



*Italian Presidency
of the European Union*

10 Nov.

EU STATEMENT AT THE MEETING OF STATES PARTIES TO THE BIOLOGICAL AND TOXIN WEAPONS CONVENTION

Mr Chairman,

1. I have the honour to take the floor on behalf of the European Union. The Acceding Countries Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the Associated Countries Bulgaria, Romania and Turkey, and the EFTA country Iceland, member of the European Economic Area, align themselves with this statement.
2. Allow me at the outset, Mister Chairman, to welcome you to the chair of this meeting. I am confident that under your capable and experienced leadership our work will achieve meaningful progress.

Mr Chairman,

3. The European Union continues to attach high priority to the reinforcement of the Biological and Toxin Weapons Convention which remains a fundamental tool to counter the proliferation of those weapons. The risk that terrorists will acquire biological materials adds a new dimension to this threat. Such an unwavering commitment, reaffirmed in the Declaration of the European Council Summit in Thessaloniki on 19 and 20 June 2003, is enshrined in the "Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction" and in the related "Action Plan".
4. In pursuing this overarching goal, it is no secret that the European Union would have favoured the adoption of a legally binding instrument. However, in a spirit of pragmatism and recognising the need to preserve consensus among BTWC States Parties, the EU welcomed the working programme for the years 2003-2005 adopted by the Fifth Review Conference in November 2002. The success of this cycle is crucial for our common endeavour, and a positive outcome of this first year of meetings will be particularly important.

5. The European Union believes that national implementation of the prohibitions set forth in the Convention is one of the essential elements required to effectively strengthen it. Indeed, it is impossible to ensure compliance with the provisions of a treaty - especially in the field of disarmament and non-proliferation - without the enactment of appropriate national legislation implementing its principles and obligations.
6. In this perspective, the August meeting of experts here in Geneva was extremely useful, as also demonstrated by the high level of attendance by delegations. A wide range of valuable and constructive information was exchanged which indicated that many States Parties have adopted common approaches to similar problems. The European Union actively participated in the debate, tabling a comprehensive working paper on the pertinent legislative and administrative measures for national implementation and oversight adopted by its Member States.

Mr Chairman,

7. The European Union is convinced that the current meeting of States Parties should now take stock of the technical debate carried out by experts, without repeating it, and identify possible consensual elements. Building on this common ground, the final document should make political recommendations on how to promote effective implementation of the Convention at the national level.
8. In particular, States Parties should commit themselves to share, on a regular basis, details and updates on their national legislation (including penal legislation) implementing the Convention and the regulations on the handling of pathogenic micro-organisms and toxins. Furthermore, the European Union proposes that there should be discussion of the key elements of legislation that all States Parties should have in place covering both of the above settings.
9. In accordance with national constitutional processes, each State Party should include in its national legislation, inter alia, prohibitions criminalising breaches to the Convention's obligations. At the same time, effective measures should be adopted in order to prevent the unauthorised acquisition of pathogenic micro-organisms and toxins and their unwanted or accidental release from "controlled environments".
10. The possibility to provide on a bilateral basis, as appropriate and feasible, technical and juridical assistance for enacting such legislation and regulation should be considered by each States Party in a position to do so.

Mr Chairman,

11. The successful outcome to this meeting will rest very much with you, Mister Chairman, and your advice and judgement. In carrying out your task, you can rely on the full and consistent support of the European Union.

Thank you, Mr Chairman.
