BTWC Review Conference Improves on CBMs

Presiding over the Third Review Conference of the BTWC, from left to right: Mr. Jan Martenson, Director-General, UN Office at Geneva; Mr. Yasushi Akashi, Under-Secretary-General, UN Department for Disarmament Affairs; Mr. Roberto Garcia Moritan of Argentina, President of the Conference; and Mr. Sammy Kum Buo, Senior Political Affairs Officer, UN Department for Disarmament Affairs and Secretary-General of the Conference.

UN photo 178173

The Third Review Conference of the Biological and Toxin Weapons Convention (BTWC) ended on September 27 with substantial progress in improving and supplementing confidence-building measures (CBMs) relevant to the Convention. The Conference also agreed to set up an Ad Hoc Group of Governmental Experts, open to all States Parties, to look at potential verification measures for the BTWC. Canada, which had pressed for improvements to the CBMs and for detailed consideration of a BTWC compliance regime, was pleased with the outcome.

The BTWC bans the development, production and stockpiling of biological and toxin weapons or agents for other than peaceful purposes. It was negotiated within the Conference of the Committee on Disarmament (a forerunner of the present Geneva-based Conference on Disarmament) and was opened for signature in April 1972. It entered into force in 1975. To date, approximately 125 states have adhered to the Convention.

Biological weapons rely on microbial or other agents that achieve their effects through their biological action, i.e., they cause death or illness through self-reproduction in the target body. Toxins are chemicals produced through biological processes or, more recently, artificial synthesis. Like chemical weapons agents, toxins cause death or illness by their toxic chemical effects in the target body. Although toxins are therefore more properly considered chemical weapons, they were included in the BTWC because historically they were derived from living organisms.

The BTWC's weakness comes from a lack of any meaningful verification provisions. It contains a provision for consultation and cooperation among parties to resolve any problems, as well as a provision concerning the lodging of a complaint with the UN Security Council.

A modest strengthening step was taken at the First BTWC Review Conference in 1980, when it was agreed that States Parties have a right to request a consultative meeting at the expert level. At the Second Review Conference in 1986, more significant measures to strengthen confidence in compliance with the BTWC were agreed. These included:

- reaffirmation of the provision for consultations at the expert level and an elaboration of procedural options at such a consultative meeting;
- agreement on exchanges of data relating to research facilities with very high safety standards;
- information exchanges on infectious disease outbreaks;
- encouragement of publication of biological research results; and
- active promotion of increased contacts among scientists engaged in research relevant to the BTWC.

The Review Conference held in September improved substantially upon these. The existing set of CBMs was expanded to require:

- a very detailed declaration of information relating to biological defence programs and facilities;
- a declaration of legislation, regulations and other measures in place to implement the provisions of the Convention and/or to control the export or import of micro-organisms pathogenic to man, animals or plants;
- a declaration of past activities in offensive and/or defensive biological research and development programs since January 1, 1946; and
- a declaration of vaccine production facilities.

While an improvement, these measures still fall short of what one expects in terms of verification. It is pos-

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sible that the chemical weapons convention now under negotiation in the Conference on Disarmament may include toxins within its scope. If so, this would apply the more stringent verification