

Permanent Mission of Brazil to
the United Nations and other International Organizations in
Geneva

STATEMENT

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

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Mr. President,

First of all allow me to extend to you my warmest congratulations for your designation as President of the Fifth Review Conference of the Biological Weapons Convention. We are confident that, under your guidance and having in mind your extensive experience, this Conference will reach fruitful results. You may count on the full cooperation of the Brazilian delegation in the discharge of your responsibilities.

Mr. President,

Five years after the IV Review Conference, the States Parties to the BWC are meeting again in a rather critical juncture.

In 1996, the IV Review Conference took place at a moment in which renewed hope was placed in advancing the cause of non-proliferation and disarmament in the field of weapons of mass destruction. We were then in the aftermath of the conclusion of the negotiations of the Comprehensive Test Ban Treaty. We were also on the eve of the entry into force of the Chemical Weapons Convention. Adding to this, the Ad Hoc Group of States Parties established by the 1994 Special Conference had just decided to intensify its works for strengthening the BCW.

The V Review Conference opens at a somber juncture regarding the international efforts directed against weapons of mass destruction. There is the continued deadlock of the Conference on Disarmament, together with doubts as to whether the ABM Treaty will be preserved in its integrity. The entry into force of the CTBT is long overdue. And as an additional worrisome sign of lack of commitment of the major players to the multilateral approach, the Ad Hoc Group failed to conclude the Protocol to the BWC.

All this followed by the grievous terrorist attacks of September 11 - which were received with outrage in Brazil - and the cases of use of anthrax with clear lethal purposes. On this occasion, allow me to reiterate our condemnation of terrorism and our thoughts to the innocent victims of those horrendous events.

All those facts speak for themselves and show that this Conference will have a challenging task to accomplish.

Today more than ever, a renewed exercise of dialogue is needed, in different areas and in disarmament in particular. It must involve the whole international community and be inspired by the vigorous pursuit of world peace and international security.

The V Review Conference should follow that path with determination.

Mr. President,

Under item 12 of the agenda. States Parties will consider the work done to strengthen the Convention in accordance with the decision of the 1994 Special Conference.

Notwithstanding the paralysis of the Ad Hoc Group, a reinforced BWC seems more necessary than ever. We should engage all our efforts to strengthen the Convention.

As an active participant in efforts to rid the world of biological weapons, Brazil was among those who signed the BWC the day it was opened for signature, deposited its instrument of ratification within a year and contributed to the strengthening of the BWC regime, since the start of the VEREX process.

Within the Ad Hoc Group, we put forward a number of proposals aiming at a useful and properly balanced, effective and non-discriminatory compliance regime.

As the negotiations advanced, a virtual compromise was reached that only a workable regime combining provisions on non-proliferation with provisions on technological and scientific cooperation for peaceful purposes could definitely counter the proliferation of biological weapons.

In these circumstances, Brazil could not but deeply regret the lack of consensus regarding the draft Protocol and the absence of action in the Ad-Hoc Group.

The essence of the composite text proposed last April by you, Mr. President, as Chairman of the Ad Hoc Group, was a regime based on that compromise. By balancing costs and benefits and covering different concerns, we considered that your text was a good basis for negotiating a Protocol that could aspire to universality.

The bulk of the provisions contained therein would doubtless contribute to strengthening international security in the biological field.

We should do our utmost not to squander this asset.

Mr. President,

Under Article XII of the Convention, this Conference will have to consider the operation of the BWC, with a view to assuring that the purposes of its preamble and provisions are being fulfilled.

In this exercise, we must have the courage to shape for the future the actions that the present requires. Let's not fall back to where we were fifteen, ten years ago.

In the aftermath of the recent incidents of anthrax use, we should consider the serious issue of the violation of the non-use norm, as addressed in the Convention's preamble.

The incidents of anthrax use may also be a matter of concern in the review of Article I, through which States Parties undertook never to develop, produce and stockpile biological agents in quantities that have no protective or prophylactic justification.

Article III of the BWC has been frequently invoked by States Parties as a basis for the establishment of plurilateral informal arrangements aimed at controlling exports of biological agents of dual-use. Regrettably the lack of consensus regarding the draft Protocol prevented States Parties from reaching a compromise on this controversial issue. Brazil has reservations on the ability of such arrangements to achieve the results at which they are aimed. As no other technology of mass destruction is as geographically spread as the biological one, effective international actions against biological weapons need to be universal and involve the whole international community.

We also fear that, given the dual-use nature of most items submitted to controls, these arrangements may - hinder the fullest possible exchange of equipment and scientific and technological information for peaceful purposes, in violation with Article X.

As regards the review of Article IV, the adoption of national measures to prohibit and prevent the development, production, stockpiling, acquisition and retentions of prohibited biological agents has an essential role to play in the operation of the Convention. Considering the new challenges posed to the international community, the Brazilian Government recently decided, through a new set of directives issued by the Ministry of Health, to oblige all laboratories in Brazil - State-owned or private - to notify all possible existences of *Bacillus anthracis*. All installations will be submitted to inspections and specific measures of bio-security will be defined for each of them. In addition to the improvement of security standards, Brazil is ready to discuss other possible measures that might be envisaged in the light of Article IV.

When examining Article V, the IV Review Conference recognized that effective verification could reinforce the BWC. Though admitting that verification of compliance with the BWC would never be absolutely fool-proof, we consider that it is possible to shape a compliance regime for the Convention. In any case, there is not and neither can there be an international disarmament and non-proliferation treaty absolutely fool-proof. For us, in the lack of verification measures, efforts at addressing compliance concerns will fall short of their objectives.

Mr. President,

Brazil considers that the BWC has two main pillars - one regarding non-proliferation and other regarding technological cooperation for peaceful ends - and has always attached great importance to the purposes of Article X of the Convention being fully realized.

Concerns regarding compliance of the provisions on non-proliferation must come in parallel with concerns regarding the implementation of the provisions on technological and scientific cooperation for peaceful purposes. All the more because increasing scientific and technological developments in the biological field offer an ever growing potential for peaceful cooperation between States Parties, which has not been utilized as it should.

In this respect, the V Review Conference should urge States Parties with expertise and conditions to do so, developed and developing, to help promote economic and social development, and scientific and technological progress, in conformity with the purposes of Article X.

Bearing in mind the Final Declaration of the IV Review Conference and the discussions within the Ad Hoc Group, technological and scientific cooperation for peaceful purposes should involve exchange of information, training programs and development of capabilities in such areas as epidemiological surveillance, control of diseases, peaceful uses of biosciences and peaceful application of biotechnology, among others.

Having reached a high degree of consensus. Article XIV of the draft Protocol contains provisions that could guide States Parties in future actions regarding the full operation of Article X.

Mr. President,

For Brazil, the only truly effective defense against any kind of weapon of mass destruction is the total elimination of all weapons of mass destruction.

Brazil shares the concerns about the threat posed by weapons of mass destruction in the hands of terrorists. But the possibility of their use by terrorists must not result in implicit justification for the indefinite retention of those weapons by States.

For us, any use of weapons of mass destruction is a misuse.

Today more than ever, Brazil highlights the importance of all disarmament and non-proliferation treaties. In this respect, we recall the words of the UN Secretary General, who, when addressing the General Assembly on the issue of international terrorism, pointed out, in particular, the need of efforts to ensure the "universality, verification and full implementation of key treaties relating to weapons of mass destruction, including those outlawing chemical and biological weapons and the nuclear non-proliferation treaty".

Working hard and showing a true interest towards collective engagement in the interest of all, we can foster a common workable approach against biological weapons.

Traditionally committed to multilateral action, Brazil has always been and is ready to fully cooperate with all efforts aimed at strengthening the BWC.

In our view, Mr. President, there is no alternative to multilateralism when it comes to countering the risks represented by the proliferation of weapons of mass destruction and of biological weapons in particular.

Thank You.