

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

FINAL REPORT

Introduction

1. The Final Declaration of the Fourth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in the section dealing with the review of Article XII of the Convention, contained the following decision:

“The Conference decides that a Fifth Review Conference shall be held in Geneva at the request of the majority of States Parties, or in any case, not later than 2001”.<sup>1</sup>

2. By resolution 55/40, adopted without a vote on 20 November 2000, the General Assembly, *inter alia*, noted that, at the request of the States Parties, a Fifth Review Conference of the States Parties to the Convention would be held at Geneva from 19 November to 7 December 2001, and that, following appropriate consultations, a Preparatory Committee for that Conference had been formed, open to all States Parties to the Convention, and that the Preparatory Committee would meet in Geneva from 25 to 27 April 2001.

3. The Preparatory Committee held three meetings at Geneva from 25 to 27 April 2001. At its last meeting, on 27 April 2001, the Preparatory Committee adopted its report, which was issued as a pre-session document of the Conference (BWC/CONF.V/PC/1).

Organization of the Conference

4. In accordance with the decision of the Preparatory Committee, the Conference was convened on 19 November 2001 at the Palais des Nations in Geneva for a period of three weeks. At its sixth plenary meeting on 7 December 2001, the Conference decided by consensus to adjourn its proceedings and reconvene at Geneva from 11 to 22 November 2002. The organization, participation, work, documentation and decisions of the Conference during this initial session are recorded in the Interim Report (BWC/CONF.V/12), adopted on 7 December 2001, and attached to this report as Annex I.

5. In accordance with the decision of the Conference, a resumed session of the Conference was convened on 11 November 2002 at the Palais des Nations in Geneva.

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<sup>1</sup> BWC/CONF.IV/9

### Participation at the Conference

6. Participation at the initial session of the Conference is recorded in the Interim Report (attached as Annex I).
7. Ninety-four States Parties to the Convention participated in the resumed session of the Conference as follows: Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen and Yugoslavia.
8. In addition, four States that had signed the Convention but had not yet ratified it participated in the resumed session without taking part in the making of decisions, as provided for in rule 44, paragraph 1 of the Rules of Procedure: Egypt, Madagascar, Myanmar, Nepal.
9. One State, Israel, neither Party nor Signatory to the Convention, participated in the resumed session as an Observer, in accordance with rule 44, paragraph 2 (a).
10. The United Nations, including the United Nations Institute for Disarmament Research (UNIDIR), attended the resumed session of the Conference in accordance with rule 44, paragraph 3.
11. The International Committee of the Red Cross (ICRC) and the World Health Organization (WHO) participated in the resumed session as Observers. In addition, the International Atomic Energy Agency (IAEA) and the International Centre for Genetic Engineering and Biotechnology (ICGEB), upon their request, were granted Observer status during the resumed session. Sixteen non-governmental organizations and research institutes attended the resumed session of the Conference under rule 44, paragraph 5.
12. Lists of all delegations to the Conference, at its initial and resumed sessions, are contained in documents BWC/CONF.V/INF.3 and BWC/CONF.V/INF.5 respectively.
13. The Credentials Committee held two meetings, and at its second meeting on 6 December 2001 adopted its report on the credentials of States Parties (BWC/CONF.V/CC/1).

### Work of the Conference

14. The work of the Conference during its initial session is recorded in the Interim Report (attached as Annex I).
15. During the resumed session, the Conference held a further three plenary meetings, in addition to the six plenary meetings held during the initial session.
16. At its seventh plenary meeting on 11 November 2002, the Conference approved the cost estimates for the resumed session, as contained in BWC/CONF.V/13, and adopted the President's proposal for a flexible programme of work for the resumed session, with the schedule of meetings to be determined as needed in consultation with the General Committee and the Regional Group Coordinators.

### Documentation

17. A list of documents of the Conference is contained in Annex III to this Report.

### Decisions and Recommendations

18. At its eighth plenary meeting on 14 November 2002, the Conference decided, by consensus, as follows:
- (a) To hold three annual meetings of the States Parties of one week duration each year commencing in 2003 until the Sixth Review Conference, to be held not later than the end of 2006, to discuss, and promote common understanding and effective action on:
- i. the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation;
  - ii. national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins;
  - iii. enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;
  - iv. strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;
  - v. the content, promulgation, and adoption of codes of conduct for scientists.
- (b) All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.

(c) Each meeting of the States Parties will be prepared by a two week meeting of experts. The topics for consideration at each annual meeting of States Parties will be as follows: items i and ii will be considered in 2003; items iii and iv in 2004; item v in 2005. The first meeting will be chaired by a representative of the Eastern Group, the second by a representative of the Group of Non-Aligned and Other States, and the third by a representative of the Western Group.

(d) The meetings of experts will prepare factual reports describing their work.

(e) The Sixth Review Conference will consider the work of these meetings and decide on any further action.

19. At the same meeting, the Conference approved the nomination by the Eastern Group of Ambassador Tibor Tóth of Hungary as Chairman of the 2003 meetings. At the ninth plenary meeting the Conference approved the cost estimates for the meetings to be held in 2003, 2004 and 2005, as contained in document BWC/CONF.V/14. The Conference requested the Depositaries of the Convention to consult with a view to establishing suitable dates for the 2003 meetings, and to notify States Parties accordingly.

20. At the eighth plenary meeting, the Conference decided that the Sixth Review Conference would be held in Geneva in 2006, and would be preceded by a Preparatory Committee.

21. At the same meeting, the Conference adopted by consensus its Final Document, comprising a Final Report (BWC/CONF.V/L.1), with oral amendments made at the ninth plenary meeting, and three annexes: Annex I – Interim Report of the Conference; Annex II – Rules of Procedure of the Conference; Annex III – List of documents of the Conference.