Resumed session
Geneva, 11-22 November 2002

SUMMARY RECORD OF THE 8th MEETING

Held at the Palais des Nations, Geneva, on Thursday, 14 November 2002, at 6 p.m.

President: Mr. Tibor TÓTH (Hungary)

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The meeting was called to order at 6 p.m.

PREPARATION AND ADOPTION OF THE FINAL DOCUMENT(S) (agenda item 16) (continued) (BWC/CONF.V/CRP.3 and L.1)

Draft decision (BWC/CONF.V/CRP.3)

1. The PRESIDENT said that States parties had before them the draft decision contained in document BWC/CONF.V/CRP.3, on the organization of work leading up to the Sixth Review Conference. He said that, if he heard no objection, he would take it that the Conference wished to adopt the draft decision and to include it, as paragraph 18, in the draft final report.

2. It was so decided.

Draft final report of the Conference (BWC/CONF.V/L.1)

3. The PRESIDENT drew attention to the draft final report of the Conference, contained in document BWC/CONF.V/L.1, and invited delegations to comment on the text.

4. Mr. ZAMANINIA (Islamic Republic of Iran), recalling that the Islamic Republic of Iran did not recognize the State of Israel, which was mentioned in paragraph 9 of the draft report, expressed reservations regarding that reference.

5. The PRESIDENT invited States parties to give their views on the text as a whole. He said that, if he heard no objection, he would take it that the Conference wished to adopt the final draft report of the Conference, as contained in document BWC/CONF.V/L.1.

6. It was so decided.

Draft final document of the Conference

7. The PRESIDENT said that the final document of the Fifth Review Conference would include, in addition to the Conference’s final report, three annexes, containing the Conference’s interim report, its rules of procedure and a list of the documents of the Conference. He said that, if he heard no objection, he would take it that the Conference wished to approve the draft final document, as outlined.

8. It was so decided.

Organization of work set out in paragraph 18 of the Conference’s final report

9. The PRESIDENT said that certain details of the organization of work for 2003, as set out in the final report, still needed to be finalized, such as the dates of the meeting of experts and of States parties and the chairmanship of those meetings. It was up to the depositaries of the Convention to hold consultations and to propose dates for those meetings to the States parties; under paragraph 18 (c) of the report, the group of Eastern European countries was to designate a representative to chair the meetings.
10. **Mr. PETÖCZ** (Slovakia) said that the group of Eastern European States, on whose behalf he was speaking, believed that the person best placed to steer the States parties through the initial stages of a new and different kind of process, namely, the meetings of experts and of States parties in 2003, would be the person who had guided the work of the Fifth Review Conference. Accordingly, the group proposed that the Ambassador of Hungary, Mr. Tibor Tóth, should be appointed chair of the meetings of experts and of States parties in 2003.

11. **The PRESIDENT** said that, if he heard no objection, he would take it that the Conference approved the appointment.

12. **It was so decided.**

13. **The PRESIDENT** said that the Conference would be required to give its views on the cost estimates for meetings of States parties in 2003, 2004 and 2005, once States parties had had the time to consider the relevant document (BWC/CONF.V/14).

**CLOSING STATEMENTS BY DELEGATIONS**

14. **Mr. GOOSEN** (South Africa) said that the group of the Non-Aligned Movement and other States, on whose behalf he was speaking, had been deeply disappointed by the results of the Fifth Review Conference.

15. At the ministerial meeting of the Coordinating Bureau of the Non-Aligned Movement held in Durban, South Africa, in 2002, the ministers had reaffirmed their determination that the possibility of any use of biological weapons should be completely excluded and expressed their conviction that, in view of the threat of the use of biological weapons as instruments of war and terror, there was an urgent need to strengthen the effectiveness and improve the implementation of the Convention, through multilateral negotiations aimed at concluding a non-discriminatory legally binding agreement. In their view, such an agreement was the only sustainable method of strengthening a convention that was indispensable for the maintenance of international peace and security.

16. The members of the group of the Non-Aligned Movement and other States had seen the possibility of adopting the draft protocol on verification of compliance with the Convention, that had been negotiated over so many years, snatched away from them and had then had to wait until the Fifth Review Conference was resumed for the adoption of a decision which, while it preserved the principle of multilateralism, at best only offered the potential for the necessary efforts to strengthen implementation of the Convention.

17. The members of the group of the Non-Aligned Movement and other States stressed that they had gone along with the draft decision, which had many ambiguities, in the hope that the States parties would ensure that the work required by the decision would be accomplished in a practical spirit and on the understanding that, at any time - and, in particular, at the Sixth Review Conference in 2006 - they could embark on any further work that might be required. In addition, the members of the group pointed out that the Biological Weapons Convention formed a composite whole and that, while it was possible to address related issues separately, it would be necessary for all of the inter-linked elements of the Convention - whether they related to
regulation, compliance or promotion - to be dealt with. The members of the group called on all States parties to unite in pursuing, in a constructive fashion, the limited goals of the decision that they had adopted.

18. The group of the Non-Aligned Movement and other States requested that the text of their statement should be circulated as an official document of the Conference.

19. Mr. SMITH (Australia) said that the group of western countries, on whose behalf he was speaking, welcomed the adoption of the decision by which the Fifth Review Conference had drawn up a programme of work for the period leading up to the Sixth Review Conference.

20. While the decision was inherently different from the usual products of review conferences, what really mattered was that it established a multilateral framework which would enable States parties to continue working together between successive review conferences to strengthen the effectiveness and implementation of the Convention.

21. In the view of the group of western countries, the decision as expressed in paragraph 18 of the Conference’s final report was sufficiently self-explanatory and balanced the views of all States parties. The Fifth Review Conference was therefore closing with a valuable and substantive result. His group paid tribute to the President of the Conference for the efforts that had made possible that result.

22. The group requested that its statement should be circulated as an official document of the Fifth Review Conference.

WITHDRAWAL BY A STATE PARTY OF ITS RESERVATION TO THE 1925 GENEVA PROTOCOL

23. Mr. PARK HEE-KWON (Republic of Korea) told the Conference that, on 8 October 2002, the Republic of Korea had withdrawn its reservation to the 1925 Geneva Protocol and had thereby renounced the use of biological weapons under any circumstances. By that decision, the Republic of Korea hoped to join its efforts with those undertaken by the international community in combating the proliferation of biological weapons and to boost hopes of achieving the universal adherence and effective implementation of the Geneva Protocol and the Biological Weapons Convention.

The meeting rose at 6.30 p.m.