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)

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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. Gebo (Ghana) and Mr. Adeniji (Nigeria) from Africa; Mr. Al-Dabbagh (Kuwait) and Mr. Maraker (Pakistan) from Asia; Mr. Dumont (Argentina), Mr. Valdez (Ecuador) and Mr. Tayhardat (Venezuela) from Latin America; Mr. Voutov (Bulgaria), Mr. Kórmíves (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 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.1/5), 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 considerable 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.1/4), 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. ENR (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 4.30 p.m.