

STATEMENT BY AMBASSADOR DAVID BROUCHER
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UNITED KINGDOM
TO THE FIFTH REVIEW CONFERENCE OF THE
BIOLOGICAL AND TOXIN WEAPONS CONVENTION

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UK STATEMENT TO THE FIFTH REVIEW CONFERENCE OF THE STATES PARTIES TO THE
BIOLOGICAL AND TOXIN WEAPONS CONVENTION, NOVEMBER 2001

Mr Chairman, _

Before proceeding with this statement in my capacity as the representative of one of the three depositary powers of this Convention, I should like to emphasise that the United Kingdom fully supports the statement delivered earlier by my Belgian colleague on behalf of the European Union.

Thirty-three years ago the United Kingdom presented a draft Convention in the old Eighteen-Nation Disarmament Committee proposing the complete prohibition of biological weapons. A great deal of water has passed under the bridge since then.

The United Kingdom, in common with many others here today, has devoted considerable time, resources and intellectual effort to ensure that the Biological and Toxin Weapons Convention is as effective and universal as possible. We had hoped that at this Review Conference we would be able to reflect on a successful outcome of many years of hard work and imagination that have been invested in this long process. We had hoped to see and endorse an agreed Protocol. That we are not in a position to do so at this juncture in the history of biological disarmament is a deep disappointment to my government.

Mr Chairman,

We are all only too well aware that we are meeting in the shadow of the appalling events of September 11th and the continuing alarm created globally by the anthrax attacks in the United States and countless hoax attacks there and elsewhere. We now face a qualitatively new situation in which biological weapons are actually being used, even if not very effectively, by terrorists. The challenges before us at this Conference are therefore much greater. A heavy responsibility lies on our shoulders.

As a depositary power for the Convention, the United Kingdom recognises a special responsibility to try to ensure the success of this Review Conference. I therefore want to outline in this statement the United Kingdom's views on the problems and issues that confront us, how we might now proceed, and try to identify some steps that we can take in the months and years ahead.

Mr Chairman,

I would like to focus on three key issues: scientific and technological developments relevant for the Convention; compliance questions; and future measures that we can and must take to strengthen the Convention.

Scientific Developments

In the last five years the pace of technological change in the life sciences has been truly dramatic. The detailed background paper for the Conference that the United Kingdom has submitted on new scientific and technological developments lays out the significance of progress in a wide range of areas. The drafters of the Convention could not have envisaged such advances. What we see today is a massive expansion in knowledge. We all welcome the tremendous benefits and potential for improved human health, and improvements in agriculture that technical advances in the life sciences bring us. But the potential for misuse of this knowledge has increased significantly. This fact alone must give urgency to our efforts to find ways in which we can effectively strengthen the Convention.

Despite the scale and scope of these changes, the United Kingdom is firmly of the view that all the advances described in our paper fall within the scope of the Convention. The great beauty of the General-Purpose Criterion that lies at the heart of the Convention is that it applies not only to current but also to future developments. This is our safeguard and we must reaffirm it.

But, given the accelerating pace in science and technology, the United Kingdom wonders whether it is prudent to maintain a five-year gap between assessments under the Convention. The UK suggests that the Review Conference establish a mechanism for States Parties to work together on a more frequent basis to conduct such scientific and technical reviews and to consider any implications at the necessary level of expertise.

Compliance

Compliance remains a live and important issue; there are still unfortunately questions over whether some States Parties fully meet all their obligations under the Convention. The continuing inability of UNMOVIC to begin its work in Iraq should be a concern to us all.

Mr Chairman,

The United Kingdom was a leading advocate of a Protocol to strengthen the Convention. We worked with you in the Ad Hoc Group as Friends of the Chair. Your efforts to fulfill the Ad Hoc Group's mandate were tireless and imaginative; you delivered a genuinely compromise text for the States Parties to consider. That we were not able collectively to reach agreement on your

composite text was a disappointment, as was our failure to agree a report at the 24 session of the Ad Hoc Group. It reflects ill on us as States Parties that we cannot even agree on how to characterise our work. However, we must now set aside disappointment and frustration and look to the future. Raking over past failures will not help us address the pressing need to find measures that can be agreed by all to strengthen the Convention. In fact such actions will positively hinder our work. The challenges posed by biological weapons proliferation, use of biological weapons and the pace and quality of scientific and technological change in the life sciences are far too great to afford the luxury of an extended and rancorous post mortem.

The United Kingdom's background paper for this Conference on compliance describes some of the steps being taken domestically under Articles III and IV to enhance our own implementation of the Convention. We urge all States Parties who have not already done so to pass domestic implementing legislation translating the prohibitions in the Convention into domestic criminal law. At this particular time the importance of such measures assumes even greater significance. We must use all the tools available for countering the threat of bioterrorism.

Article X has always been important. Our international co-operative and assistance efforts are extensive. Our compliance paper outlines just a few examples. UK efforts here range from additional monetary contributions to the WHO to providing training programmes for overseas scientists, especially those from the developing world. UK efforts are diverse, covering human and animal health as well as combating crop diseases.

Future measures

Mr Chairman, it is our common task to identify specific measures that could play a part in fulfilling the Ad Hoc Group's mandate. The United Kingdom believes that we shall still need to take forward a multilateral negotiating body and that we must continue to seek measures, which are legally binding rather than voluntary or bidden by declaratory exhortations. We need to develop collectively the tools to identify and expose non-compliance with the Convention and to impose the will of the international community on cheats and proliferators. If the Convention is being flouted, that is surely an argument for redoubling our efforts, not for giving up on the job. Legally-binding international norms increase the chances that governments will take the right decisions while helping to isolate potential wrong-doers. In an imperfect world, they can never give a complete assurance, and they should never be allowed to create a false sense of security. But they are the best tool we have, and we should not stop striving to increase their scope and strength.

The United Kingdom would like to suggest some measures that could usefully be considered and where possible agreed. Some of these would lie in the realm of domestic implementation; others

would require further elaboration in a multilateral forum or in conjunction with existing international institutions.

- First a revived and expanded mechanism for investigations into alleged use and to include facility investigations for alleged violations of the Convention. This might include a review of the existing UN procedures first prepared over ten years ago. An up-date of the list of designated experts who could be called upon, regular training and provision of equipment could be part of this system. We would also need to look at analytical laboratory support capable of dealing with a wide range of potential biomedical and other samples.
- Additional confidence building measures. Those created by the Review Conferences have lain dormant for ten years as efforts have been focussed on the Ad Hoc Group's negotiations. A number of options exist here. including exploring the role for additional confidence building measures. Making some of the existing measures mandatory might also be worth considering. A consultation process might also be established whereby State Parties could engage in a dialogue on the annual returns submitted by others. Indeed we could separately consider the merits of reconfirming and highlighting the Article V obligations of all States Parties as a means to being about a fuller dialogue on concerns about possession of biological weapons in the absence of more specific measures.
- Thirdly we should look at how we might make the assistance elements for Article VII more specific, taking into account the difficulty in planning ahead for an impossibly wide range of scenarios. Work underway in the Organisation for the Prohibition of Chemical Weapons provides a dear indicator of the issues and problems at stake and the type of assistance that would be appropriate.
- Increased levels of spending and co-ordination on disease surveillance, detection and diagnosis. This would be done through existing national and/or international efforts in conjunction with WHO, FAO and OIE programmes.
- A Scientific Advisory Panel could be created to monitor scientific and technological developments relevant to the Convention. This might meet annually (or more frequently) and report to States Parties on topics of particular interest and relevance to the Convention's prohibitions. It might also advise on the composition of any emergency stockpiles and assess any request for emergency assistance in the event of BW attack, or threat of attack. Composition could either be on a governmental or on an open-ended basis, including academics.

Although these individual measures could be pursued as free-standing initiatives, the United Kingdom believes that it might be possible to wrap them all into a multilaterally agreed process. Some of the details would need to be fleshed out in further meetings. We do not think that a

Review Conference is the best place to design and elaborate the details needed to implement such measures.

I am sure that other delegations have suggestions of their own and indeed we have already heard a number of positive proposals. We are ready to work with all those who share a common objective. We look forward to developing these ideas further to ensure that the Final Declaration that emerges from this Conference charts a clear course towards a more effective Convention.

Mr Chairman,

The United Kingdom believes that we cannot afford to ignore the real and pressing need to find ways to strengthen the Convention. World public opinion will have reason to be critical if this Conference fails to show the necessary leadership to produce a clear and constructive course of action to meet the needs of international security.

In the United Kingdom's statement to the Fourth Review Conference we concluded that the time for trusting to luck had gone. What was true in November 1996 is doubly true today. Work to strengthen the Convention is not an abstract exercise; the threat is real, as the anthrax attacks in the US show all too clearly. All of us must have the vision to see beyond our narrow interests and forge a genuinely multilateral and co-operative effort to combat the threat to global security posed by the perversion of science that is biological warfare.

Thank you, Mr Chairman.