

Statement of

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Disarmament

to the

5th 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, 19 November - 7 December 2001)

(unofficial translation)

Geneva, 20 November 2001

Mr. President,

Allow me, first of all, to congratulate you on your accession to the Presidency. Switzerland expects this Conference to demonstrate without ambiguity, that the States Parties remain determined to find credible responses to the threat of biological weapons. To achieve this, we count on your long experience and on your abilities, which you have successfully demonstrated in the past. In the accomplishment of your tasks, the Swiss delegation assures you of its full support and its active cooperation. The delegation would also like to congratulate the members of the bureau and M. Roman Morey.

The circumstances, which surround the beginning of the 5th Review Conference are truly extraordinary. The events of these last weeks have clearly shown that the threat of biological weapons is real and not theoretical. They have also shown how much international security and the means to assure it concerns us all and is a matter for all of us. Only the cooperation and the solidarity of all members of the international community will allow us to maintain and guarantee international peace and security.

What are the implications of this conclusion for the disarmament of biological weapons? In our opinion, there are three:

First of all, it is necessary to redouble our efforts to achieve the universality of the Convention. Of course, the moral authority of the Convention already goes beyond the 144 States Parties that have ratified the Convention so far; but its authority will be all the more important if it is based on the formal allegiance of all States.

Next, it is not sufficient for States alone to renounce biological weapons; the ban of biological weapons must equally be extended to individuals and so-called non-state actors located on the territories of State Parties. As one knows, according to the Article IV of the Convention, the States Parties are obliged to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of biological weapons. These measures have the double objective of protecting the national territory as well as all of humanity against the threat of biological weapons. Now, how can this objective be reached if not everyone and all entities located on the territory of a State respect the measures in question?

Finally, the maintenance of international peace and security should not be limited to the fight against the proliferation of weapons of mass destruction, such as nuclear and biological weapons, or against phenomena, such as global terrorism. Our goal of international solidarity must be a common undertaking - not the least a permanent one - that must include the whole array of related problems and measures such as development, health, etc.. How, for example, can we define priorities with respect to the prevention of intentional diseases if natural epidemics will continue to ravage certain particularly exposed parts of the world? In this area, there are no alternatives to global cooperation to fight, under the guidance of the WHO, infectious diseases of all origins.

Mr. President

Allow me to recall, once again, the importance that my country attaches to the respect of and compliance with the terms of the Convention. But if the

question of compliance and national implementation - comprising the adoption of preventive measures - are essential, then the strengthening and future development of the Convention are important as well.

Switzerland regrets that the ad hoc Group was not in a position to accomplish its work within the delay fixed by the Fourth Review Conference. These negotiations have at least allowed the participants to gain a better understanding of the underlying approaches priorities of their partners. When the time comes we must accomplish the work of the ad hoc Groups drawing the lessons from the past.

Evidently, the recent events call upon us today in particular. Switzerland thinks that our Conference should, without delay, to put in motion a process to deepen our understanding of the follow-up of our work and of the direction of our future efforts to strengthen the Convention. This reflection - which should be the starting point of a true negotiation process - should be forward-looking and take into account new challenges for international security and scientific progresses in the domain of biotechnology and genetics. We think that the existing mandate of the ad hoc Group is flexible enough for a reactivation of the negotiations.

Of course, the Conference should eventually also recommend a first set of concrete measures to strengthen the Convention, measures that are rapidly put into effect. Switzerland is, in any case, ready to carefully consider all new ideas that will be presented during the Conference, whether they relate to investigation mechanisms; reinforcement of the CBM's, measures of assistance, measures of public health and of scientific cooperation and in

matters of education; or new review mechanisms and amendment procedures for the Convention. In particular, Switzerland welcomes propositions to criminalize activities prohibited by the Convention. In this respect, we suggest to elaborate an international legal instrument, which obliges States Parties to enact penal legislation at national levels.

What is important, for my country, is the implementation of a regime that includes and that respects the equality of all States.

It would like to reiterate that Switzerland remains attached to the idea of multilateral and legally binding instruments to strengthen the Convention. The disarmament policy of Switzerland favors universal and non-discriminatory international agreements over purely political understandings and unilateral measures. We consider that the international order established by law abiding and equal States must be based on law.

Thank you, Mr. President