
Geneva, 19 November-7 December 2001

SUMMARY RECORD (PARTIAL)* OF THE 1st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 19 November 2001 at 11 a.m.

Temporary President: Mr. DHANAPALA
(Under-Secretary-General
for Disarmament Affairs)

President: Mr. TÓTH (Hungary)

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* In accordance with rule 42 of the rules of procedure of the Conference, no summary records were prepared for meetings, or parts of meetings, devoted to consideration of agenda item 10 (a) - General debate.

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(a) GENERAL DEBATE

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

OPENING OF THE CONFERENCE BY THE UNDER-SECRETARY-GENERAL FOR
DISARMAMENT AFFAIRS (item 1 of the provisional agenda)

1. The TEMPORARY PRESIDENT declared open the Fifth Review Conference of the States Parties to the Conference on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

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

2. The TEMPORARY PRESIDENT drew attention to paragraph 12 of the report of the Preparatory Committee, stating that the Committee had agreed to recommend to the Fifth Review Conference that Mr. Tibor Tóth, Ambassador of Hungary, should preside over the Conference.

3. Mr. Tibor Tóth (Hungary) was elected President by acclamation.

4. The PRESIDENT thanked all delegates for the honour bestowed on him and assured them that he would do his utmost to dispatch his duties in a diligent, fair, transparent and efficient manner. It was the duty of the Review Conference to fulfil the task set for it under article XII of the Convention and, in addition, to consider a number of specific areas identified at the Fourth Review Conference in 1996, including the impact of scientific and technological developments related to the Convention, the implications of the entry into force and operation of the Chemical Weapons Convention, the effectiveness of the confidence-building measures agreed upon at the Second and Third Review Conferences and the role of the United Nations in providing resources to facilitate the effective implementation of Review Conference decisions.

5. The circumstances in which the Fifth Review Conference was required to accomplish its task differed markedly from and were more difficult than those in 1991 or 1996, the years of the Third and Fourth Review Conferences. The recent instances of bioterrorism prompted the thought that the use of biological weapons could become a fact of everyday life throughout the world, a notion which seriously undermined the prohibitions established in the Biological Weapons Convention. Furthermore, the process launched in 1991 at the Third Review Conference, which had progressed from the consideration of possible verification measures to strengthen compliance with the Convention to the launching, in 1995, of negotiations on a compliance protocol, had halted abruptly in August 2001. It was therefore up to States parties at the Fifth Review Conference to find ways of sustaining the biological weapons prohibition regime over a much longer period of time and to ensure both its authority and its permanence. Such were the expectations of the international community and he hoped that he could count on delegations to achieve these in a spirit that was both constructive and realistic.

MESSAGE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS (item 2 (b) of the provisional agenda)

6. Mr. DHANAPALA (Under-Secretary-General for Disarmament Affairs) read out a message to the Review Conference from the Secretary-General of the United Nations. In the

message, the Secretary-General said that 144 States had now entered into a commitment never, under any circumstances, to develop, produce, stockpile or otherwise acquire or retain biological or toxin weapons. They had rightly recognized that the use of biological agents and toxins as weapons would, in the words of the Convention's preamble, "be repugnant to the conscience of mankind". Preventing the use or threat of use of biological agents and toxins was more important than ever - the horrific attacks of 11 September 2001 in the United States could have been far worse if weapons of mass destruction had been used. The challenge for the international community was clear: to implement, to the fullest extent possible, the prohibition regime offered by the Convention.

7. Significant obstacles had to be overcome if that goal was to be realized. Despite great effort, the States parties had been unable to conclude work on a draft protocol that would address key issues such as the lack of a compliance mechanism, the need for increased transparency and cooperation for the peaceful uses of biotechnology. The Convention lacked universality. Only a limited number of States parties provided information as a confidence-building measure. In recent weeks, the world had seen the use of biological agents to create chaos and terror.

8. At the national level, countries must tighten their national legislation and the acquisition or use of biological weapons must be criminalized. The international community also had to be prepared to assist member States in the event that prevention failed. The United Nations, for its part, stood ready to play a coordinating role in that regard.

9. With regard to the current concerns about terrorism and the use of biological weapons, and also the difficulties faced by multilateral disarmament negotiations in general, he urged participants at the Fifth Review Conference to overcome their differences and take the crucial steps to preserve and strengthen the Biological Weapons Convention. He conveyed his best wishes for a successful conference.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda)

10. The PRESIDENT drew attention to the provisional agenda recommended by the Preparatory Committee in annex 1 of its report (BWC/CONF.V/PC/1). It was his understanding that delegations needed a little more time for the further consideration of certain elements of the draft agenda. Accordingly, he proposed that, before adopting the provisional agenda as a whole, the Conference should first consider items 1-10 (a), so as not to lose any time.

11. It was so decided.

SUBMISSION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE (item 4 of the provisional agenda) (BWC/CONF.V/PC/1)

12. The PRESIDENT, speaking as Chair of the Preparatory Committee, introduced the Committee's final report, noting with satisfaction that all the Committee's decisions and recommendations had been adopted by consensus, thanks to the spirit of goodwill and cooperation demonstrated by the participants. Particular thanks were due to the Vice-Chairs of the Committee and the coordinators of the regional groups, as well as to the secretariat staff for its help in preparing the Conference.

13. He recalled that the Preparatory Committee had decided to transmit to the Conference a document containing background information on the participation of States parties in the agreed confidence-building measures (BWC/CONF.V/2 and Corrs.), a further background information document on compliance by States parties with all their obligations under the Convention (BWC/CONF.V/3 and Add.) and a paper on new scientific and technological developments relevant to the Convention (BWC/CONF.V/4 and Add.).

ADOPTION OF THE RULES OF PROCEDURE (item 5 of the provisional agenda)

14. The PRESIDENT invited the Conference to consider the draft rules of procedure recommended by the Preparatory Committee (BWC/CONF.V./PC/1, annex II) and drew its attention to paragraphs 19 and 20 of the Committee's report, recommending adjustments to rules 5 and 8, namely, to elect a second Vice-Chair of the Drafting Committee and to enlarge the membership of the General Committee to include the Vice Chairs of the Committee of the Whole, the Drafting Committee and the Credentials Committee, the regional group coordinators and representatives of the three depositary Governments. With regard to the participation of non-governmental organizations, he recalled that the Preparatory Committee had agreed to retain paragraph 5 of rule 44 and to continue the arrangements adopted at the Fourth Review Conference, enabling non-governmental organizations to make presentations to the Conference at an appropriate time.

15. The rules of procedure, as amended, were adopted.

ELECTION OF THE VICE-PRESIDENTS OF THE CONFERENCE AND CHAIRS AND VICE-CHAIRS OF THE COMMITTEE OF THE WHOLE, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (item 6 of the draft agenda)

16. The PRESIDENT recalled that, under rule 5 of the rules of procedure and paragraph 19 of the report of the Preparatory Committee, the Conference had to elect 20 Vice Presidents, 10 members of the group of non-aligned and other States, 6 members of the Western group and 4 members of the group of Eastern European States.

17. Following consultations in the various regional groups, the following candidates had been proposed:

Group of non-aligned and other States: Brazil, China, Cuba, India, Indonesia, Libyan Arab Jamarhiriya, Malaysia, Mexico, Peru and South Africa;

Western group: Belgium, Canada, France, Germany, Republic of Korea and Sweden;

Group of Eastern European States: Bulgaria, Czech Republic, Poland and Russian Federation.

18. The States parties named were elected Vice-Presidents by acclamation.

19. The PRESIDENT said that, following consultations, it had been recommended that Mr. Reimaa (Finland) should be elected Chair of the Committee as a whole and

Mr. Labbé (Chile) and Mr. Jakubowski (Poland) Vice-Chairs. In addition it had been recommended that Mr. Aakram (Pakistan) should be elected Chair of the Drafting Committee and Mr. Lutay (Russian Federation) and Mr. Faessler (Switzerland) Vice-Chairs. Finally, it had been recommended that Mr. Soltanieh (Islamic Republic of Iran) should be elected Chair of the Credentials Committee and Mr. Sanders (Netherlands) Vice-Chair.

20. Mr. Reimaa was elected Chair and Mr. Labbé and Mr. Jakubowski Vice-Chairs of the Committee of the Whole by acclamation.

21. Mr. Akram was elected Chair and Mr. Lutay and Mr. Faessler Vice-Chairs of the Drafting Committee by acclamation.

22. Mr. Soltanieh and Mr. Sanders were elected Chair and Vice-Chair, respectively, of the Credentials Committee by acclamation.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (item 7 of the provisional agenda)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE

23. The PRESIDENT said that, under rule 3 of the rules of procedure, the Conference had also to appoint five further members of the Credentials Committee, on the proposal of the President. Following consultations with delegations, he proposed the appointment of representatives of the following five States: Australia, Colombia, Romania, Ukraine and Venezuela.

24. It was so decided.

25. The PRESIDENT reminded the delegations which had not yet done so that they should present their credentials.

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

26. The PRESIDENT informed the meeting that, in accordance with the invitation by the Preparatory Committee in paragraph 26 of its report, the Secretary-General of the United Nations had provisionally nominated Mr. Román-Morey, Director of the Geneva Branch of the Department for Disarmament Affairs, as Secretary-General of the Conference. If there were no objections, he would take it that the Conference wished to confirm Mr. Román-Morey as Secretary-General of the Conference.

27. It was so decided.

PROGRAMME OF WORK (item 9 of the provisional agenda)

28. The PRESIDENT drew attention to the indicative programme of work in annex I to document BWC/CONF.5/1. He noted the plan for the meeting on Wednesday

afternoon, 21 November 2001, to end at 4 p.m. to enable non-governmental organizations with a long-standing and constructive interest in the Convention to make presentations to the Conference. He added that it might be necessary to amend the indicative programme of work in the light of the decision to be taken on the agenda. If there was no objection, he would take it that the indicative programme was adopted.

29. It was so decided.

REQUESTS TO PARTICIPATE IN THE WORK OF THE CONFERENCE

30. The PRESIDENT said that two States not party to the Convention, namely, Israel and the Holy See, had requested the status of observers, in accordance with paragraph 2 (a) of rule 44 of the rules of procedure. If there was no objection, he would take it that the Conference wished to grant that request.

31. It was so decided.

32. The PRESIDENT added that the International Committee of the Red Cross had also applied for observer status and for permission to make a statement in that capacity during the general debate. If there was no objection, he would take it that the Committee agreed to that request.

33. It was so decided

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

(a) GENERAL DEBATE

34. Mr. LINT (Belgium) (speaking on behalf of the European Union and associated countries), Mr. BOLTON (United States of America), Mr. GOOSEN (South Africa), Mr. SANŌ (Japan), Mr. BASIT (Pakistan) and Mr. SHA Zukang (China) made statements.

The meeting rose at 1.10 p.m.