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

SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva, on Friday 26 September 1986, at 10 p.m.

President: Mr. LANG (Austria)

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The meeting was called to order at 10:05 p.m.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE

(b) REPORT OF THE CREDENTIALS COMMITTEE (BWC/CONF.II/10 and Add.1 and Corr.1)

1. The PRESIDENT invited Mr. Afande (Kenya), Chairman of the Credentials Committee, to introduce the Committee's report (BWC/CONF.II/10 and Add.1 and Corr.1).

2. Mr. AFANDE (Kenya), Chairman of the Credentials Committee, said that the Committee had accepted the credentials of the representatives of the participating States referred to in the Secretary-General's memorandum of 23 September 1985 subject to the reservation expressed in paragraph 6 of document BWC/CONF.II/10. The report of the Credentials Committee (BWC/CONF.II/10 and Add.1 and Corr.1) had been unanimously adopted. He thanked the members of the Committee and Secretariat who had assisted in its preparation.

3. The PRESIDENT thanked the Chairman of the Credentials Committee. If there was no objection, he would take it that the Conference took note of the Committee's report.

4. It was so decided.

5. Mr. Hac Takei NGO (Democratic Kampuchea), speaking with reference to his delegation's representation, said that one delegation's view as referred to in paragraph 6 of the report of the Credentials Committee (BWC/CONF.II/10) represented a serious and arrogant challenge to General Assembly resolution 40/7 concerning Kampuchea. In that resolution, which had had the support of 114 countries, the General Assembly called for the withdrawal of foreign forces from Kampuchea, while at the same time taking note of the legality and legitimacy of the coalition Government in Democratic Kampuchea, and of its effectiveness throughout the country.

REPORT OF THE DRAFTING COMMITTEE (agenda item 13)

PREPARATION AND ADOPTION OF THE FINAL DOCUMENT (agenda item 14) (BWC/CONF.II/11)

6. The PRESIDENT said that, owing to lack of time, the report of the Drafting Committee (BWC/CONF.II/11) had been issued in English only. He invited Mr. Butler (Australia), Chairman of the Drafting Committee, to introduce the report.

7. Mr. BUTLER (Australia), Chairman of the Drafting Committee, said that the adoption of the Committee's report had been the outcome of detailed and exhaustive consultations during which delegations had made clear their commitment to the objectives of the Convention and their determination to ensure its implementation and strengthening. The following working method had been adopted: three consultative groups had been convened under the chairmanship of the representatives of the German Democratic Republic, Norway and Sweden respectively. Of all those who had taken part in the preparation of the report, which represented a major achievement, he wished in particular to thank the representative of Sweden, and the representative of Bulgaria who
had acted as Vice-Chairman of the Committee. The Drafting Committee's report having been adopted by consensus that afternoon, he trusted that the Conference would swiftly proceed to its final adoption.

8. The PRESIDENT, thanking the Chairman of the Drafting Committee, said that the Final Document, a draft of which was attached to the Committee's report, would consist of four parts: part I: organization and work of the Conference; part II: Final Declaration; part III: Report of the Committee of the Whole; and part IV: summary records of the plenary meetings of the Conference. He invited the Conference to take note of the report of the Drafting Committee (E/CN.2/II/11) and then to consider the draft Final Document attached thereto.

9. It was so decided.

10. The PRESIDENT, said that, as stated in paragraph 34 of the draft Final Document annexed to the Drafting Committee's report (E/CN.2/II/11), the summary records of the plenary meetings of the Conference would be contained in part IV of that Document. Any delegations wishing to make corrections to the summary records should send them to the Official Records Editing Section, as indicated on the cover page, for inclusion in the Final Document.

11. The draft Final Declaration contained in part II was a compromise text which had been agreed on after arduous negotiations. It had been issued in English only; the other language versions would be issued in the course of the following week. Delegations wishing to make corrections to the Final Declaration in the other working languages should communicate them in writing to the Secretariat.

12. He invited the Conference to consider part I of the draft Final Document entitled "Organization and work of the Conference". Noting that there were no comments on part I, he suggested that the Conference should adopt it.

13. It was so decided.

14. The PRESIDENT invited the Conference to consider part II entitled "Draft Final Declaration". At the end of part II, reference was made to a list of the proposals submitted to the Conference. That list had not in fact been reproduced in the annex to the Drafting Committee's report, but had recently been circulated on a separate sheet without a symbol. Noting that there were no comments on part II, he suggested that the Conference should adopt it.

15. It was so decided.

16. The PRESIDENT said that, if there was no comment, he would take it that the Conference formally adopted the Final Document, the text of which was annexed to the Drafting Committee's report (E/CN.2/II/11).

17. It was so decided.

18. The PRESIDENT gave the floor to delegations wishing to speak after the adoption of the Final Document.
19. **Mr. ISSRASHLYAN** (Union of Soviet Socialist Republics) said the Second Review Conference had proved that the Convention was still an effective arms limitation instrument. The Conference had displayed a constructive spirit, despite certain moves prompted by a desire for confrontation. Many proposals had been submitted, over one third of them by socialist countries. The majority of those proposals were designed to strengthen the Convention and, in particular, its verification mechanism. Rapid effect must now be given to the constructive ideas put forward during the Conference, particularly regarding the appointment of a group of technical experts and the organization of a special conference on verification mechanism. Such mechanism should in his delegation's view be combined with international legal obligations. In that connection, it was a matter of regret to him that States which claimed to be the champions of verification had not agreed that a special conference should be convened with a view to the adoption of a protocol on the question.

20. The unanimous adoption of the Final Document was, however, a positive achievement and the USSR, for its part, was ready to co-operate with all countries that were genuinely determined to strengthen the Convention and to take action to that end rather than being content with mere words. Specifically, it would co-operate with all the other depositary States with a view to the adoption of practical and relevant measures.

21. He expressed appreciation in particular to the President for his conduct of the work of the Conference and to Mr. Butler and Mr. Afande, chairman of the Drafting Committee and the Credentials Committee respectively. He also thanked Miss Levin, the Secretary-General of the Conference, and the other members of the Secretariat, as well as all his colleagues who had worked for the success of the Conference.

22. **Mr. FAN Gaoxiang** (China) said that the Second Review Conference had again considered matters of crucial interest for the whole of mankind. At times the discussion had been bitter but, through consultations and the determination of all delegations to work in a spirit of constructive compromise, a consensus had been achieved. There was thus every reason to be satisfied with the positive results of the Conference. He welcomed in particular the provisions adopted concerning the implementation of articles V and X of the Convention, which in his view represented the Conference's most outstanding achievements.

23. He thanked the chairmen of the subsidiary bodies, the Secretary-General of the Conference, the Secretariat and, above all, the President of the Conference, all of whom had contributed by their efforts to the success of the Conference.

24. **Mr. LOWITZ** (United States of America) said that his delegation welcomed the successful conclusion of the Second Review Conference. Throughout the discussions, it had endeavoured to adopt an approach that was both critical and constructive, and it was in that context that he had made clear his conviction that the Convention had been violated. He noted in that connection that the Final Declaration reflected the grave doubts of several Parties about compliance with the most basic provisions of the Convention and that the Conference as a whole had stressed the need to deal seriously with compliance issues.
25. Recognizing the importance of the norm established by the Convention, the United States had joined in recommending several measures intended to strengthen that norm, particularly within the context of article V. It trusted that these measures would be fully implemented by all parties to the Convention and would thus lead to greater international transparency and openness with regard to the Convention.

26. He thanked the President of the Conference, the chairmen of the subsidiary bodies, the Secretary-General of the Conference, the Secretariat and Conference Services, which had contributed to the success of the Conference. He also paid a tribute to the efforts made by the leaders of the co-ordinating groups and, in particular, by Mr. Lundbo of Norway.

27. Mr. SHAFFI (Islamic Republic of Iran) welcomed the Conference's adoption of a Final Declaration by consensus. He regretted, however, that the Declaration failed to condemn in clearer and stronger terms the use of chemical weapons by Iraq, particularly since cases of such use were well-documented and had been confirmed by United Nations missions. He also noted with regret that, in the course of the Conference, one of the States Parties to the Convention had endeavoured to obstruct such a condemnation.

28. Mr. EDIS (United Kingdom) joined other delegations in thanking the President of the Conference for the skill and patience with which he had brought the Second Review Conference to a successful conclusion; in that task, he had been ably assisted by the chairmen of the subsidiary bodies and had received admirable support from the Secretariat.

29. He welcomed the successful outcome of the Conference and the following positive aspects in particular: the firm reaffirmation of the value of the Convention; agreement on strengthening measures, which would be followed up at an expert meeting in the spring of 1987; recognition of the importance of the outcome of the negotiations for a ban on chemical weapons; and lastly, the decision to convene a Third Review Conference at an early date, with a view to considering further strengthening measures and the possibility of legally-binding improvements to the Convention.

30. Mr. AL-KADMI (Iraq) said that he was gratified at the spirit of co-operation which had prevailed throughout the Second Review Conference; it was at least the sign of a genuine wish, on the part of all States Parties, to comply fully with the provisions of the Convention. Bearing in mind that the scourge of war had long afflicted mankind, he called upon all participants to put an end to all armed conflicts which ravaged the world, in the hope that it would be possible to establish peace in 1986, proclaimed by the General Assembly as the International Year of Peace.

31. Mr. MASARWEH (Jordan), noting with satisfaction that the Conference had been successful, thanked the President for the part he had played in that respect. As for the reference made by the representative of the Islamic Republic of Iran during his statement, to one of the States Parties, the Jordanian delegation had never obstructed the adoption by consensus of any part of the Final Declaration. The Iranian delegation, had had ample opportunity during the Conference to express its views on the implementation of article VIII of the Convention - views which the majority of States Parties did not share.
32. **Mr. LUNDBO** (Norway), speaking as co-ordinator of the group of Western countries, paid a tribute to the President, who had conducted the work of the Review Conference in a most able way and who, by his discreet and efficient management, had enabled a meaningful Final Document to be adopted by consensus. He also expressed appreciation to the chairmen of the subsidiary bodies for their skilful conduct of the work of their respective Committees, and to the Secretary-General of the Conference and Conference Services, without whom the Review Conference would not have reached a successful conclusion.

33. **Mr. MEISZTER** (Hungary) noted with satisfaction that, after sometimes difficult negotiations, the Conference had none the less managed to adopt a Final Declaration by consensus. He was convinced that the success of the Second Review Conference would, in addition to strengthening the Convention, have a beneficial effect on the entire disarmament process. Speaking on behalf of the delegations of the socialist countries, he paid a tribute to the President of the Conference, who had secured the collaboration and mutual understanding of delegations throughout its work. He expressed the appreciation of the Socialist countries to the chairmen of the subsidiary bodies, who had laid the foundation for the positive results achieved, and thanked the Secretary-General, the Secretariat and Conference Services.

34. **Mr. TEJA** (India), speaking on behalf of the group of neutral and non-aligned countries and other countries, said that, after three weeks of intensive and sometimes difficult debate marked by alternating hopes and doubts, the Conference had displayed the necessary will to preserve the main objectives of the Convention and to strengthen the régime established by it. He welcomed the adoption of a Final Declaration, which contained many positive elements, particularly regarding the implementation of article X. He paid a tribute to the President, who had contributed in large measure to the success of the Conference, and also to the chairmen of the three Committees, who, with skill and patience, had performed the tasks entrusted to them within the time allotted. He thanked the three group co-ordinators for their valuable support, and the Secretariat and Conference Services for their work.

35. The **President** said that a brief look backward seemed justified. To start with, participants had endeavoured to express their views on the Convention, on its past and future. That general discussion had been followed by a brain-storming phase which had been marked by a wealth of proposals and suggestions. Sorting them out and reflecting them in the report of the Committee of the Whole had been no easy task. The final phase had proved even more difficult, however; choices had had to be made and priorities assigned. At times, many delegations had felt close to failure, but the numerous bilateral consultations and efforts made by middle-of-the-road delegations had put the Conference back on the right track. The sense of innovation and spirit of accommodation essential for success had been present in many delegations.

36. In assessing the results of the Conference, one must be fully aware of the particular features of the Convention and its review process. It was a treaty that was not only a disarmament measure, but also an important element in international humanitarian law, since it gave practical substance to the general prohibition of weapons that caused unnecessary suffering. At the same time, since the Convention was highly dependent on the evolution of science, it should be a living organism as it were, capable of adapting itself to the
changing circumstances of scientific progress. Furthermore, the general international climate had not been very conducive in recent years to the maintenance among States Parties of the trust which was nevertheless essential for the functioning of any verification mechanism. However, most of the difficulties encountered during the previous three weeks had stemmed from the specific nature of review Conferences, which reflected the conviction that a treaty and the performance of the parties thereto should be subject to some kind of permanent challenge. At the end of the three weeks of review, the prevailing feeling seemed to be that the Convention was indeed alive and that its lifetime could be extended if its organs and mechanisms were strengthened and if confidence in its reliability could be reinforced. It was to be hoped that the measures agreed in the context of the Final Declaration would imbue the Convention with new strength.

37. He thanked all those delegations which throughout active negotiations, had displayed a sense of compromise, and in particular the chairman of the Committees of the Conference who had spared no effort to bring it to a successful conclusion. He expressed gratitude to Miss Levin, Secretary-General of the Conference, to the other members of the Secretariat and to Conference Services, as well as to Mr. Martenson and Mr. Berasategui, representatives of the Secretary-General of the United Nations. He hoped that, in serving as President, he had met the expectations of delegations.

The meeting rose at 11.10 p.m.