach were not borne out by the facts. There was no ground for saying that the machinery provided for had not been satisfactory. Far from strengthening the Convention, the introduction of amendments might undermine its very basis and would create an unfortunate precedent. It was no task of the international community to amend an instrument whose effectiveness was beyond doubt. Efforts should be directed towards more urgent tasks, such as for example halting the arms race and concluding agreements on the prohibition of weapons of mass destruction such as chemical weapons. On that point his delegation joined with those which had expressed the hope that the final document would include provisions on the need to conclude an agreement on chemical weapons without delay. Also, as most delegations had suggested, the final document should urge all States which had not yet done so to ratify the Convention or to accede to it with a view to making it universal.

15. Mr. ANTONOV (Union of Soviet Socialist Republics) said that, in general, he endorsed the conclusion in document BWC/CONF.I/5 that the implementation of the Convention, in areas of close concern, had not hindered activities undertaken for peaceful purposes. Unfortunately mankind had not been able to free itself from the scourge of disease, a fact that gave article X, under which the States Parties undertook to co-operate in the prevention of disease and for other peaceful purposes, added importance. True to its commitments, the Union of Soviet Socialist Republics had co-operated with other States in the field of health. Moreover, for the sake of international solidarity, it was prepared to broaden the scope of its co-operation activities with a view to using the achievements of technology for peaceful purposes.
16. He was in favour of the Brazilian proposal concerning article X, provided that all the States Parties were prepared to provide the information requested, through duly authorized experts.
17. Mr. EL GHATRISI (Egypt) said that the amendments proposed by the Swedish delegation would strengthen the Convention and that they should also be borne in mind in the negotiations on chemical weapons. Any Convention was the expression of the national will of a group of States: if it was the will of that group of countries to amend certain articles and even if some States were not in agreement, progress would still be made towards general and complete disarmament under effective international control. Without genuine control, it was all too easy to reach agreement on most of the problems of disarmament relying only on the goodwill of the parties.
18. Mr. GREKOV (Byelorussian Soviet Socialist Republic) said that he agreed with the criticisms made of the Swedish proposal. The adoption of the Convention constituted the first real disarmament measure in history and all efforts should be directed towards making it universal. Far from strengthening the Convention, the use of the amendment procedure would have the effect of weakening it. The proposal was particularly ill-judged in that it was generally agreed that all the States Parties had fulfilled the obligations arising from the Convention.
19. Mr. BACHIR (Pakistan) recalled that during the general debate his delegation had stressed the importance it attached to article X of the Convention. In view of the usefulness of biological agents in the field of medicine, it was regrettable that the co-operation envisaged in article X was still limited. He hoped that the Conference would recommend the organization of a seminar, under the auspices of the United Nations, to promote greater participation in the economic and medical uses of biological agents and toxins, particularly by the developing countries. He also hoped that the Conference would encourage the creation of institutional structures to ensure a regular flow of information on technical progress in the implementation of the Convention. The United Nations Centre for Disarmament could perhaps be made responsible for the dissemination of information about technical and other progress in the implementation of the Convention. Lastly, his delegation hoped that the Conference would recommend the establishment of machinery for more frequent monitoring of the implementation of the Convention.
20. Mr. OLUMOKO (Nigeria), referring to article X of the Convention, said that he shared the views expressed by the representatives of Brazil and Pakistan. He took note of the efforts made by the developed countries, as described in document BWC/CONF.I/4, but called upon them to increase their efforts still further. That would make it possible to reallocate resources which were currently being used for military purposes, since the General Assembly had stated, in

paragraphs 94 and 95 of the Final Document of its Tenth Special Session, that disarmament should contribute to the establishment of the new international economic order and that the resources no longer used for military purposes should be allocated to economic and social development, particularly that of the developing countries.

21. Mr. SCHEFFERS (Netherlands) informed the Conference that early in 1980 his Government had submitted to Parliament for approval the text of the Convention and the internal legislation required for its implementation.

22. In connexion with article XII of the Convention, his delegation wished to pay a tribute to the authors of the document on new scientific and technological developments relevant to the Convention (BWC/CONF.I/5). Nevertheless, it could not fully endorse the observations set forth in paragraph 15 (c) of Chapter II entitled "New infectious diseases". While it was true that biological weapons did not offer many advantages from the tactical point of view, infectious diseases, and especially the new ones, could be used in a strategic way against, for example, island countries. Some caution was also needed with respect to paragraph 15 (a) since the observation appearing in it was based on published information only.

23. Mr. BRANKOVIC (Yugoslavia) said that, since the entry into force of the Convention, certain efforts had been made and some results had been achieved in the realm of co-operation; but they were as yet unsatisfactory, especially if the enormous possibilities of the developed countries were compared with the equally immense needs of the developing countries. It was particularly important that the co-operation between the developed countries and the developing countries should be equitable and long-term and that the developed countries should not adopt a monopolistic and protectionist attitude. The most immediate form of co-operation would be to train personnel from developing countries and to ensure their participation in the implementation of research programmes in their countries of origin. The struggle against disease presupposed a struggle against illiteracy, famine and cultural and physical under-development. Maximum efforts should therefore be made to expand the developing countries' capacity to exploit their own natural resources.

24. With reference to the Brazilian proposal that, at the next review conference, information should be provided about the implementation of article X, and to the Pakistani proposal concerning information on technical developments, he said that both the proposals deserved the full attention of the Conference.

25. Mr. MAOULAININE (Morocco) said that, even if it was thought to be unrealistic to expect general and complete disarmament, that should not prevent efforts being made to reach agreement on partial and specific measures to limit the arms race. Moreover, in the matter of biological weapons, the existence of appropriate verification machinery would be a lasting safeguard; his delegation therefore considered that the amendments to articles V and VI of the Convention proposed by the Swedish delegation were judicious because they would ensure better control.

26. Mrs. FRIEYRE PENABAD (Argentina) said that she shared the interest various delegations had expressed in international co-operation. Her delegation, too, hoped that the use of bacteriological (biological) agents and toxins for peaceful purposes would above all benefit the developing countries. She shared the view of the representative of Brazil concerning the resources which would be freed by

disarmament measures and drew attention to document CC/352 of 28 September 1971. The Pakistani suggestion about the value of exchanges of information on scientific and technological progress in the field in question was also of interest.

27. At the next review conference of the Convention, particular attention should be paid to the implementation of article X. In order to facilitate the task of that future conference, it would be useful if the Secretariat could prepare documentation on the implementation of that article along the lines of the documentation it had prepared for the current Conference.

28. Mr. KOCHUBY (Ukrainian Soviet Socialist Republic), referring to article XIV of the Convention, said that many States Parties wanted universal accession to the Convention and had pointed out that certain permanent States Members of the Security Council had not yet acceded to it. His delegation considered that in its final document the Conference should appeal to all States which had not ratified the Convention to do so without delay, and to all States which had not signed it to accede to it, in order to avert any danger of biological war.

29. With regard to the declarations concerning respect for the provisions of the Convention, it should be noted that the text of the Convention did not specify any particular format. In replying to the questions which had been formulated by the Secretariat in order to prepare the documentation before the Conference, each State Party had determined the form in which it would submit the required information. What counted was that a State should meet its commitments, and it could be seen clearly from the documentation that the States Parties were fulfilling their obligations. The practice adopted at the Conference should be maintained for the future; there was no need to draw up additional rules.

The meeting rose at 12.20 p.m.

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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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE SIXTH MEETING

Held at the Palais des Nations, Geneva, on
Thursday, 13 March 1980, at 3 p.m.

Chairman: Mr. VOUTOV (Bulgaria)

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Review of the operation of the Convention as provided for in its article XII
(continued)

(a) General debate (continued)

Other matters, including the question of future review of the Convention

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GE.80-60537

The meeting was called to order at 4 p.m.

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

(a) GENERAL DEBATE (continued) (BWC/CONF.I/3-6)

OTHER MATTERS, INCLUDING THE QUESTION OF FUTURE REVIEW OF THE CONVENTION
(agenda item 11)

1. The CHAIRMAN invited comments on any of the provisions of the Convention and on agenda item 11.
2. Mr. ISSRAELYAN (Union of Soviet Socialist Republics), speaking with reference to articles V and VI, noted that a number of different, and sometimes opposing, views had been expressed on the question of control. In that connexion, he wished to stress that the Soviet Union was as concerned as all other countries to ensure effective control of the implementation of treaties. Some delegations had, however, expressed concern that the Convention did not provide for an adequate system of control, although they had not adduced any facts from which a breach of the Convention, or even the suspicion of a breach, could be inferred, and not one State party had had recourse to the control machinery provided for under the Convention. The Committee had been told that the reasons which had prompted the delegations in question to propose a modification of the existing control machinery were, first, that that machinery was ineffective and consequently gave rise to inequality among the parties, and secondly, that other international conventions on disarmament provided for more effective control systems.
3. How convincing were those reasons? And to what extent did they justify an amendment to the Convention? So far as the first was concerned, it was natural to ask whether, and if so how, the control machinery had manifested its ineffectiveness: if a certain system proved to be ineffective, it meant either that it was not functioning at all or that it was functioning inadequately. Yet all delegations to the Conference had affirmed that their countries had not had recourse to the machinery provided for under articles V and VI; nor, fortunately, had there been any cause for them to do so. In other words, there was no basis for the view that the machinery was ineffective.
4. With regard to the second reason cited, it had quite correctly been stated that other conventions on disarmament provided for differing systems of control. At the present time, some 20 bilateral agreements on arms limitation and disarmament were in force, as well as a number of multilateral agreements. An analysis of those agreements showed that there were two main systems of control: national control, which was the system provided for under the USSR-United States agreement of 1972 on anti-aircraft defences; and international control, which was the system adopted under the USSR-United States treaty of 1976 on underground nuclear explosions for peaceful purposes. In some cases there was a combination of both national and international control, as provided for under the Treaty on the Non-Proliferation of Nuclear Weapons. Any agreement on arms limitation called for specific control measures geared to the particular activity concerned. None of those adopted, however, were ideal to the point of guaranteeing total reliability and it would be

foolish, to say the least, to seek to provide under the Convention for the same control system as that adopted under the USSR-United States agreement on anti-aircraft defences since it would obviously be impossible to monitor by satellite the production of various biological weapons in laboratories.

5. Furthermore, although the 20 bilateral agreements to which he had referred had been in force for periods ranging from 10 to 20 years, throughout that time not a single State party had complained of a breach of any of those agreements, even when international relations had been at a low ebb. From that fact it could be inferred that the control machinery which had been implemented was proving effective in practice.

6. In his delegation's view, the proposal to amend the Convention was not only unjustified but also positively dangerous. The Soviet Union had always listened with great respect to proposals submitted by Sweden, which had long experience in disarmament matters; but the Swedish delegation had failed to convince his delegation that the measures it was now proposing were necessary and would create the ideal conditions for control. The Soviet Union would not therefore agree to the proposed amendment to the Convention, and many other States would undoubtedly share its position. If adopted, the amendment would, under article IX, be binding only on those States which accepted it. That would seriously detract from, if not destroy, the force of the Convention. Nobody would wish such a fate on an instrument which guaranteed that mankind would not have to suffer from the use of biological weapons and which, moreover, urged the need for a still more important convention to be concluded, namely, a convention on chemical weapons. His delegation therefore appealed to the Swedish delegation and those delegations which shared its views to reflect on the alternatives, which were either to uphold the Convention or to destroy it.

7. Lastly, on the question of future review conferences, his delegation agreed that such conferences should be held, but considered that their timing and place should be determined by a majority decision of States parties as and when specific issues arose and should not be automatically predetermined. A plethora of review conferences on various disarmament agreements could well reduce the effectiveness of the work being carried out.

8. Mr. LIDGARD (Sweden) said that his delegation, which had been encouraged by the broad measure of support its proposals had received, had intended to hold consultations with the delegations of other interested States with a view to arriving at an agreement. Since his delegation had been addressed directly by the Soviet delegation, however, it felt obliged to respond.

9. He wished to make it clear that the Swedish proposals had in no way been motivated by any suspicion of a breach by a State party of its obligations under the Convention. Nor was it his country's intention to destroy the Convention. He would simply ask the Soviet representative to try to see the matter from the viewpoint of a small country which did not belong to any of the military blocs and therefore did not automatically enjoy the support of one of the permanent members of the Security Council. That was why Sweden was so anxious to ensure that treatment under the Convention was non-discriminatory.

10. It sincerely hoped that no State party would feel called upon to violate the Convention by using such abominable weapons, or any others for that matter, but unfortunately the possibility could not be ruled out. It was therefore necessary to provide for an effective system of control which could be applied if there were grounds for suspicion in the future, so as to ensure that States parties were in fact complying with the provisions of the Convention. Furthermore, a truly effective system of control under the Convention, and under other disarmament agreements, would tend to dissuade any State party which felt tempted to use or produce such weapons or to act in breach of its obligations. He would put it to the Soviet representative that it was in the interests of the major Powers to have an opportunity of refuting any false allegation made against them. He, for his part, would be most uneasy if he thought that any allegations made against his own country could not be proved groundless. All States parties therefore had a common interest in a strong verification procedure although, it must be stressed, the procedure should not be of a kind that might damage their respective security interests.

11. The Soviet representative had referred to various kinds of control machinery, including national and international. So far as the former was concerned, a major Power, with large technical and other resources, would have no difficulty in verifying compliance with the Convention but a small country such as Sweden, which did not belong to an alliance and could not therefore draw on the resources of large countries, had to rely on international control measures. He trusted that the Soviet representative would study the Swedish proposal in that light.

12. He did not think that there was anything in the Swedish proposal which was so revolutionary as to be unacceptable to the major Powers. Moreover, an efficient intermediate apparatus for verification of the type envisaged would obviate the need for recourse to the Security Council and would serve to allay suspicion and clarify ambiguities in a more discreet way, without causing undue controversy. The most important principle underlying the proposal, however, was that of non-discrimination. There again, the Soviet representative should appreciate that, even if his own view was that all States parties received equal treatment under the Convention, the small, neutral or non-aligned countries such as Sweden might feel that there were certain elements of discrimination that should be eliminated.

13. The issue had already been taken up by his delegation, together with the other neutral and non-aligned members of the Conference of the Committee on Disarmament in 1970. It had subsequently been considered at the General Assembly in the same year and had been followed up at the Assembly's special session devoted to disarmament. His delegation considered that the issue was so important that it was not prepared to slacken its efforts to amend the Convention. In so doing, it in no way intended to weaken the Convention; rather it wished to strengthen it. An improved complaints procedure could well lead to universal adherence to the Convention, the goal for which the international community as a whole was striving.

14. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that the answer to the Swedish representative's question whether compliance with the Convention was not also in the interests of the major Powers was certainly in the affirmative. However, the practice of classifying States according to their size was to be deprecated. In the event of suspicion that the Convention was not being complied with, the Soviet Union would follow the procedure set out in articles V and VI. Only if all the remedies provided for under those articles were exhausted and the suspicion of a breach still persisted would there be any justification for

proposing an amendment of the Convention. The Swedish representative's argument that the verification procedure as it stood was discriminatory lacked any foundation, since not even the consultative stage of the procedure, let alone the stage which involved lodging a complaint with the Security Council, had ever been used. He noted with regret that the Swedish delegation intended to press for a revision of the complaints procedure and repeated that his delegation would view such action as an attempt to undermine the Convention.

15. Mr. OLUMOKO (Nigeria), speaking on article XII, said that reviews of the Convention at fairly close intervals were necessary in view of continuing developments in science and technology, and because of parallel negotiations in other related fields of disarmament, especially in connexion with the prohibition of chemical weapons. Some of the highly pertinent issues raised at the present Conference could be taken into account at a future conference. In particular, States parties would be interested to see what implementation mechanism would be provided in a future chemical weapons convention. Such a convention would undoubtedly be a carefully negotiated document and many of its provisions might serve as models for improving the deficiencies and loopholes inherent in the Biological Weapons Convention as it stood at present.

16. Mr. LEGG (Canada), referring to article IX, said he shared the hope expressed by many delegations that international agreement on a comprehensive ban on chemical weapons would be reached in the not too distant future. The final document of the Conference should contain an appropriate reference to that prospect. Discussions in the prospective working group on chemical weapons in the Committee on Disarmament, proceeding at the same time as bilateral negotiations on the same subject, would be very useful. However, the question of effective verification provisions was so important that, as the representative of Switzerland had said in the general debate, it would be better if the bilateral negotiations took somewhat longer but ensured an adequate level of verification than if a draft agreement was concluded fairly rapidly but comprised looser controls.

17. With regard to article X, his delegation was sympathetic to the views expressed concerning the need for a greater flow of information, which would not only encourage the peaceful application of scientific developments, but would also increase the possibility for all States to participate in monitoring compliance with the Convention. He looked forward to seeing proposals for the incorporation of those views in the final document. On article XII, he agreed with other delegations that some future review mechanism was desirable. A flexible approach should be adopted in determining the date of the next review conference, but five years would seem a reasonable target period allowing for the possibility of moving the date forward at the request of a certain number of States parties. It was to be hoped that the final document would include a provision along those lines. Lastly, with regard to article XIV, he considered that the final document should include a firm statement of encouragement to all States which had not yet done so to sign and/or ratify the Convention.

18. Mr. MIKULAK (United States of America) associated himself with the comments made by the previous speaker, especially on article X. In connexion with paragraph 1 of that article, he drew attention to the information provided by his Government in the background paper relating to the Convention (BWC/CONF.I/4, pp. 29 and 30). With regard to paragraph 2 of the article, the background paper on new scientific and technological developments prepared by the depositary Governments (BWC/CONF.I/5) showed that implementation of the Convention had not hindered economic or technical development for peaceful purposes.

19. On article XII too, he largely shared the views expressed by the Canadian representative. The Convention, unlike several others in the field of arms control and disarmament, did not specifically provide for future review conferences, but it was important that periodic reviews should take place, and the final document of the present Conference should contain a provision to that effect. He agreed that five years was a reasonable interval if a majority of States parties wished to hold the next review conference at that point; if, however, a majority did not wish to hold a conference then, a conference should be held after 10 years, at the request of a smaller number of parties.

20. Referring to the provision in article XII that review conferences should take into account any new scientific and technological developments relevant to the Convention, he expressed sympathy with the suggestion that the United Nations Centre for Disarmament might play a role in providing information on such developments on a continuous basis. The Centre should not, however, be expected to review the vast scientific and technological literature which was already widely available. States parties in possession of particular knowledge relevant to the Convention might perhaps supply such information to the Centre, which could then forward it to the other States parties. Before taking a decision it would be useful to have a clearer idea of the resources available to the Centre for the dissemination of information.

21. With regard to article XIV, he noted with satisfaction that the Convention already enjoyed wide adherence. However, since a number of major military and economic Powers still remained outside the Convention, he would support language in the final document urging non-parties to take the necessary steps to adhere to the Convention.

22. Lastly, referring to the second, third and fourth preambular paragraphs, he said that his Government had on many occasions stressed the importance it attached to the Geneva Protocol of 1925 and to strict compliance in word and deed with the Protocol's principles and objectives. He hoped that the final document would reaffirm commitment to the Protocol and would urge those States parties to the Convention which had not yet adhered to the Protocol to do so without delay.

The meeting rose at 5.05 p.m.

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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COMMITTEE OF THE WHOLE
SUMMARY RECORD OF THE SEVENTH MEETING
Held at the Palais des Nations, Geneva,
on Friday, 14 March 1980, at 4 p.m.

Chairman: Mr. VOUTOV (Bulgaria)

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Consideration of the draft report of the Committee of the Whole

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GE.80-60574

The meeting was called to order at 4.20 p.m.

CONSIDERATION OF THE DRAFT REPORT OF THE COMMITTEE OF THE WHOLE (BWC/CONF.I/CRP.1)

1. The CHAIRMAN invited the Committee to consider its draft report to the plenary Conference (BWC/CONF.I/CRP.1). He suggested that any delegation which wished to do so should first make general comments on the draft report and that the Committee should subsequently consider the text paragraph by paragraph at two readings.
2. Mr. TAYLHARDAT (Venezuela) considered the report to be generally satisfactory and praised the Secretariat for the excellent job it had done.
3. With regard to paragraph 18, he thought the language towards the end of the paragraph to be somewhat strong, particularly the term "undermining", which as far as he could recollect, had not been used in the debate.
4. In connexion with the fifth sentence of paragraph 21 beginning "A number of other Parties, ...", he said he could not remember any representative actually suggesting that the prosecution of multilateral negotiations on chemical weapons should be made dependent on the results of bilateral negotiations between the Soviet Union and the United States, particularly in respect of verification.
5. Referring to paragraph 27, he considered that it would be useful to draw a distinction between those States which had signed the Convention but had not yet ratified it, and those States, including certain permanent members of the Security Council, which had not yet even acceded to the Convention but should do so.
6. Mr. SARAN (India) supported the comments made by the Venezuelan representative in connexion with paragraph 21 and said that his delegation also had problems with the fifth sentence. A large number of delegations had expressed the view that multilateral negotiations should begin as soon as possible. Although bilateral negotiations were important, certain delegations had suggested that it was not necessary to await their outcome before proceeding with multilateral negotiations and others had said that the complementarity between bilateral and multilateral negotiations should be stressed. If, therefore, that sentence was retained in the report, a further sentence should be added to the effect that such multilateral negotiations need not await the outcome of bilateral negotiations but should begin as soon as possible.
7. A number of States had stressed the importance which they attached to the early conclusion of a chemical weapons ban and had stated that they had acceded to the Biological Weapons Convention only because they considered such action as a first step towards the conclusion of a convention banning chemical weapons. That view was not adequately reflected in the report.
8. Mr. de QUEIROZ DUARTE (Brazil) supported the comments made by the Indian representative.
9. The CHAIRMAN invited the Committee to consider the report paragraph by paragraph at first reading.

Paragraphs 1-6

10. Paragraphs 1 to 6 were approved without comment.

Paragraphs 7-8

11. Mr. LIDGARD (Sweden) said, with reference to the second sentence of paragraph 7, that some delegations had been more cautious in their conclusions, since they did not consider the available means of verification justified such a categorical statement. He therefore suggested that the second sentence should read: "... the provisions of articles I-IV seemed to have been effectively implemented."
12. Mr. PERFILYEV (Union of Soviet Socialist Republics) considered that the sentence in question corresponded entirely with the way in which the debate had developed and with the actual situation with regard to the implementation of articles I-IV. The arguments which had been put forward related, not to the way in which those articles had been implemented, but to other aspects of the Convention. He considered paragraph 7 perfectly acceptable and opposed its amendment.
13. Mr. LIDGARD (Sweden) said that since the views expressed in the Committee obviously differed, that appeared to be sufficient reason for not including such a categorical statement in the report. He therefore requested that the paragraph should be redrafted.
14. Mr. BRANKOVIC (Yugoslavia) said the conclusion that there was no evidence of any violation of articles I-IV had been based on the statements made by States Parties concerning the implementation of those articles. He proposed that a few words to that effect might be added at the end of the paragraph.
15. Mr. HERDER (German Democratic Republic) said that he did not share the concern expressed by the Swedish representative. He saw no reason to believe that the conclusion with regard to articles I-IV was too absolute. The two sentences in paragraph 7 must be read in conjunction with each other, and the first sentence commenced with the words "It was a widely held view ...". Consequently the paragraph did not exclude the fact that other, more conservative views had been expressed, and he saw no need to redraft it.
16. Mr. PAC (Poland) said, with regard to the Yugoslav representative's suggestion, that he did not see how paragraph 7 could be amended since no statement had been made regarding any violation of the Convention.
17. Mr. GHAREKHAN (India) said that while he agreed with the factual aspect of the statement just made by the Polish representative, the conclusion that his delegation drew from it was different. Because no complaints had been made about violations of the Convention, in paragraph 7 the positive conclusion had been drawn to the effect that there had been no violations, whereas all that could really be said was that no violations had been reported. He therefore proposed that the second sentence of paragraph 7 should be deleted and that the first sentence of the paragraph should be amalgamated with paragraph 8.
18. Mr. LEGG (Canada) suggested that, in order to take account of the point made by the Yugoslav representative, the sentence in question should be amended to read: "Consequently, it was concluded, on the basis of reports and statements made by States Parties, that the provisions of articles I-IV had been effectively implemented."
19. Mr. AKRAM (Pakistan) considered that the sentence under discussion must be either revised or deleted. It was clear that the conclusion reached in the sentence was shared in varying degrees by different delegations and it was therefore preferable to have a factual wording such as: "The statements made by States Parties indicate that the provisions of articles I-IV have been satisfactorily implemented."

20. Mr. GHARUKHAN (India) said that a distinction must be drawn between negative satisfaction and positive satisfaction. The fact that no violations had been reported gave grounds for negative satisfaction but he was not sure it was possible to draw the positively satisfactory conclusion that the provisions had been effectively implemented. It was possible in paragraph 8 to say that the Conference had noted with satisfaction that no complaint had been lodged, but such a sweeping statement on behalf of the Conference could not be made in paragraph 7. His delegation had serious difficulties with paragraph 7 as drafted at present and the amendments that had been proposed were not, in his view, satisfactory.

21. Mr. BAYART (Mongolia) supported the views expressed by the representatives of the German Democratic Republic and Poland. He drew attention to the words "States Parties" in paragraph 7. The question at issue was the implementation of the Convention by States Parties, but not its implementation by other States which had not yet acceded to it. There was no doubt that the States Parties had complied with the provisions of the Convention; all delegations had made statements to that effect in the plenary Conference, as was indicated in paragraph 8. There was therefore no need to amend the text of paragraph 7, but he suggested that in paragraph 8 the words "some Parties" should be changed to "a number of Parties".

22. Mr. LIDGARD (Sweden) said that he could accept the wording proposed by the representative of Pakistan. However, since it appeared to be impossible to reach agreement on that wording, it might be preferable, as the Indian representative had proposed, to delete the second sentence from paragraph 7 and to amalgamate paragraphs 7 and 8.

23. Mr. HERBER (German Democratic Republic) asked the Swedish representative whether he could agree to the replacement of the word "concluded" by the word "noted" in paragraph 7. That wording would be weaker and would suggest that it covered the statements that had been made by delegations. Moreover, the word "noted" was used in paragraph 8.

24. Mr. DUMONT (Argentina) said that he supported the views expressed by the representatives of India and Sweden. In the interests of avoiding further lengthy discussion, therefore, he supported the proposal made by those representatives.

25. Mr. BRANKOVIC (Yugoslavia) withdrew his proposal in favour of the Indian representative's proposal, provided that the latter proposal was acceptable to the Committee.

26. Mr. PERFIlyEV (Union of Soviet Socialist Republics) said that his delegation could agree to the deletion of the second sentence of paragraph 7. If, however, that did not meet with general acceptance, it would suggest that the sentence be placed between square brackets.

27. Mr. LIDGARD (Sweden) considered that, if any delegation disagreed with a statement in the report to the effect that the Committee had reached a certain conclusion, that statement should be deleted.

28. Mr. BAYART (Mongolia) proposed that paragraphs 7 and 8 should be combined by transferring the second sentence of paragraph 7 to the end of paragraph 8, and amending the opening phrase of paragraph 8 to read: "The Conference also noted

with satisfaction ...". If that were not acceptable, he would suggest that further discussion on paragraph 7 be suspended so that the Committee could proceed to consider the remaining paragraphs of its report.

29. Mr. MAINA (Kenya) said that he was unable to agree to the suggestions made by the Soviet and Swedish representatives; in his view, both suggestions reflected a negative approach. Instead, the Committee should endeavour to find an agreed text on the basis of the statements made by States Parties to the Convention.

30. Mr. AKRAM (Pakistan) said that, while his delegation considered that its own suggestion offered an acceptable compromise, it was prepared to agree to the proposal that the second sentence of paragraph 7 be deleted.

31. Mr. CIARRAPICO (Italy) said it would be more logical if that sentence were placed at the end of paragraph 8, the word "Consequently" being replaced by "On this basis". Paragraph 8 would then open with the words: "In this connexion, the Conference also noted ...".

32. Mr. KOCHUBEY (Ukrainian Soviet Socialist Republic) said it was somewhat surprising that the second sentence of paragraph 7 had given rise to so much discussion, since at no point had any delegation stated that the Convention had not been effectively implemented. In the interests of arriving at a solution that would be satisfactory to all delegations, however, he was prepared to endorse the Italian representative's suggestion.

33. Mr. LANG (Austria) asked whether there was any difference between the expression "Parties" and "States Parties", both of which were used in the report.

34. Miss SEGARRA (Secretary-General of the Review Conference) said that there was no difference; both expressions referred to Parties to the Convention.

35. Mr. GHATRISI (Egypt) observed that the purpose of the meeting was not to discuss points of substance but to determine whether the report adequately reflected the various trends that had emerged during the Committee's deliberations.

36. Mr. GHAREKHAN (India) said that, as a compromise solution, he would suggest that the proposals by the Polish and Italian representatives should be combined in the following manner: the second sentence of paragraph 7 should be deleted and the first sentence of that paragraph merged with paragraph 8. The opening phrase of paragraph 8 should then be amended to read: "The Conference noted with satisfaction ..." and a sentence added at the end of the paragraph reading: "In this connexion, it was noted by some States Parties that the provisions of articles I-IV had been effectively implemented".

37. Mr. CIARRAPICO (Italy) said it would be preferable not to refer to "some States Parties", since that would underline the fact that other Parties had not reached such a conclusion.

38. Mr. GHAREKHAN (India), agreeing with the Italian representative, said that in the circumstances it would perhaps be best to delete the second sentence of paragraph 7 and to amend paragraph 8 in the way he had already suggested.
39. Mr. PERFILYEV (Union of Soviet Socialist Republics) said that he could agree to the Indian representative's proposal that the words "some Parties" in paragraph 8 should be replaced by "the Conference". So far as the Indian representative's proposal regarding the second sentence of paragraph 7 was concerned, however, it considered, in the light of the various suggestions made, that it would be better to place that sentence between square brackets.
40. Agreeing with the Egyptian representative's observation, he said he saw no reason whatsoever for placing paragraph 8 between square brackets, since no delegation had complained about non-implementation of the Convention.
41. Mr. GHAREKHAN (India) said that his proposed amendment to paragraph 8 was linked to the second sentence of paragraph 7. If that sentence were to be placed within square brackets, therefore, paragraph 8 should be too.
42. Mr. McPHAIL (Canada) said he was unable to accept the flat statement embodied in the second sentence of paragraph 7. He therefore favoured the deletion of that sentence or, alternatively, an amendment to the effect that the conclusion in question had been reached by some, rather than all, of the Parties.
43. Mr. GHAREKHAN (India) said that, in his view, it had been a mistake to separate paragraphs 7 and 8, since the two were interrelated. Moreover, it was not possible to make a positive and a negative statement on the same issue. If the provisions of articles I-IV had been effectively implemented, as stated in the second sentence of paragraph 7, it must follow that there had been no complaints regarding violations of the Convention and that paragraph 8 was therefore superfluous. In point of fact, however, the Conference was in no position to draw the first, positive conclusion, whereas it was in a position to draw the second, negative conclusion. Accordingly, if the second sentence of paragraph 7 were placed between square brackets, then paragraph 8 should be too; if paragraph 8 were not placed between square brackets, then that sentence should be deleted.
44. Mr. HERDER (German Democratic Republic) said that he saw no contradiction between paragraph 8 and the second sentence of paragraph 7, since there might have been a complaint but no proven violation of the Convention. In his view, therefore, some suitable wording should be found on the basis of the proposal made by the Italian representative.
45. Mr. McPHAIL (Canada) said that the main purpose of the report was to record the outcome of the Committee's deliberations and thereby to provide the Drafting Committee with a basis on which to prepare the final act. It would therefore be in the general interest to avoid the use of square brackets wherever possible. In his view, a last attempt should be made to amend the second sentence of paragraph 7 in such a way that it would be made clear that the conclusion in question had been reached only by certain Parties to the Convention, and not by all of them.

46. Mr. de QUEIROZ DUARTE (Brazil) agreed with the previous speaker. The mere fact that discussion on the second sentence of paragraph 7 had occupied so much of the Committee's time proved that the conclusion referred to in that sentence was not shared by all participants.

47. After further discussion, in which Mr. GHAREKHAN (India), Mr. EL GHATRIFI (Egypt) and Mr. HERDER (German Democratic Republic) took part, the CHAIRMAN noted that no consensus had been reached on paragraphs 7 and 8. Consideration of those paragraphs would accordingly be deferred until the second reading of the draft report. He invited interested delegations to consult one another and, if possible, produce an agreed text.

48. Mr. IONESCU (Romania) pointed out that a proposal which his delegation had made with regard to articles I-IV was not reflected in the draft report. He therefore suggested that a new paragraph should be inserted after paragraph 8, reading as follows:

"In the meantime, it was stated that, in view of the fact that the Parties to the Convention have different levels of technological and scientific capabilities, it was necessary to ensure an uninterrupted flow of information on the new events relevant to the Convention through the United Nations Centre for Disarmament with the assistance of the States Parties to the Convention."

49. Replying to Mr. MAINA (Kenya), who pointed out that the proposal was reflected in paragraph 23 of the report, he said that the proposal had been made not only in connexion with the use of bacteriological agents for peaceful purposes but also in terms of the general operation of the Convention; it should therefore be mentioned under the discussion on articles I-IV.

50. Mr. DUMBEVI (Ghana) suggested that the Committee should take note of the proposed new paragraph and should decide at second reading whether to include it in the draft report.

Paragraph 9

51. Mr. LUNDIN (Sweden) said that, in the view of his delegation, the first sentence of the paragraph was not entirely accurate; to speak of "any possible" new scientific and technological developments relevant to the Convention was unjustified. He suggested that sentence should read as follows:

"Furthermore, it was generally considered that the provisions of article I were sufficiently comprehensive to have covered, since the entry into force of the Convention, all scientific and technological developments relevant to the Convention."

Paragraph 10

52. Mr. ERDENBILIG (Mongolia) raised the question whether it was desirable that the draft report should repeatedly reflect the views of "one Party", as was done, in particular, in paragraphs 10, 11 and 12. It might be more appropriate to concentrate on views that were more widely held.

53. Mr. CHAREKHLAN (India) agreed. With reference to paragraph 10, he said that the precise meaning of the phrase "this positive appraisal" was not clear. If it related to paragraphs 7 and 8, the Committee should approve it only conditionally until a decision on those two paragraphs was reached at second reading.

Paragraph 11

54. Mr. PICTET (Switzerland) suggested that the words "One Party" at the beginning of the second sentence should be replaced by the words "some Parties".

Paragraph 12

55. Mr. PERFILYEV (Union of Soviet Socialist Republics) pointed out that article III did not contain any reference to the domestic jurisdiction of States; it would be more appropriate, therefore, if the comment reported in paragraph 12 appeared in connexion with article IV.

56. Mr. BRANKOVIC (Yugoslavia) said that the Party referred to in paragraph 12 had, in fact, spoken not of an "additional obligation", but of an "objectively increased responsibility" resting on States Parties. Responding to the point made by the USSR representative, he confirmed that the comment related to article III of the Convention.

Paragraph 13

57. Mr. BERG (Belgium) said that he had doubts with regard to both the substance and the form of the third sentence, and suggested that it should be deleted.

58. Mr. KEISALO (Finland) suggested that a sentence reading: "This view was supported by a number of Parties" should be inserted between the second and the third sentences.

59. Mr. PERFILYEV (Union of Soviet Socialist Republics) said that he was in favour of approving the paragraph as it stood. Referring generally to the possible financial implications of certain proposals which had been made, he expressed the hope that the Secretariat would shortly supply the necessary details.

Paragraph 14

60. Mr. LUNDIN (Sweden) suggested that the last part of the second sentence should read as follows: "... secondly, of sources for protective purposes of microbial agents causing some now eradicated infectious diseases".

61. Mr. PERFILYEV (Union of Soviet Socialist Republics) reserved the right to discuss that suggestion when it was submitted in writing.

Paragraph 15

62. Mr. de QUEIROZ DUARTE (Brazil) observed that the opinion referred to in the second sentence of the paragraph had been shared by a number of delegations. That fact should be reflected in the draft report.

Paragraph 16

63. Mr. BASHIR (Pakistan) suggested that the words "supported by a number of other Parties" should be inserted after the words "One Party" at the beginning of the paragraph. The second sentence of paragraph 17 would then become redundant.
64. Mr. PERFILYEV (Union of Soviet Socialist Republics) said that paragraph 16 was insufficiently concise. As the representative of Mongolia had already remarked, it was desirable that the Committee's report should reflect generally held views. Too much space was given to one delegation's opinion.
65. Mr. KOCHUBEY (Ukrainian Soviet Socialist Republic) also felt that undue prominence had been given to the proposal referred to in paragraph 16.
66. Mr. DUMONT (Argentina) supported the suggestions made by the representative of Pakistan.
67. Mr. DUMEVI (Ghana) suggested that subparagraphs (a)-(e) might be condensed. Paragraph 17 might then be combined with the amended text of paragraph 16.
68. Mr. ERDEMDILEG (Mongolia) said that the details of the proposal outlined in paragraph 16 should be relegated to an annex to the report. Non-Parties studying the report might otherwise be misled into concluding that the proposal had been approved by the Committee.
69. Mr. LIDGARD (Sweden) said that paragraph 16, which described the proposal, was adequately counterbalanced by paragraph 18, which stated the views expressed against the proposal. If any delegation wished to propose a different wording for paragraph 18 it was free to do so. The question was one of the most important issues dealt with by the Conference and the discussion on it should be reflected in detail.
70. Mr. PERFILYEV (Union of Soviet Socialist Republics) said that there was a fundamental difference between the proposal in paragraph 16 and the subject matter of paragraph 18, which related to nothing less than the implementation of the Convention whose operation the Conference was engaged in reviewing. Even to allocate an equal amount of space to an individual proposal for amending the Convention would be inappropriate; to give it greater emphasis, as was actually the case, was altogether inadmissible. Paragraph 16 should be substantially abridged.
71. Mr. LIDGARD (Sweden) said that the purpose of the Committee's report was not only to reflect the discussion which had taken place but also to facilitate further consideration of the matters discussed. In that connexion, it seemed essential that the views of each participant in the debate should be reflected.

The meeting rose at 7.05 p.m.

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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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE 8th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 17 March 1980, at 11 a.m.

Chairman:

Mr. VOUTOV

(Bulgaria)

CONTENTS

Consideration of the draft report of the Committee of the Whole (continued)

Organization of work

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

GE.80-60584

The meeting was called to order at 11.35 a.m.

CONSIDERATION OF THE DRAFT REPORT OF THE COMMITTEE OF THE WHOLE (continued)
(BWC/CONF.I/CRP.1)

1. Miss SEGARRA (Secretary-General of the Conference) informed the Committee that as a result of a drafting amendment paragraph 24 of its draft report (BWC/CONF.I/CRP.1) now read : "While the validity of this Article was generally reaffirmed, some expressed the view, particularly in conjunction with the consideration of Articles V and VI, that its provisions should not be invoked at a review conference." In addition, to avoid any confusion between States parties and signatory States, and subject to the approval of the Committee, the States which had taken part in the Conference would be referred to in the draft report as "the participants".

2. The CHAIRMAN reminded members that the Conference had requested the Committee to submit its report by that very day, March 17, at the latest. He invited the Committee to resume consideration of its draft report.

Paragraphs 18-20

3. No comment was made on paragraphs 18-20.

Paragraph 21

4. Mr. GHAREKHAN (India) suggested that the following sentence should be added after the first sentence in paragraph 21: "Several participants emphasized that their accession to the Biological Weapons Convention had been on the explicit understanding that the Convention was but the first step towards the achievement of a comprehensive ban on both biological (bacteriological) and chemical weapons".

5. Mr. CACERES (Mexico) expressed the wish that the Committee should take into account, in its report, the observations made by his delegation in the general debate and at Committee meetings. To that end, the following sentence might be included in the draft report: "One Party stated that, despite the fact that eight years had already elapsed since the Convention had been opened for signature, the 'early agreement' referred to in Article IX of the Convention had not yet become a reality and that the Conference should reflect, in the final document, its deep regret for this and, at the same time, urge all the States members of the Committee on Disarmament, in particular those whose Governments acted as Depositaries of the Convention, to take advantage of the establishment by the Committee of an ad hoc working group on chemical weapons for the prompt negotiation and conclusion of a convention to ensure the total elimination of chemical weapons."

6. In addition, he would like the second sentence of paragraph 21 of the draft report to incorporate the same wording as in paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly, the first two sentences of which read:

"The complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represent one of the most urgent measures of disarmament. Consequently, the conclusion of a convention to this end, on which negotiations have been going on for several years, is one of the most urgent tasks of multilateral negotiations."

7. Lastly, in order to make the draft report clearer, the heading "Article IX" should precede paragraph 21.
8. Mr. GHAREKHAN (India) observed that the fifth sentence of paragraph 21 implied that the Committee on Disarmament could not undertake multilateral negotiations on chemical weapons before the conclusion of the bilateral negotiations which were at present taking place between the USSR and the United States. His delegation had reservations as to the wording of that sentence and suggested that it should be replaced by: "A number of other participants, while regretting the lack of agreement, considered that the ongoing bilateral negotiations between the USSR and the United States on chemical weapons should be intensified so as to resolve the outstanding issues, in particular that of verification, and thus contribute to multilateral negotiations in the Committee on Disarmament."
9. Mr. TAYLHARDAT (Venezuela) pointed out that he had already expressed reservations concerning paragraph 21 of the draft report. He supported the amendment proposed by the representative of India.
10. Mr. de QUEIROZ DUARTE (Brazil) said that in the general debate his delegation had also expressed the hope that an agreement on chemical weapons would be concluded at an early date and mentioned the role that the Committee on Disarmament could play in that respect. For that reason it supported the proposals made by the Indian and Mexican delegations.
11. Mr. LEGG (Canada) said he had no serious objection to the proposal by the representative of India and agreed that it had never been stated that the opening of multilateral negotiations on chemical weapons must await the conclusion of the bilateral negotiations. In his opinion, however, the Indian proposal did not express the idea of the adequacy of the provisions for controls. For that reason he proposed that the fifth sentence of paragraph 21 should read: "A number of other parties, while regretting the lack of agreement, considered that it would be better for the ongoing bilateral negotiations between the USSR and the United States to take longer, if necessary, to ensure that the level of verification is adequate, than for a draft agreement to be ready sooner, with inadequate controls."
12. Mr. DUMONT (Argentina) also supported the amendments proposed by the representative of India. In addition, he suggested that at the end of the third sentence of paragraph 21 the words "on chemical weapons" should be replaced by the words "to that end".
13. Mr. ENE (Romania) said that his delegation was among those which had pointed out the shortcomings with regard to the implementation of Article IX of the Convention. It therefore supported the proposals made by the delegations of India, Mexico and Argentina. He agreed that it had never been said that the work of the Committee on Disarmament might impede the bilateral negotiations.
14. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that his delegation was willing to endorse the wording proposed by the Indian delegation. He suggested that the following sentence should be added after the fifth sentence of paragraph 21: "The representatives of the States engaged in the bilateral negotiations on chemical weapons declared that they were prepared to continue intensive negotiations on this question".

15. Mr. FLOWERREE (United States of America) endorsed the proposal by the representative of the USSR and said he did not see why the States engaged in the bilateral negotiations on chemical weapons should not be referred to by name. Furthermore, he was prepared to endorse the Indian representative's proposal but would like to add the idea of the adequacy of the provisions on verification, as expressed by the Canadian representative.

16. Mr. GHAREKHAN (India) supported the USSR proposal with the amendments suggested by the United States representative.

17. Mr. ISSRAELIAN (Union of Soviet Socialist Republics) proposed that, in order to take account of the observations made by the United States representative, the sentence which he had suggested adding after the fifth sentence should begin with the words: "The representative of the USSR and the representative of the United States, the States engaged in the bilateral negotiations ...".

18. The CHAIRMAN said that the text of paragraph 21 would be tidied up for a second reading.

Paragraph 22

19. No comment was made on paragraph 22.

Paragraph 23

20. Mr. de QUEIROZ DUARTE (Brazil) pointed out that in the general debate and in the meetings of the Committee, his delegation had made some observations concerning article X which were inadequately reflected in the wording of paragraph 23, even though those observations had been supported by other delegations. He therefore proposed that after the first sentence of paragraph 23 the following sentence should be added: "In this connexion one party noted that, since the entry into force of the Convention, the international community had devoted increased attention to the relationship between disarmament and development, and proposed, with general support, that in future reviews of the Convention a document for the information of the parties should be prepared on the implementation of the provisions of article X, particularly with a view to promoting economic and social development".

21. Mr. ENE (Romania) pointed out that his delegation had also spoken at length on article X during the general debate and at the meetings of the Committee. The idea of co-operation between States parties in order to share more fully the knowledge acquired on bacteriological agents and their uses had attracted the attention of the Conference, and that idea should be mentioned in the report. He therefore proposed that the end of the first sentence and the second sentence of paragraph 23 should read: "... and the organization of the fullest possible international co-operation in this field. Parties to the Treaty in a position to do so shall co-operate in contributing alone or together with other States and international organizations to the further development of these applications, with due consideration for the needs of the developing countries." The Brazilian delegation's proposal logically followed from those amendments and his delegation supported it.

22. Mr. OLUMOKO (Nigeria) endorsed the Brazilian and Romanian delegations' proposals concerning paragraph 23.

23. Mr. BRANKOVIC (Yugoslavia), referring to the many statements made in the plenary Conference and in the Committee on the need to give aid to developing countries in the form of the exchange of information and technical assistance as provided for in article X, considered that the wording of paragraph 23 was not explicit enough in reflecting that point. Furthermore, it would be better to speak of microbial agents, as in paragraph 14 and as scientific usage required, rather than of bacteriological agents. On the question of the organization of seminars, he observed that technical assistance to developing countries should not take the form of seminars only; he would prefer reference to be made to long-term programmes.

24. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) indicated that his delegation frequently expressed the need to strengthen international co-operation in the exchange of bacteriological information. He was thus not opposed to the proposals made on that question, but he would like to have a written text available before expressing a final opinion. He agreed with the Yugoslav representative that it would be preferable to speak of microbial agents rather than bacteriological agents. As to the different types of possible co-operation, he had no objection to mentioning seminars or other types of activity, but thought that it was better at the present stage to keep to general terms. Lastly, referring to the United Nations Centre for Disarmament, he considered that it would be a mistake to try to do everything through that body.

Paragraph 24

25. Mr. EL BARADI (Egypt) suggested that the following sentence should be added to the paragraph: "Others maintained that possible amendments were relevant to the work of the Review Conference and were within its purview."

26. Mr. KOCHUBEY (Ukrainian Soviet Socialist Republic) considered that the drafting amendments to the paragraph made by the Secretary-General of the Conference were not sufficient to make it completely acceptable; he suggested that it should be replaced by a simpler and clearer text which might read: "The Conference noted that no amendment had been proposed under the provisions of article XI."

27. Mr. LIDGARD (Sweden) supported the suggestion made by the delegation of Egypt.

28. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said that, since it was generally accepted that the purpose of the Conference was to examine the working of the Convention since its entry into force, it should be sufficient to say that between the entry into force of the Convention and the holding of the Conference no amendment had been proposed.

Paragraphs 25-27

29. Mr. TAYLHARDAT (Venezuela) pointed out that it had frequently been mentioned during the discussions that many countries, including some States of military significance whose participation was absolutely essential, had not yet ratified or even signed the Convention. He therefore proposed that the last sentence of paragraph 27 should be amended slightly to read: "... other States to consider early ratification of or accession to, the Convention".

30. Mr. GHAREKHAN (India) supported the proposal by Venezuela. Referring to paragraph 26, he proposed a slight amendment in order to make it clear, in the third line, that the Convention "... was the first and only genuine measure in the field of disarmament so far."
31. Mr. BAYART (Mongolia) supported the Indian delegation's proposal. With regard to paragraph 27, to which his delegation attached very great importance, he supported the Venezuelan delegation's suggestion, whose wording was not, however, altogether satisfactory and could be improved. In addition, the expression "a large number of Parties" should be replaced by "the Parties to the Convention", which would more accurately reflect the pattern of the discussions, since all or practically all delegations had stressed that it was important to secure universal accession to the Convention. The second sentence would then, of course, begin with the words "Consequently, ...". Lastly, it would be appropriate to insert in the last sentence, after "Signatories and other States", the words "in particular the scientifically and technically advanced and nuclear-weapon States which had not yet done so to ratify or accede at the earliest possible date to the Convention."
32. Mr. AKRAM (Pakistan) asked what was the purpose of the discussion in which the Committee was engaged. Was the point to ensure that the report gave a faithful account of the discussions or was it rather to embark on the draft final document? He was surprised that the representative of Mongolia should, by means of the suggested amendments to paragraph 27, seek to make the draft report state that the whole Conference endorsed a particular view which only some of the participants had expressed. For his part, he wished to propose a more neutral wording, such as: "In connexion with this article, the crucial significance of universal accession to the Convention was emphasized by some States." He did not think it was in the best interests of the Conference to yield to the temptation to secure some sort of advantage in the drafting of the report. He therefore proposed that the following sentence should be added after the final sentence: "Some delegations emphasized that meaningful progress in other disarmament negotiations, especially for the prohibition of the production, manufacture and stockpiling of chemical weapons, would encourage universal accession to the Convention".
33. Mr. FLOWERREE (United States of America), referring to the proposal by the delegation of India concerning paragraph 26, said that it would be more correct, since there had already been some genuine disarmament measures, to say in the third line of paragraph 26 "Convention was the first genuine disarmament measure enforced so far." With regard to paragraph 27 he agreed with the representative of Pakistan that it should not be stated that that was the view of the whole Conference when in fact it was the view only of a considerable number of Parties. Furthermore, he did not think it would be advisable to invite a particular group of States to ratify the Convention. As for the last sentence which the delegation of Pakistan had suggested, he was quite sympathetic towards it to the extent that it expressed a view shared by other delegations.
34. Mr. EL BARADI (Egypt) supported the proposal by the Venezuelan representative, which, in his opinion, was in accordance with normal legal procedure.

35. Mrs. BORODOMSKY (Cuba) supported the proposal by the Venezuelan representative concerning paragraph 27, which she thought improved the text. She also supported, for the same reason, the proposal by the Mongolian representative.

36. Mr. ISSRAELYAN (Union of Soviet Socialist Republics), referring to the proposal by the delegation of Pakistan for the addition of a sentence to the existing text of paragraph 27, said that he was not opposed to the idea but thought it would be more logical to incorporate the proposal in another paragraph on article XI, since that would help to strengthen the universal character of the Convention. Placing the proposal in paragraph 27 might give the false impression that the prohibition of chemical weapons was the main purpose of accession to the Convention. His delegation supported the proposals by the delegations of Venezuela and Mongolia. It agreed that the accession of all scientifically and technically advanced States and all nuclear-weapon States would strengthen the Convention.

37. Mr. AKRAM (Pakistan) said he agreed with the representative of the Soviet Union that on a technical basis the accession of all militarily significant States, and in particular the nuclear Powers, was essential for the strict implementation of the Convention but he did not grasp what direct link there might be between biological weapons, on the one hand, and the fact of being a nuclear Power, on the other. He proposed that paragraph 27 should be slightly amended so as to preserve a balance and not unduly favour the views of certain delegations. In any event, if the Mongolian amendment was accepted, his country reserved its right to revert to that paragraph.

Paragraph 28

38. Mr. DUMEVI (Ghana) pointed out that the Committee had considered the preamble to the Convention under Conference agenda item 10 (c) and not only during its consideration of articles VIII and IX, as the existing text of paragraph 28 might seem to suggest. His delegation therefore proposed that paragraph 28 should read: "With regard to the preambular paragraphs, some speakers suggested that the final document should reiterate the importance of the purposes and objectives of the Convention."

39. Mr. EL BARADI (Egypt) supported the proposal by the representative of Ghana. Paragraphs 22 and 28 seemed to overlap and it should be possible to recast them as a single paragraph.

Paragraphs 29-31

40. Mr. de QUEIROZ DUARTE (Brazil) felt that the two sentences in paragraph 29 were not logically connected; in the second sentence, it should be specifically stated that several States Parties had emphasized the need for some sort of review mechanism to be found for future reviews of the Convention.

41. Mr. KOMIVES (Hungary) drew the attention of the Committee to the working paper distributed by Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR, and the Union of Soviet Socialist Republics concerning articles V, VI and VII of the Convention. That document, which set out the position of those States on the aforesaid articles, should facilitate the Committee's work.

42. The CHAIRMAN declared closed the Committee's consideration in first reading of its draft report.

ORGANIZATION OF WORK

43. The CHAIRMAN suggested that the Committee should hold its next meeting fairly late in the afternoon so as to give the secretariat time to prepare a list of the various amendments proposed during the first reading of the draft report.

44. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said he hoped that the list of amendments would be communicated to delegations shortly before the meeting and that representatives would be given time to consult one another and try to find compromise solutions for the points in dispute.

45. Mr. FLOWERREE (United States of America) and Mr. SUMMERHAYES (United Kingdom) hoped the next meeting of the Committee would be held as early as possible; the purpose of the Committee was not to try to find compromise solutions, but to prepare a report which faithfully reflected the various views of delegations.

46. Mr. MAINA (Kenya) said that he also thought the Committee should meet as soon as the list of amendments was ready.

47. Mr. EL BARADI (Egypt) pointed out that since there was no question of reopening a substantive discussion, it would be more logical and quicker to ask the secretariat to spend the whole of the afternoon preparing a new version of the draft report which would take into account the various amendments proposed. Delegations would then have time to hold consultations before meeting the following morning to study that new version.

48. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) said he could not agree with the representatives of the United States and the United Kingdom. There was, of course, no question of preparing a final document, but delegations had interpreted differently what had taken place in the course of the discussion. The solution suggested by Egypt seemed logical; when preparing the new, remodelled version, the secretariat could leave pending the few paragraphs concerning which it had not been possible to overcome differences of opinion.

49. Mr. MAINA (Kenya) was in favour of that suggestion but thought the secretariat should be encouraged to take advantage of the time available in order to try to draft a complete version, even suggesting solutions for the points in dispute.

50. The CHAIRMAN suggested that the secretariat should be allowed the afternoon to draft the new version; delegations and groups of delegations could take advantage of that time to meet and seek to harmonize their viewpoints; the Committee would then have before it, the following morning, a new version which took those consultations into account.

51. It was so decided.

The meeting rose at 1.40 p.m.

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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26 March 1980
ENGLISH
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COMMITTEE OF THE WHOLE

SUMMARY RECORD OF THE NINTH MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 18 March 1980, at 10.30 a.m.

Chairman:

Mr. VOUTOV

(Bulgaria)

CONTENTS

Consideration of the draft report of the Committee of the Whole (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

The meeting was called to order at 11.10 a.m.

CONSIDERATION OF THE DRAFT REPORT OF THE COMMITTEE OF THE WHOLE (continued)
(DWC/CONF.I/CRP.1/Rev.1)

1. The CHAIRMAN introduced the revised version of the draft report and proposed, in order to save time, that it should be considered paragraph by paragraph.

Paragraphs 1-6

2. Paragraphs 1-6 were adopted.

Paragraphs 7-8

3. The CHAIRMAN said that four alternative texts for the two paragraphs had been proposed but a consensus had apparently been reached on the fourth alternative, subject to the words "it was" in the last sentence being replaced by the word "they". If that alternative was adopted, paragraph 8 would be omitted.

4. Paragraph 7, as amended, was adopted.

Paragraph 9

5. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) proposed that in the last sentence the word "events" should be replaced by the word "developments", in order to conform to normal usage.

6. Paragraph 9, as amended, was adopted.

Paragraphs 10-12

7. Paragraphs 10-12 were adopted.

Paragraph 13

8. Mr. GREKOV (Byelorussian Soviet Socialist Republic) said that it would be more correct in the last sentence to say "Other participants" rather than "Another participant".

9. Paragraph 13, as amended, was adopted.

Paragraph 14

10. Ms. SEGARRA (Secretary-General of the Conference) said that in the second sentence the words "microbial and toxin agents" should be replaced by "toxins and microbial agents".

11. Paragraph 14, as amended, was adopted.

Paragraph 15

12. Mr. MIKULAK (United States of America) considered that in the existing text the wording of the first sentence gave the impression that the opinion expressed therein was that of the Conference. It would be more correct to say "it was widely noted" instead of "it was generally recognized".

13. Mr. MARK (Switzerland) pointed out that the heading "Articles V-VII" had been omitted before paragraph 15.

14. Paragraph 15, as amended, was adopted.

Paragraph 16

15. Paragraph 16 was adopted.

Paragraph 17

16. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) considered that the word "amendments" in the last sentence should be in the singular.

17. Paragraph 17, as amended, was adopted.

Paragraph 18

18. Paragraph 18 was adopted.

Paragraph 19

19. Paragraph 19 was adopted.

Paragraph 20

20. Mr. BASHIR (Pakistan) noted that the Mongolian delegation's proposal had been incorporated in paragraph 26, even though his delegation had expressed the view that it would be preferable to avoid excessively direct references. He therefore requested that reference should be made in the body of paragraph 20 to the relevant statement by his delegation and proposed that the following sentence should be added after the first sentence: "One participant referred to certain reports alleging the use of chemical weapons in certain regions of the world".

21. Mr. BAYART (Mongolia) explained that his delegation's only concern was to strengthen the Biological Weapons Convention. A convention could not be effective unless all States accepted and approved it. It was therefore of the greatest importance that States possessing substantial military arsenals and the nuclear-weapon States should accede to the Biological Weapons Convention. Contrary to what the delegation of Pakistan seemed to think, there was a direct link between the Convention and the nuclear Powers. Those Powers were all permanent members of the Security Council, and they therefore bore primary responsibility for maintaining international peace and security. If the Convention was indeed a

first step towards international peace and security, as had been claimed, it followed that the permanent members of the Security Council must accede to it. However, in order to avoid delaying the work of the Committee, his delegation would agree to the replacement of the words "nuclear weapons States" in paragraph 26 by the words "the permanent members of the Security Council".

22. Mr. DUMEVI (Ghana) reminded members that the goal sought was to ensure the universality of the Convention. In his opinion, therefore, not too much significance should be attached to the reference made in paragraph 26, on the proposal of the Mongolian delegation, to the scientifically and technically advanced States and the nuclear-weapon States. If those terms were deleted, paragraph 26 would nonetheless reflect the objective sought, namely, universal accession to the Convention.

23. Mr. BAYART (Mongolia) said that he still did not see the connexion between the proposal by the delegation of Pakistan and the proposal which his own delegation had made at the previous meeting. Did the delegation of Pakistan mean that it opposed the accession of the nuclear Powers to the Convention? If so, a sentence to that effect could be added.

24. Mrs. BOROTOWSKY (Cuba) said she failed to understand the Pakistan delegation's point, since paragraph 26 took account of its suggestion. In any case, Pakistan was not, as far as anyone knew, a nuclear Power or a militarily powerful State. What was certain was that many delegations had expressed the idea in question and it was therefore logical to reflect it in paragraph 26. Furthermore, paragraph 20 concerned only chemical weapons and her delegation could not see why paragraph 26 was being discussed at present. The text of paragraph 20 gave a perfectly accurate account of the Committee's deliberations and there was no need to change it.

25. The CHAIRMAN said that there was no point in pursuing the discussion. Paragraph 26 had been drafted in such a way as to take account of the Mongolian delegation's statement. As for paragraph 20, the delegation of Pakistan had proposed an amendment on which the Committee must take a decision.

26. Mr. MIKULAK (United States of America) said that he was not satisfied with the wording of the first sentence of paragraph 20. Instead of "the predominant view" it would be more correct to say "many participants expressed the view". Other participants had in fact expressed a contrary view and that should also be taken into account, for example by inserting after the first sentence the following sentence: "Others expressed the view that the provision was being effectively implemented". Since the following sentence had been supported by a large number of delegations, the opening words might be amended to read: "The view was widely expressed that the conclusion of an agreement ...".

27. Mr. BAYART (Mongolia) agreed to the proposal by Pakistan, since that appeared to be the wish of the Committee. He requested the Pakistan representative to agree in turn to his own proposal concerning article XIV as reflected in paragraph 26.

28. Mrs. FREYRE-PENABAD (Argentina) raised the question whether the Committee wished to retain both the seventh and eighth sentences of paragraph 20 or only one of them. If both were retained, it would be more accurate to delete the words "A number of other participants" from the beginning of the eighth sentence since in fact only one delegation had expressed that view, which had been supported by a few others.

29. Mr. SARAN (India) pointed out that certain delegations had expressed the opinion that the Committee on Disarmament need not await the outcome of the bilateral negotiations between the Soviet Union and the United States before holding negotiations on chemical weapons. To take account of that fact, a sentence on the following lines should be added after the seventh sentence of paragraph 20: "Other participants took the view that such multilateral negotiations in the Committee on Disarmament need not await the conclusion of the bilateral negotiations". As to the eighth sentence of paragraph 20, he was not sure that it was necessary.

30. Mr. SUMMERHAYES (United Kingdom) requested that the eighth sentence should be retained because it embodied the essence of his delegation's statements.

31. Mr. SARAN (India) said that if the eighth sentence of paragraph 20 was retained, the seventh sentence should be replaced by the following text: "A number of participants considered that the ongoing bilateral negotiations between the USSR and the United States on chemical weapons should be intensified and thus contribute to the multilateral negotiations in the Committee on Disarmament.". That sentence would be followed by the sentence he had proposed in his preceding statement.

32. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to adopt the amendments proposed by the United States delegation to the first two sentences of paragraph 20.

33. It was so decided.

34. Mr. SARAN (India), at the invitation of the Chairman, read out the seventh sentence of paragraph 20, as amended in accordance with his proposal, and the sentence which he had proposed for inclusion before the existing eighth sentence of paragraph 20.

35. Mr. QUEIROZ DUARTE (Brazil) supported the amendments proposed by the Indian representative but pointed out that there were now two sentences starting with the words "A number of participants". That gave the impression that the number of participants which had supported those differing views was the same. The opening words of the existing eighth sentence should therefore be changed.

36. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to adopt the two sentences proposed by the representative of India.

37. It was so decided.

38. Paragraph 20, as amended was adopted.

Paragraph 21

39. Paragraph 21 was adopted.

Paragraph 22

40. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) pointed out that, in order to be consistent with the observations his delegation had made the previous day, the beginning of the penultimate sentence of paragraph 22 should read: "Another proposal, which was supported by a number of delegations ...".

41. Paragraph 22, as amended, was adopted.

Paragraph 23

42. Paragraph 23 was adopted.

Paragraph 24

43. Mr. LEGG (Canada) proposed that the words "in this context" should be replaced by the words "inter alia" in order to avoid giving the impression that the Conference was concerned solely with assessing rapid technical and scientific developments.

44. Paragraph 24, as amended, was adopted.

Paragraph 25

45. Paragraph 25 was adopted.

Paragraph 26

46. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) saw no point in the last sentence of the paragraph and proposed that it should be deleted.

47. It was so decided.

48. Mrs. FREYRE-PENABAD (Argentina) said that if the Mongolian delegation maintained its suggestion that the words "nuclear weapons States" should be replaced by "the permanent members of the Security Council", her delegation would support it.

49. Mr. BAYART (Mongolia) pointed out that he had made his suggestion merely in an effort to meet the wishes of the delegation of Pakistan. He himself preferred the words "nuclear weapons States".

50. Mrs. FREYRE-PENABAD (Argentina) proposed that the words "nuclear weapons States" should be replaced by the words "the permanent members of the Security Council", since all the permanent States members of the Security Council were nuclear-weapon States and, in their capacity as permanent members of the Security Council, they had a duty to become parties to a convention on disarmament.

51. Mr. MAINA (Kenya) considered that the term "nuclear weapons States" was preferable to the term "the permanent members of the Security Council" because it was less restrictive.

52. Mr. PISSAS (Cyprus) felt that it would be better to keep the existing wording since it concerned any State which might subsequently become a nuclear-weapon State, and not only the permanent members of the Security Council.

53. Mrs. FREYRE-PENABAD (Argentina) withdrew her proposal.

54. The CHAIRMAN said that, if there was no objection, he would take it that the Committee wished to adopt paragraph 26 with the amendment proposed by the Soviet representative.

55. Paragraph 26, as amended, was adopted.

Paragraph 27

56. Paragraph 27 was adopted.

Paragraph 28

57. Mr. MIKULAK (United States of America) considered that the first sentence of the paragraph should be amended in order to reflect more accurately the discussion which had taken place in the Committee. He proposed that the words "a review procedure ensured an adequate mechanism for assessing the implementation" should be replaced by the words "a review procedure was an important mechanism for".

58. Mr. OLUMOKO (Nigeria) said the wording proposed did not take into account the opinions expressed by his delegation. He therefore proposed that the following two sentences should be added to paragraph 28: "The view was expressed that developments in science and technology make a future review of the Biological Weapons Convention necessary. The view was also expressed that parallel negotiations on chemical weapons should be borne in mind with a view to providing mechanisms for improving the implementation of the Biological Weapons Convention."

59. Mr. QUEIROZ DUARTE (Brazil) observed that the first sentence proposed by the Nigerian delegation corresponded to the proposals made by his own delegation the previous day.

60. Paragraph 28, as amended, was adopted.

Paragraphs 29 and 30

61. Paragraphs 29 and 30 were adopted.

62. The draft report (BWC/CONF.I/CRP.1/Rev.1) as a whole, as amended, was adopted by consensus.

63. The CHAIRMAN said that the Committee had made an effective contribution to the work of the Conference. The exchange of views had shown that there had been no violation of the Convention and that for most delegations it remained a viable international instrument with a special significance in the field of disarmament. It was to be hoped that the Conference would help to encourage all countries to become parties to the Convention. The discussions had helped to build up mutual confidence and would undoubtedly strengthen confidence in other disarmament agreements. It had been felt that future review conferences might be held on the initiative of the States parties to the Convention. Many delegations were anxious that other types of weapons of mass destruction should be effectively banned and placed under international control. The goodwill shown by delegations would have a positive effect on other disarmament problems. It was particularly gratifying to note that the needs and interests of the developing countries had received the necessary degree of understanding and that no one had opposed the peaceful use of microbiology. Co-operation in that field would contribute to collaboration and confidence among States and to international security.

The meeting rose at 12.25 p.m.

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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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

(Geneva, 3-21 March 1980)

COMMITTEE OF THE WHOLE

SUMMARY RECORDS OF THE 1ST TO 9TH MEETINGS

held at the Palais des Nations, Geneva,
from 11 to 18 March 1980

Corrigendum

The present document contains the corrections received from delegations and from the Secretariat applying to the English text of the summary records of the meetings of the Committee of the Whole of the Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction (BWC/CONF.I/C/SR.1-9).

With the issuance of this corrigendum, the summary records of the above-mentioned meetings are to be considered as final.

1st meeting

Paragraph 1

In the last sentence the references to the articles of the Convention should be in Roman numerals.

Paragraph 3

In the first sentence the reference to the articles of the Convention should be in Roman numerals.

3rd meeting

Paragraph 6

In the third sentence, the words "might stipulate" should read "should stipulate".

In the fourth sentence, the words "might draw upon" should read "should draw upon".

Paragraph 25

The name of the speaker should read "Mr. de LAIGLESIA".

4th meeting

Paragraph 4

The paragraph should read as follows:

4. Mr. CACERES (Mexico) stated that despite the fact that eight years had already elapsed since the Convention had been opened for signature, the "early agreement" referred to in Article IX of the Convention had not yet become a reality and that the Conference should reflect in the final document its deep regret of that and, at the same time, urge all the States members of the Committee on Disarmament, in particular those whose Governments act as Depositaries of the Convention to take advantage of the establishment by the Committee of an Ad Hoc Working Group on Chemical Weapons for the prompt negotiation and conclusion of a convention to ensure the total elimination of chemical weapons.

Paragraph 28

The paragraph should read as follows:

28. Mr. WHITE (New Zealand) said that his delegation had listened with considerable interest to the Swedish and United Kingdom proposals to improve the complaints procedures of the Convention. The Conference should make every effort to reach the broadest possible agreement on that question and his delegation's preliminary assessment was that the United Kingdom proposal was more likely to receive broad support. He hoped, however, to have another opportunity to speak on the matter when the two proposals were submitted in writing.

5th meeting

Paragraph 12

The name of the speaker should read "Mr. HERDER".

Paragraph 13

The name of the speaker should read "Mr. ERDEMBILEG".

Paragraph 19

The name of the speaker should read "Mr. BASHIR".

Paragraph 26

In the penultimate sentence, the reference "CC/352" should read "CCD/352".

Paragraph 28

The name of the speaker should read "Mr. KOCHUBEY".

6th meeting

Paragraph 18

At the end of the second sentence, the reference in brackets should read "(BWC/CONF.I/4, pp. 28-30)".

8th meeting

Paragraphs 25, 34 39 and 47

The name of the speaker should read "Mr. EL BARADEI".

ANNEX I

LIST OF PARTICIPANTS

A. STATES PARTIES

ARGENTINA

Representante

S.E. Sr. Alberto Felipe DUMONT, Embajador, Misión Permanente, Ginebra, Representante de la República Argentina ante el Comité de Desarme

Representante alterno

Srta. Nelly María FREYRE PENABAD, Ministro Plenipotenciario, Misión Permanente, Ginebra

Asesor

Sr. Raúl Carlos FERNANDEZ, Ministerio de Defensa, Buenos Aires

AUSTRALIA

Representative

H.E. Dr. L.D. THOMSON, M.V.O., Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representative

Mrs. Merry S. WICKES, Permanent Mission, Geneva

AUSTRIA

Representative

Dr. Winfried LANG, Deputy Permanent Representative, Permanent Mission, Geneva

Alternate Representatives

Dr. Friedrich GRIESSLER, Director, Ministry for National Defence, Vienna
Mr. Karl LIKO, Colonel, Ministry for National Defence, Vienna

BELGIUM

Représentant

S.E. M. André ONKELINX, Ambassadeur, Représentant permanent auprès de l'Office des Nations Unies à Genève

Conseillers

M. Philippe BERG, Service du Désarmement et Contrôle de l'armement, Ministère des Affaires étrangères, Bruxelles
M. Jean-Marie NOIRFALISSE, Premier Secrétaire, Mission permanente, Genève

BRAZIL

Representative

H.E. Mr. Celso Antonio de SOUZA e SILVA, Ambassador, Representative of Brazil to the Committee on Disarmament

Alternate Representative

Mr. Sergio de QUEIROZ DUARTE, Minister Plenipotentiary, Deputy Representative of Brazil to the Committee on Disarmament

Adviser

Mr. Pedro Henrique LOPES BORIO, Second Secretary, Department of International Organizations, Ministry for External Relations, Brasilia

BULGARIA

Representative

H.E. Dr. Petar VOUTOV, Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representatives

Mr. Gery GAVRILOV, Counsellor, Ministry for Foreign Affairs, Sofia
Mr. Kliment PRAMOV, Attaché, Ministry for Foreign Affairs, Sofia

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Representative

H.E. Mr. Vladimir GREKOV, Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representative

Mr. Sergei KHMELNITSKY, First Secretary, Ministry for Foreign Affairs, Minsk

CANADA

Representative

H.E. Mr. Donald S. McPHAIL, Ambassador, Permanent Representative to the United Nations and to the Committee on Disarmament, Geneva

Alternate Representative

Mr. Jacques T. SIMARD, Counsellor, Permanent Mission to the United Nations and to the Committee on Disarmament, Geneva

Adviser

Mr. Jon LEGG, Counsellor, Office of the Adviser on Disarmament and Arms Control Affairs, Department of External Affairs, Ottawa

CUBA

Representante

S.E. Dr. Luis SOLÁ VILA, Embajador, Representante Permanente ante la Oficina de las Naciones Unidas en Ginebra

Representantes Suplentes

Sr. Frank ORTIZ R., Consejero, Misión Permanente, Ginebra
Sra. Vera BORODOWSKY J., Especialista, Dirección Organismos Internacionales, Ministerio de Relaciones Exteriores, Habana

CYPRUS

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H.E. Mr. Andreas Ch. POUYOUIROS, Ambassador, Permanent Representative to the United Nations Office at Geneva
Mr. Michael N. PISSAS, Deputy Permanent Representative, Permanent Mission, Geneva

CZECHOSLOVAKIA

Representative

H.E. Dr. Miloslav RŮŽEK, Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representative

Dr. Evžen ZÁPOTOCKÝ, Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva

Advisers

Mr. Pavel LUKEŠ, Counsellor, Federal Ministry for Foreign Affairs, Prague
Mr. Jan JIRUSEK, Third Secretary, Permanent Mission, Geneva

DENMARK

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Advisers

Mr. Michael WAGTMANN, First Secretary, Permanent Mission, Geneva
Mr. Allan CHRISTENSEN, Head of Section, Ministry for Foreign Affairs
Mr. Jørgen LEERHØY, Head of Department, National Serum Institute, Copenhagen

DOMINICAN REPUBLIC

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S.E. Sr. Homero L. HERNANDEZ, Embajador, Representante Permanente ante la
Oficina de las Naciones Unidas en Ginebra

Representante Suplente

Sr. Miguel A. NÚÑEZ ARIAS, Primer Secretario, Misión Permanente, Ginebra

ECUADOR

Representante

S.E. Sr. Rodrigo VALDEZ, Embajador, Representante Permanente ante la Oficina
de las Naciones Unidas en Ginebra

Representante Suplente

Sr. Fernando TRAVERSARI, Primer Secretario, Misión Permanente, Ginebra

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Representative

H.E. Mr. Tadesse TERREFFE, Ambassador, Permanent Representative to the
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Alternate Representative

Mr. Fisseha YOHANNES, First Secretary, Permanent Mission, Geneva

FINLAND

Representative

H.E. Mr. Esko RAJAKOSKI, Ambassador, Ministry for Foreign Affairs, Helsinki

Alternate Representatives

Mr. Paavo KEISALO, Minister-Counsellor, Permanent Mission, Geneva
Mr. Juhani MUHONEN, Counsellor, Ministry for Foreign Affairs
Mr. Frank EDMAN, Attaché, Permanent Mission, Geneva

GERMAN DEMOCRATIC REPUBLIC

Representative

H.E. Dr. Gerhard HERDER, Ambassador, Permanent Representative to the United Nations
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Advisers

Miss Sigrid VÖLCKER, Attaché, Permanent Mission, Geneva
Mr. Jürgen DEMBSKI, Attaché, Ministry for Foreign Affairs, Berlin

GHANA

Representative

H.E. Mr. James-Victor GBEHO, Ambassador, Permanent Representative to the
United Nations Office at Geneva

Alternate Representatives

Mr. Nelson K. DUMEVI, Deputy Permanent Representative, Permanent Mission, New York
Mr. Emmanuel-Okai VANDERPUYE, Counsellor, Permanent Mission, Geneva

GREECE

Representative

Mr. Mercure CARAFOTIAS, Secretary of Embassy

HUNGARY

Representative

H.E. Dr. Imre KOMIVES, Ambassador, Permanent Representative to the United Nations
Office at Geneva

Advisers

Mr. Csaba GYOERFFY, Second Secretary, Permanent Mission, Geneva
Mr. András LAKATOS, Third Secretary, Permanent Mission, Geneva

INDIA

Representative

H.E. Mr. C.R. GHAREKHAN, Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representative

Mr. Shyam SARAN, First Secretary, Permanent Mission, Geneva

Adviser

Mr. Balakrishnan SHETTY, Third Secretary, Permanent Mission, Geneva

IRAN

Representative

Mr. Mostafa DABIRI, Chargé d'affaires, Permanent Mission to the Office of the United Nations at Geneva

Alternate Representatives

Mr. Djahangir AMERI, Second Secretary, Permanent Mission, Geneva

Ms. Soussan RAADI-AZARAKHCHI, Third Secretary, Permanent Mission, Geneva

IRELAND

Representative

H.E. Mr. Sean GAYNOR, Ambassador, Permanent Representative to the United Nations Office at Geneva

Alternate Representatives

Ms. Marian O'LEARY, Deputy Permanent Representative, Permanent Mission, Geneva

Mr. Philip McDONAGH, First Secretary, Permanent Mission, Geneva

ITALY

Representative

Mr. Antonio CIARRAPICO, Minister Plenipotentiary, Alternate Permanent Representative, Permanent Mission, Geneva

Advisers

Brigadier General Carlo PRATESCHI, Permanent Mission, Geneva

Mr. Folco de LUCA, First Secretary, Permanent Mission, Geneva

JAMAICA

Representatives

Mrs. B.J. WEBSTER, First Secretary, Permanent Mission, Geneva
Miss V.E. BEYTON, Second Secretary, Permanent Mission, Geneva

KENYA

Representative

H.E. Mr. Charles Gatere MAINA, Ambassador, Permanent Representative to the
United Nations, New York

Alternate Representative

Mr. Simeon SHITEMI, Counsellor, Permanent Mission, New York

Adviser

Mr. George N. MUNIU, Adviser, Ministry for Foreign Affairs, Nairobi

KUWAIT

Representative

H.E. Mr. Hassan Ali AL-DABBAGH, Ambassador, Permanent Representative to the
United Nations, Geneva

Alternate Representatives

Mr. Abdul Aziz AL-MUSSA, First Secretary, Permanent Mission, Geneva
Mr. Abdul Aziz AL-DUEJ, Second Secretary, Permanent Mission, Geneva

LUXEMBURG

Représentant

S.E. M. Jean RETTEL, Ambassadeur, Représentant Permanent auprès de l'Office
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World Association of World Federalists

Mr. James Avery JOYCE
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World Young Women's Christian Association

Dr. Alice ARNOLD
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Mr. G. Efimov Secretary of the Credentials Committee

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Miss W. Gibson Secretary

Mrs. A. Sievers-Wilson Secretary

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BWC/CONF.I/2	Provisional Rules of Procedure
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BWC/CONF.I/4 and Add.1	Background Paper relating to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction
BWC/CONF.I/5	Report of the Preparatory Committee for the 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 - Background paper submitted by the Depositary Governments on new scientific and technological developments relevant to the Convention
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BWC/CONF.I/DC/CRP.1	Draft Elements of the Final Declaration Working paper submitted by Brazil, Bulgaria, India, Sweden and the United Kingdom
BWC/CONF.I/DC/CRP.1/Add.1	Draft Elements of the Final Declaration - Proposal submitted by Argentina, Mexico, Pakistan and Venezuela
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Report of the Drafting Committee

BWC/CONF.I/10

Final Document of the 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