

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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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. TERROFFE (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 XIII 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. FREYRE 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.

