

**Statement by Ambassador Jayant Prasad, Permanent Representative of India to the Conference on Disarmament at the Annual Meeting of the State Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Geneva, December 5, 2005**

**Mr. Chairman,**

Allow me to express the pleasure of my delegation in seeing you in the Chair. We assure you of our cooperation in the discharge of your functions and are confident that your wise leadership will facilitate fruitful exchanges at our meeting.

India believes that multilaterally negotiated and legally binding instruments provide the best mechanism to deal with the disarmament, arms control and proliferation issues. When the Biological and Toxin Weapons Convention (BWC) entered into force in 1975, it became the very first disarmament instrument eliminating an entire class of weapons. This happened because its States Parties determined in the Convention to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons, to achieve which, they undertook never, in any circumstances, to develop, produce or retain microbial or other biological agents or toxins for weapons purposes.

The BWC, however, has some intrinsic weaknesses. India, therefore, fully supports initiatives to strengthen the Convention, ensure its full implementation by all States Parties and make it universal. This will help combat the twin dangers of proliferation of weapons of mass destruction and terrorism, including the possibility that terrorists or rogue elements within state structures may gain access to dangerous bacteriological agents and toxins and use them as weapons. Given the rapid advances in biotechnology, genetic engineering and microbiology, coupled with easier access to the requisite materials and technology that could enhance the resilience and adaptability of microbial agents and toxins, and thereby improve their virulence, infectibility, stability and survival, such microbial agents and toxins could well become weapons of choice for terrorists.

India is fully supportive of and has actively participated in the present BWC process, established by the resumed Session of the 5th Review Conference in 2002. Anchored in the multilateral framework, which is a pre-requisite for addressing issues that impinge on the security of States, this process has been useful and productive.

In 2003, States Parties promoted common understandings, through an exchange of views on the national implementation of the prohibitions contained in the Convention, including national mechanisms for the bio-safety and security of pathogenic microorganisms and toxins.

In 2004, States Parties addressed enhancing international capabilities for responding to alleged use of biological or toxin weapons or suspicious outbreaks disease. They also discussed measures to buttress and broaden national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases. Participation of the concerned international organizations enriched the process.

In their meeting earlier this year, Experts of States Parties exchanged experiences and

perspectives on the content, promulgation and adoption of codes of conduct for scientists. Your initiative, Mr. Chairman, of involving in this exercise, representatives of international organizations, professional scientific bodies and research institutions, contributed positively in creating awareness about the perspectives of those who are important stake-holders. We now have the opportunity to carry forward these discussions to promote a better understanding of the issue in all its aspects.

India believes in the primacy of State responsibility in ensuring the full implementation of any international instrument by States parties. In respect of Biological and Toxin Weapons Convention, they are primarily accountable for monitoring and regulating research and development work in biological sciences and bio-technology. The commitments undertaken by them under the Convention provide the right framework for initiatives at the national level on codes of conduct for scientists. We believe such codes of conduct should not impede the freedom of the scientists to conduct their research in institutions and enterprises or to carry out international cooperation activities, including the exchange of information, materials, equipment or technology for developing the peaceful applications of biotechnology and life sciences. At the same time, they should promote the ethical principles that underlie the Convention.

The Indian delegation had provided a Working Paper and made a presentation on “Indian Initiatives on Codes of Conduct for Scientists” at the Meeting of Experts. These provided details of the legal, regulatory and administrative framework established in India to regulate research and development work by scientists. Another Working Paper, presented to this Meeting, aims to further elaborate the Indian perspectives on codes of conduct, a subject on which we hope to participate actively in deliberations during the course of this week.

As we conclude the present BWC Process, we naturally look towards the next Review Conference, scheduled a year from now. We believe it will provide an opportunity to review the implementation of the Convention in its entirety, and consider steps that may contribute to strengthening the Convention, further its implementation, and promote universal adherence to it. It will also consider, in this context, the work done under the current process and decide on possible further actions by States Parties.

In this regard, we would like to stress the importance of promoting universal adherence to the Convention and full compliance by States Parties to all their obligations under the Convention. States Parties assume obligations and implement them in good faith, trusting that fellow States Parties would do the same. However, this assurance, that other States are complying with their obligations, is reinforced by our ability to verify the compliance and detect non-compliance. The fear that non-compliance may be detected acts as an effective deterrence against non-compliance. Verification is also useful for its transparency enhancing quality, which in turn fosters confidence. We believe that a mechanism to verify compliance and detect non-compliance with the Convention will strengthen the instrument. The next Review Conference will provide a fresh opportunity to consider this issue.

The annual meetings of the States Parties mandated under the current process, though confined to the consideration of specific issues, have proved useful in giving States Parties the opportunity to reiterate their commitment to the Convention. They have done so primarily through an exchange of information on steps taken by them at the national level to fully implement the Convention. We may, therefore, consider continuing the annual meetings of States Parties between the quinquennial review conferences, but perhaps with a mandate wide enough to consider implementation of the Convention in all its aspects. Restricting the agenda of these Meetings to specific issues limits their potential contribution to strengthening the norms and standards of the Convention and improving its implementation.

We very much look forward to the proceedings of the current meeting, as also the April 2006 Meeting of the Preparatory Committee tasked to prepare for the next Review Conference.

I thank you Mr. Chairman.