

AUSTRALIA

Address by the
Ambassador for Disarmament and
Permanent Representative to the United Nations

His Excellency Mr Les Luck

to the

Fifth Review Conference of the Convention
on the Prohibition of the Development, Production
and Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on their Destruction

Geneva, Tuesday 20 November 2001

(Please check against delivery)

Mr President,

First let me congratulate you on your appointment as President of this important Conference. We have worked closely with you for a number of years now and know and value the many qualities you bring to this demanding task. You know that you can count on our full cooperation, both as Australia and Western Group coordinator.

This Review Conference takes place at a time when the threat posed by biological weapons is more starkly evident than ever before. This threat makes the Biological Weapons Convention even more salient to the security of all people around the world.

The horrifying terrorist attacks in the United States on 11 September and subsequent events have given us a sense of the terrible immediacy of the biological weapons threat. They have dispelled any doubts that there are terrorist groups prepared to use weapons of mass destruction should they acquire them. The declared interest of certain terrorist groups in obtaining agents for biological weapons and means for their delivery, however rudimentary, underscores the point.

And, while the origins of the anthrax attacks over the past weeks in the United States are as yet unknown, they have shown the potential of biological weapons not only to inflict injury but to cause widespread fear and disrupt normal patterns of life.

This threat does not come only from terrorists and non-state groups intent on inflicting indiscriminate injury and death. The main threat still comes from covert state programs for the development of biological weapons capabilities and the stockpiling of agents.

Australia is naturally concerned about reports which suggest that a number of States, including some parties to the Convention, have undertaken biological weapons research, development, production or stockpiling in the past five years. If this is true, these States - parties to the Convention or not - are undermining the BWC regime in the most serious way possible.

There is no doubt that the continuing growth of biotechnology has increased the number of countries technically capable of developing biological weapons and the number of facilities and people possessing knowledge which could be turned to illicit ends. While the spread of biotechnology for peaceful purposes is to be welcomed, such developments make the task of ensuring compliance with the BWC more difficult. It is a grim reality that technological progress in the biological sciences can be perverted to produce new, even more lethal biological weapons.

Mr President,

These developments constitute a fundamental challenge to the BWC and international efforts to prevent the proliferation of biological weapons. We must address this challenge, directly and collectively, at this Review Conference.

As the legal instrument which bans, without exception, the development, production and stockpiling of biological weapons, the BWC is the centrepiece of any international response. Our long-held position that the Convention needs to be strengthened does not contradict this view. It simply recognises the reality that implementation of the Convention, as with other major WMD regimes, is always capable of improvement - and in the case of the BWC, there remains a clear need for us to devise an effective mechanism to reinforce compliance.

The BWC has not been fully implemented by States Parties. National legislation to give effect to obligations under Articles I and III is far from universal. Only 31 states submitted returns in 2001 under the Confidence Building Measures established by past Review Conferences.

In addition, more than 40 states are not parties to the Convention: only a handful of countries have become parties since the last Review Conference. A key task for this Review Conference will be to re-emphasise the importance of making this Convention universal, and here I would note that a strong commitment to the Convention by States Parties, re-affirmed at this Review Conference, will be a crucial element of any strategy for recommending this Convention to others. Australia is strongly committed to strengthening the BWC by attaining its universality, by improving its implementation by States and by building confidence between States Parties.

We were deeply disappointed that the Ad Hoc Group did not agree to conclude a compliance protocol. We worked hard to achieve this result, believing that a legally-binding multilateral instrument such as the protocol would have been the best way of reinforcing the Convention and delivering the tangible security benefits that would derive from its full implementation. We have not resiled from that view. In the long run, we continue to believe that multilateral efforts to strengthen the Convention can yield results of value to us all.

However, given the failure of the Ad Hoc Group to reach a consensus on the protocol, we believe that this Conference has no option but to be forward-looking, and that dwelling on the past would only guarantee failure. We face some immediate problems and there is a clear need to

act now. We should not allow our differences concerning the protocol to prevent us from agreeing to some new, practical measures to strengthen the Convention in the short-term. Such measures would contribute to a lasting framework for the full implementation of this Convention. We are willing to consider any new proposals to enhance compliance with the Convention, and to reinforce the regime. We welcome the ideas put forward to date, including for enhancing confidence-building and transparency measures, and will work actively towards the development of new ways to strengthen the BWC.

To that end, Australia would like to join others in suggesting that States Parties agree to hold annual meetings. Such meetings could focus on the implementation of Review Conference commitments, continue to encourage universality, and work to preserve the vitality of the BWC regime between Review Conferences. They could share information about relevant issues such as the latest trends in biotechnology. Annual meetings would ensure that the international community continues to work together to fight the threat of biological weapons.

Australia too sees technical assistance and cooperation in biotechnology as one of the critical components of our collective efforts to strengthen the Convention. We remain strongly committed to international economic and social development and to sharing the fruits of scientific and technological progress. We aim to remain a key player in the development of biotechnology for peaceful purposes. And we have a consistent record of providing technical assistance, facilitating the exchange of information and co-operating in a wide range of biotechnology related activities. When we talk of full implementation of this Convention and ways in which it might be strengthened, we mean all aspects of it. This Conference is a valuable opportunity to develop innovative ways to provide much needed assistance and cooperation in the field of biotechnology, in accordance with the Convention's provisions.

Mr President,

This Convention is our mutual property, and it embodies an invaluable international norm. As we sit here and review the Convention's operation, we can go down one of two paths. We can wring our hands over our most recent efforts and thereby jeopardise a vital chance to make good our conviction that these weapons are abhorrent. Or we can work together to develop ways to make our Convention more effective and more valuable to an international community that deserves such an instrument - now more than ever. Only the latter path will do justice to both the Convention itself, and our utter rejection of biological weapons.