

## CHRONOLOGY OF EVENTS RELATING TO AFRICA AND BIOLOGICAL WEAPONS

### *The Fifth Review Conference of the Biological Weapons Convention*

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*The information below is extracted from the CBW Events Database of the Harvard Sussex Program on CBW Armament and Arms Limitation. Extracts from the CBW Events Database are published in the quarterly CBW Conventions Bulletin.*

#### **2001**

##### ***19 November***

In Geneva, states parties to the Biological Weapons Convention (BWC) convene for the treaty's Fifth Review Conference, which is scheduled to end on 7 December. The conference adopts its agenda as recommended by the preparatory committee and notes the report drawn up by the committee. The conference elects by acclamation Ambassador Tibor Tóth of Hungary as president. Ninety-one states parties to the BWC participate in the conference, whilst five signatories participate in proceedings but not in the decision-making process. Israel and the Holy See, which are neither states parties nor signatories, are granted observer status. Also granted observer status are the International Committee of the Red Cross and the World Health Organisation.<sup>1</sup>

##### ***7 December***

In Geneva, the Fifth Review Conference of the BWC is suspended without agreement on a final declaration. States parties agree by consensus to continue the session in a year's time, from 11 to 22 November 2002.<sup>2</sup> President of the Review Conference Tibor

Tóth says: 'We were quite close to finishing our work, both in terms of the volume of the elements which were consolidated and in terms of the understandings which we reached. However, there seemed to be a serious absence of understanding concerning the issue of the Ad Hoc Group where deficiencies between positions seemed to be irreconcilable, at least in the time remaining today. The draft final declaration was 95 per cent ready. In my judgement, the draft final declaration can in the meantime be an orientation for delegations to undertake already some national efforts to join in forces and in this period, even to start implementation of some of these ideas. All the consolidated elements will not fade away. This is a kind of damage control if you wish.'<sup>3</sup> The suspension of the conference came after the US proposed dissolving the Ad Hoc Group thus: 'The conference takes note of the work of the Ad Hoc Group and decides that the Ad Hoc Group and its mandate are hereby terminated.' US Under-Secretary of State for Arms Control John Bolton concludes: 'We made substantial progress ... in putting the issue of compliance with the convention at the front of people's attention ... That remains the central point for us in strengthening the convention, and we're going to continue to work on that until next November.'<sup>4</sup>

##### ***10 December***

In London, the European-Sudanese Public Affairs Council issues a long and detailed statement rebutting what US Under-Secretary

of State John Bolton had said about Sudan at the Fifth BWC Review Conference – that the US government was ‘concerned about the growing interest of Sudan ... in developing a biological weapons program’. The statement characterises this remark as ‘unsustainable and deeply irresponsible’.<sup>5</sup>

## 2002

### 10 January

In Khartoum, where he is attending a meeting of the Inter-Governmental Authority on Development, the director-general of the Organisation for the Prohibition of Chemical Weapons, Jose Bustani, is reported as stating that, on the information which he has received, Sudan does not possess any chemical or biological weapons.<sup>6</sup>

### 8 February

From Angola, it is reported that the Angolan armed forces have used chemical and biological weapons in the central and eastern regions during the ongoing war. The accusation is made by the secretary-general of the Forum of Angolan NGOs, Alberto Tunga, based on witness statements and alleged victims who have contacted the forum.<sup>7</sup>

### 21 March

In London, Morocco deposits its instrument of ratification to the BWC. In thirty days it will become the 146th party to the convention.<sup>8</sup> The ratification is later announced by Morocco’s representative to the Conference on Disarmament.<sup>9</sup>

### 10 April

The 30th anniversary of the opening for signature in London, Washington and Moscow of the BWC. In a statement regarding the event, the Australian Minister for Foreign Affairs, Alexander Downer, says: ‘Reinforcing the BWC with measures to improve compliance and to implement more fully the obligations it contains has been a long-standing priority for the Australian Government. I was deeply disappointed when negotiations for a BWC protocol failed last year and again when the

Review Conference was suspended without agreement. Australia is working actively towards a successful and forward-looking conclusion to the Review Conference. I call on the Conference to adopt practical proposals to enhance international cooperation against the pernicious use of disease as a weapon. These proposals include improved national controls to prevent the illicit acquisition of pathogens or equipment which could be used in biological weapons and enhancements to the BWC’s Confidence Building Measures.’<sup>10</sup>

The Russian Ministry of Foreign Affairs also produces a statement to mark the occasion: ‘We stress once more that Russia has been faithfully observing the letter and spirit of the Convention. In our turn we expect the same approach from the other states parties as well. Russia as a depositary country supports further universalizing the Convention, of which one hundred and forty-four states are already members. Despite the temporarily stalled talks to create a control mechanism of the Convention in the form of its verification protocol, we continue to favor continued talks for legally binding measures to strengthen the Convention in a multilateral format.’<sup>11</sup>

### 11 April

In Pretoria, the former head of the South African chemical and biological warfare programme, Wouter Basson, is acquitted on all charges against him. The state notifies presiding Judge Willie Hartzenberg of its intention to appeal the decision.<sup>12</sup> The judge had accepted all that Basson had said about his ‘Project Coast’ activities and had rejected the testimony of 153 witnesses called by the state, the affidavits of another 40-50 witnesses, and thousands of supporting documents. The written judgement, according to the state, contains some 38 points of legal error. Other commentary on it notes a ‘striking’ number of factual and chronological errors.<sup>13</sup>

Basson had faced 67 charges of trafficking in drugs, fraud, murder and conspiracy to murder arising from activities during his tenure as head of Project Coast during 1981-1993. Six of the murder charges had been dropped even before Basson had entered a plea because the alleged crimes had been committed on foreign soil

– Mozambique, Namibia, Swaziland and the UK – and therefore lay beyond the jurisdiction of the Pretoria High Court. The defence had, in addition, successfully argued that, like all other members of the South African security forces, Basson had been granted indemnity from prosecution for deeds perpetrated during the war in Namibia: a proclamation to this effect had been issued by the administrator-general of South West Africa five months before the elections in 1989 that had led to the independence of Namibia; the proclamation, so the defence stated, had been incorporated into the Namibian constitution.

#### *4 May*

In Namibia, an official of the ruling SWAPO party says that HIV/AIDS is a ‘man-made biological nightmare to reduce human population’. Eunice Ipinge also says: ‘The human immunodeficiency virus was created in a laboratory. The seeding of HIV/AIDS is not an accident it was a systematic evaluation of the effects of viruses on the immune functions to be undertaken.’<sup>14</sup> A few days later, in the Namibian National Assembly, the Deputy Minister of Environment, Peter Ilonga, tells MPs that HIV/AIDS was man-made and not natural.<sup>15</sup>

#### *19 June*

In London, at a news conference held in the Houses of Parliament, the Libyan Secretary of State for Foreign Affairs, Sulayman al-Shuhumi, stresses the need for weapons of mass destruction to be destroyed and declares Libya’s desire to be party to all relevant international agreements, including the Biological Weapons Convention and the Chemical Weapons Convention.<sup>16</sup>

#### *3 November*

The former South African chemical and biological warfare programme known as ‘Project Coast’ is described on US television by its founding director, Brigadier Wouter Basson, as having been ‘part of a legitimate, official, authorized research project similar to research projects carried out all over the world’. He is being interviewed on CBS *60 Minutes* in connection with Larry Ford, a Californian gynaecologist at whose residence

police discovered various pathogens whilst investigating the death of Ford’s business partner. Basson denies an allegation that silatranes were developed under ‘Project Coast’ with a view to killing members of the African National Congress. The denial comes in the context of an allegation that Ford had been working with silatranes in his attempts to create a ‘hair regrowth formula’.<sup>17</sup>

#### *11 November*

In Geneva, states parties to the BWC reconvene for the resumption of the treaty’s Fifth Review Conference – officially set to conclude on 22 November – under the continuing presidency of Ambassador Tóth. The original session, held from 19 November to 7 December 2001, was suspended in controversial circumstances. Toth circulates the following five-point plan to be considered by delegations over the coming days on a ‘take it or leave it’ basis:

- 1 The conference decides to hold three annual meetings of the states parties of one week’s 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, animal, and plants;
  - v the content, promulgation, and adoption of codes of conducts for scientists.
- 2 All meetings, both of experts and of states parties, will reach any conclusions or results by consensus.

3 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; and 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.

4 The meetings of experts will prepare factual reports describing their work.

5 The Sixth Review Conference will consider the work of these meetings and decide on any further action.<sup>18</sup>

'I am aware that the proposal is not likely to fully satisfy many or even any delegation ... This is a rescue operation,' says Tóth. 'Everyone in the conference is walking on eggshells,' adds Indian Ambassador Rakesh Sood.<sup>19</sup> A number of Non-Aligned Movement (NAM) states subsequently press for a broader range of subjects to be considered, as well as a change to allow discussion of export control regimes, for example Australia Group restrictions. The Western Group, however, resists any change to the plan.<sup>20</sup>

### *11 November*

In Geneva, during the ongoing resumed session of the Fifth Review Conference of the BWC, the BioWeapons Prevention Project (BWPP) is launched. The project was conceived partly as a result of the breakdown in intergovernmental negotiations to formulate a BWC protocol and partly to raise awareness of biological weapons issues in developing countries. It brings together eight non-governmental organisations: the British American Security Information Council (UK-US), the Centre for Conflict Resolution (South Africa), the Department of Peace Studies at the University of Bradford (UK), the Federation of American Scientists (US), the Graduate Institute of International Studies (Switzerland), the Harvard Sussex Program (US-UK), the International Network of Engineers and Scientists for Global Responsibility, and the Verification Research, Training and Information Centre (UK).

### *14 November*

In Geneva, states parties to the Fifth Review Conference of the BWC agree to adopt – without amendment – the draft decision proposed earlier by Chairman Tibor Tóth.<sup>21</sup>

A statement submitted on behalf of the group of the Non-Aligned Movement (and other states) reads: 'The NAM and Other States are disappointed at the limited nature of the decision that we've just taken ... which at the best only has the potential of enhancing the implementation of the Convention.' It adds that 'the language of the decision has many ambiguities'; that at any time states could 'together and at any time decide on further work that may be required'; that the time set aside to decide on accepting the decision had been 'extremely limited' and that during the next review conference in 2006 states parties would 'decide on further action'; and that the convention 'forms a composite whole' and as such it was 'necessary for all of the inter-linked elements of the Convention ... to be dealt with'.<sup>22</sup>

A statement submitted on behalf of the Western Group reads: 'The text ... circulated to us a week ago and which we adopted today, carefully balances the views of all the States Parties and results in a substantive and valuable conclusion to the Fifth Review Conference.' It notes that the decision 'provides for a qualitatively different outcome to that found in the final products of previous Review Conferences'. It also states that the decision is 'clear and self-explanatory' and would 'strengthen the effective implementation' of the convention by 'establishing a framework for an ongoing multilateral process in the lead-up to the Sixth Review Conference'.<sup>23</sup>

US Assistant Secretary of State for Arms Control Stephen Rademaker says: 'Our efforts to combat the threat of biological weapons have to be pressed on multiple fronts at the national level, at the plurilateral level, and at the multilateral level. There are many other efforts that we believe can be pursued with greater success in other venues and it is the policy of the United States to pursue the problem of biological weapons in all appropriate venues to the maximum degree practicable. We believe

the decision today at this Review Conference represents a realistic judgement about what can successfully be achieved in this forum over the next several years.<sup>24</sup>

The review conference formally closes the next day.

### **25 November**

The South African National Intelligence Agency announces that an extreme rightist group – Boere Vryheidsaksie (BVA) – have recently planned to contaminate reservoirs serving Soweto, Atteridgeville, Soshanguve and Laudium with ‘tetranium’. Details of how the plan was thwarted have not been revealed. The townships are home to around ten million inhabitants.<sup>25</sup>

### **25 November**

In Washington, DC, Mali deposits its instrument of ratification to the BWC. In thirty days, it will therefore become the 147th party to the convention.<sup>26</sup>

## **2003**

### **9 January**

The London *al-Zaman* reports an unidentified dissident senior Sudanese officer as saying it is possible that Iraq could have hidden chemical and biological weapons in Sudan with Sudan’s permission. He says that close Iraqi-Sudanese military cooperation is carried out under the department of Sudanese-Iraqi technical cooperation, which is part of Sudan’s security service. The officer says that ‘preliminary information showed that [the weapons] were hidden in hilly areas in the eastern region of Port Sudan and rough mountainous terrain in the central Sudanese province of Kordofan’. He adds that ‘Sudan has no scientific or financial capabilities to enable it to manufacture [weapons of mass destruction]’. The report is unattributed.<sup>27</sup>

### **6 March**

South African President Thabo Mbeki submits to UN Secretary-General Kofi Annan the report of South African disarmament experts who have recently visited Iraq. The report is later distributed to all members of the UN

Security Council.<sup>28</sup> South Africa’s permanent representative to the UN, Dumisani Khumalo, says that: ‘Given South Africa’s experience in the destruction of chemical and biological weapons, we are providing a road map for the Iraqi situation.’<sup>29</sup>

### **20 April**

The *Washington Post* reports on an attempt by a South African scientist, Daan Goosen, formerly involved in South Africa’s biological warfare programme, to sell biological agents developed under that programme to the US Federal Bureau of Investigation (FBI). The newspaper reports that, on 6 May 2002, Goosen handed a vial containing a strain of *E coli* genetically altered to include a gene from *Clostridium perfringens* hidden inside a toothpaste tube to a retired CIA officer, Don Mayes, who passed the sample on to the FBI. Goosen proposed to supply an entire collection of the pathogens developed by ‘Project Coast’, if the FBI would pay him \$5 million and supply immigration permits for Goosen and 19 associates and family members. The US considered the offer but balked at the price, so the *Washington Post* reports, and the deal collapsed in confusion in 2002 after FBI agents turned over the matter to the South African authorities. The pathogen collection therefore remains in private hands in South Africa, where it has reportedly continued to attract interested buyers.<sup>30</sup> The following day, the *Washington Post* reports on a three-day meeting in Pretoria, in July 2002, between US officials and Wouter Basson, the former head of ‘Project Coast’. According to unidentified officials knowledgeable of the meeting, it had been requested by Basson in an attempt to clear his record with US law enforcement officials. He was given an assurance that none of his statements could be used against him in a criminal or civil court. Although the US officials doubted some of his evidence, they were reportedly concerned about Basson’s claim that ‘Project Coast’ scientists developed a strain of *Bacillus anthracis* which could not be detected by standard field tests used in South Africa and neighbouring countries at the time and which, although with a reduction in virulence, could sicken and debilitate without leaving a trace. Basson

claimed that he had learnt the technique from Israeli government scientists.<sup>31</sup>

### **6 May**

In Bunia, Democratic Republic of Congo, militiamen from the Hema and Lendu tribes are reported to be using inter alia 'poisoned arrows' during the ongoing civil war, according to the London *Independent*. Within a week, more than 430 people will have died in this particular clash.<sup>32</sup>

### **16 May**

The *Namibian* cites Namibian Police Commissioner Vilho Hifindaka as saying that an investigation is under way into the deaths of up to 200 Namibian SWAPO prisoners who died in South African detention centres between 1981 and 1988. Wouter Basson had been charged with supplying muscle relaxants to South African Defence Force for use in killing the prisoners; however, he was acquitted of all charges against him. Hifindaka stresses that what is being investigated are the circumstances in which many Namibians are claimed to have been killed before independence, who killed them, and who helped in that regard.<sup>33</sup>

### **17 June**

In Asmara, Eritrea, the Sudanese National Democratic Alliance (a Sudanese opposition movement based in Eritrea) issues a press statement claiming that the Sudanese government has recently used chemical weapons to quell a rebel attack in Dafur, western Sudan. It urges the international community to carry out an investigation into Sudanese weapons of mass destruction, as has recently been done in Iraq.<sup>34</sup> A week later, Sudanese Minister for External Relations Mustafa Thman Isma'il strongly refutes the allegation, saying it is no more than an attempt to draw the international community into the conflict.<sup>35</sup>

### **26 June**

In New Muckleneuk, Pretoria, South Africa, a workshop is held with the theme 'Chemical and biological weapons: a new approach for a new era'. The workshop is hosted by the Institute for Strategic Studies and the Centre

for Conflict Resolution. It aims to inform the media, NGOs and government representatives about the Chemical Weapons Convention and Biological Weapons Convention and the challenges they currently face. Particular emphasis is put on the implication of the conventions on Africa and how they might be strengthened in this context.<sup>36</sup>

### **22 July**

In Johannesburg, Wouter Basson, the former head of South Africa's apartheid-era chemical and biological warfare programme, 'Project Coast', addresses a Press Club luncheon at which he says that the US and UK governments had been deceived into invading Iraq by defectors and intelligence services relying on single sources. Basson draws a comparison with his 'vilification' by the Truth and Reconciliation Commission and its chairman, former Archbishop Desmond Tutu, which he says is also based on claims which have long since been discredited.<sup>37</sup>

### **18-29 August**

In Geneva, there is the first meeting of experts of states parties to the Biological Weapons Convention under the 'new process' established by the Fifth Review Conference. In the first week, participants discuss the adoption of necessary national measures to implement the prohibitions set forth in the BWC, including the enactment of penal legislation. The following week, national mechanisms to establish and maintain the security and oversight of pathogenic micro-organisms and toxins are discussed. The purpose of the meeting is to prepare the way for the meeting of states parties in November when the issues discussed will be considered.<sup>38</sup> The meeting is chaired by Ambassador Tibor Tóth of Hungary, who also chaired the Fifth Review Conference. As well as national delegations, experts from a range of international organisations, including the World Health Organisation, the Food and Agriculture Organisation, and the Office International des Epizooties participate.<sup>39</sup> The secretariat had collated submitted information on national implementation measures on a CD-ROM before the meeting and distributed it

prior to its commencement. No summary report of the meeting is provided by Tóth. In his closing remarks Tóth says: 'A great deal of useful, practical and directly applicable information will be taken back to capitals and used directly in strengthening national implementation.'<sup>40</sup>

### *17 October*

In London, Sudan deposits its instrument of accession to the BWC. In thirty days, Sudan will therefore become the 151st state party to the treaty.

### *10-14 November*

In Geneva, delegates from 92 states parties to the BWC convene under the 'new process' to discuss the strengthening of national implementation measures, following consideration of the matter by experts from 83 states at the recent experts' meeting in August.<sup>41</sup> 'In our view, the primary task of this meeting of states parties should be the adoption of an agreed final document, identifying those common elements and recommending them for national implementation,' says German Ambassador Volker Heinsberg, in comments similar to those by New Zealand, Sweden and others. A statement issued by Pakistan states: 'It is our desire and hope that by the end of this week we would have arrived at some common understandings on the basis of the best practices, to be pursued on a voluntary basis.' The US delegation, however, views the conference principally as an opportunity for exchanging information and encouraging states to take action at home regarding specific issues. 'We do not believe we should try to negotiate an agreement by the parties at this annual meeting on sets of "common elements" or "best practices" relating to national implementing measures and/or biosecurity,' says the head of the US delegation, Ambassador Donald Mahley. He says the conference should produce two outcomes: a determination to review, update or implement national measures and a commitment to help treaty parties meet their obligations.<sup>42</sup> The final report adopted by the meeting reads thus:

At the Meeting of States Parties, States Parties noted that notwithstanding the differing legal and constitutional

arrangements among the 151 States Parties to the Convention, States have adopted similar basic approaches and share common principles. The States Parties stressed the need for undertaking activities at the national level in keeping with their obligations and responsibilities to strengthen and implement the Convention. The States Parties agreed, to that end, on the value of the following:

To review, and where necessary, enact or update national legal, including regulatory and penal, measures which ensure effective implementation of the prohibition of the Convention, and which enhance effective security of pathogens and toxins.

The positive effect of cooperation between States Parties with differing legal and constitutional arrangements. States Parties in a position to do so may wish to provide legal and technical assistance to others who request it in framing and/or expanding their own legislation and controls in the areas of national implementation and biosecurity.

The need for comprehensive and concrete national measures to secure pathogen collections and the control of their use for peaceful purposes. There was a general recognition of the value of biosecurity measures and procedures, which will ensure that such dangerous materials are not accessible to persons who might or could misuse them for purposes contrary to the Convention.

States Parties considered that agreement on the value of these measures discussed at the Meeting constitutes an essential effort to facilitate more effective implementation and enforcement of the Convention, as well as providing a basis for review of progress at the 2006 Review Conference.

The report also states that 'a complete list of documents of the [meeting], including the working papers submitted by States Parties, is contained in [its] Annex I'.<sup>43</sup>

### *19 December*

Libya announces that, after negotiations between itself and the UK and USA, it is to abandon all of its weapons of mass destruction

programmes.<sup>44</sup> A statement released by the Libyan government reads thus:

In view of the international environment that prevailed during the Cold War and the tension in the Middle East, the Great Socialist People's Libyan Arab Jamahiriya (GSPLAJ) has urged the countries in the region to make the Middle East and Africa a region free of the weapons of mass destruction. As its calls have received no serious response, the GSPLAJ had sought to develop its defence capabilities. Libyan experts have conducted talks with experts from the US and the UK on GSPLAJ activities in this field. The Libyan experts showed their (US and UK) counterparts the substances, equipment and programmes that could lead to production of internationally banned weapons. These are centrifuging machine and equipment to carry chemical substances. According to the talks held between the GSPLAJ, the USA and the UK, which are two permanent members of the (UN) Security Council that is responsible for the preservation of international peace and security, Libya has decided, with its own free will, to get rid of these substances, equipment and programmes and to be free from all internationally banned weapons. Libya has also decided to restrict itself to missiles with a range that comply with the standards of the MTCR surveillance system. It will take all these measures in a transparent way that could be proved, including accepting immediate international inspection. In addition to that, we confirm that (Libya) will abide by the Non-Proliferation Treaty, the IAEA Safeguards Agreement and the Biological Weapons Convention as well as accepting the Additional Protocol of the IAEA Safeguards Agreement and the Biological and Chemical Weapons Treaty. GSPLAJ believes that the arms race will neither serve its security nor the region's security and contradicts its [Libya's] great concern for a world that enjoys peace and security. By taking this initiative, it wants all countries to follow its steps, starting with the Middle East, without any exception or double standards. GSPLAJ will

inform the UN Security Council about this issue.<sup>45</sup>

Speaking on television just after the Libyan announcement,<sup>46</sup> UK Prime Minister Tony Blair says that it was the result of discussions that had been initiated by an approach to Britain by Libya in March 2003 'following successful negotiations on Lockerbie to see if it could resolve its WMD issue in a similarly cooperative manner'. Blair continues:

'Nine months of work followed with experts from the US and UK, during which the Libyans discussed their programmes with us.'<sup>49</sup> The initial Libya-UK contact, so it is later reported, had been a telephone call to the UK Secret Intelligence Service from one of the sons of Libyan leader Muammar Gaddafi – Saif al-Islam Gaddafi, then a graduate student at the Centre for the Study of Global Governance, London School of Economics.<sup>48</sup>

At a press briefing in Washington later in the day, an unidentified 'senior Bush administration official' speaks of events that had led up to the Libyan announcement. The official says that teams of British and US intelligence experts had visited Libya in October and early December and had been given access to many sites. They had found the chemical weapons programme to be the most advanced of the Libyan WMD programmes: they were shown 'a significant quantity' of mustard gas that had been produced at Rabta 'more than a decade ago'. Also: 'They showed us aerial bombs that were designed to be filled with mustard agent on short notice. They showed us equipment in storage that could be used to outfit a second CW [chemical weapons] Production Facility. They showed the team dual-use chemical precursors that could be used to produce both mustard and nerve agent. And they reiterated their commitment to complete the Libyan accession to the Chemical Weapons Convention and they committed to destroy all chemical warfare stocks and munitions.' As for biological weapons, the official states: 'Libya admitted to past intentions to acquire equipment and develop capabilities related to biological weapons. At the team's request, Libya took our experts to a number of medical- and agriculture-related research centers that have dual

use potentials to support BW-related work. The team was given access to scientists at these facilities, and Libya has committed not to pursue a biological weapons program and to accept the necessary inspections and monitoring to verify that undertaking.<sup>749</sup>

In other press contacts, US officials say that Libya had conducted experiments on sarin and soman nerve agents, so the *Washington Post* reports, also stating that British and US scientists had ‘found few surprises in Libya’s chemical weapons program and found no concrete evidence of an existing biological weapons effort’. The *Post* continues: ‘They questioned the Libyans about equipment and research that could be applied to the production of germ warfare, but the Libyans denied that such a program had ever existed.’<sup>750</sup>

### 29 December

Romania worked closely with Libya in developing weapons programmes, including chemical and biological weapons, according to an article published in the US by the former chief of Romanian intelligence, Ion Mihai Pacepa. Describing himself as ‘the highest ranking spy from the Soviet bloc to defect to America’, in 1978, Pacepa states that he had helped Libya build facilities for producing chemical weapons. Also in 1978, he had asked the Libyan leader to finance the weaponisation in Romania of brucellosis, to which Colonel Ghaddafi at once agreed ‘on condition that its production be shared equally’.<sup>751</sup>

## 2004

### 11 February

In Washington, DC, Liberia and the US sign an agreement<sup>752</sup> under which Liberia becomes a member of the US-led Proliferation Security Initiative (PSI).<sup>753</sup> Liberia has held a US-based shipping registry since 1949 and now has a registry of more than 2 000 foreign vessels.<sup>754</sup> In a press statement, US Department of State spokesman Richard Boucher says: ‘The boarding agreement provides authority on a bilateral basis to board sea vessels suspected of carrying illicit shipments of weapons of mass destruction, their delivery systems, or related

materials ... The conclusion of this ship boarding agreement is an important step in further operationalizing the [PSI] and strengthening the mechanisms that we have at our disposal to interdict suspect weapons of mass destruction-related cargoes. The ship boarding agreement is modeled after similar arrangements that exist in the counter-narcotics arena.’<sup>755</sup>

### 10 March

Libyan leader Colonel Muammar Qadhafi’s son, Saif ul-Islam Qadhafi, explains to a reporter from AFP why Libya has decided to dismantle its weapons of mass destruction programmes. The reasons, he says, were as follows: ‘The first reason is political, economic, cultural and military gains that were promised by the Western party with whom we were negotiating [the USA and the UK] ... The temptation was really great. The second reason was that our problems with the West were a danger for us. So, if the West tells us it does not [want] to fight us and wants instead to build a partnership with us, why should we insist on being hostile to it? Third, and that’s the main reason – we were developing weapons in preparation for a battle with the enemy [a reference to Israel, according to AFP]. Then we saw that the Palestinians have achieved in five years of negotiations [with Israel] more than 50 years of armed struggle from Beirut, Tunis and Amman. Add to all this the fact that the leader [Muammar Qadhafi] had felt that the Arabs are exploiting him, mocking him and threatening him with the US card.’<sup>756</sup>

### 10 March

The South African Constitutional Court denies the state leave to appeal against the acquittal of Wouter Basson by the Pretoria High Court. Nevertheless, the state will have the opportunity to raise constitutional issues arising out of the Supreme Court of Appeal’s dismissal of its application for leave to appeal the verdict.<sup>757</sup> Chief Justice Arthur Chaskalson says that Judge Willie Hartzenberg’s decision not to recuse himself – at the request of the prosecution – was a constitutional matter as the impartial adjudication of disputes in both criminal and

civil cases is the cornerstone of any fair legal system. On dropping six charges under the Riotous Assemblies Act as the crimes were committed outside South Africa, the court says there was a constitutional obligation on the state to prosecute offences that threatened the rights of citizens and an international obligation to prosecute crimes against humanity. With a view to considering an appeal, the court invites the state to submit further arguments, but it rejects the state's application to appeal against the acquittal of Basson.<sup>58</sup>

### 7 April

In Johannesburg, the BioWeapons Prevention Project (BWPP) organises a regional seminar on international networking. Its general purpose is to inform southern African non-governmental organisations about the BWPP and its goals and to introduce the principles upon which the organization has been established. More specifically, the meeting identifies the areas of overlap between the goals of southern African NGOs and those of the BWPP and explores opportunities for collaboration. Participating in the seminar are representatives from the African Centre for Biosafety (South Africa), Catholic Commission for Justice and Peace (Zimbabwe), Centre for Conflict Resolution (South Africa), Centre for Human Rights and Rehabilitation (Malawi), Institute for Security Studies (South Africa), International Physicians for the Prevention of Nuclear War (Zambia), Safer Africa (South Africa), South African Institute for International Affairs (South Africa), South African Police Service (South Africa) and Transformation Resource Centre (Lesotho).<sup>59</sup>

### 13 May

Libya declares, in a statement read out by US Under-Secretary of State for Arms Control and International Security John Bolton in Washington, DC, that it will 'not deal in military goods or services with countries that it considers of serious weapons of mass destruction proliferation concern'. Bolton says that Libya included North Korea, Syria and Iran as countries with which it had renounced all military trade.<sup>60</sup> Subsequent to Bolton's comments, in a statement carried by the official Libyan news

agency JANA, the Libyan Foreign Ministry says: 'The Libyan statement was clear, it cited no country and was not aimed at Syria ... Tripoli cannot say that Syria has WMD since it is a peaceful country whose land is occupied and is threatened by Israel.'<sup>61</sup>

### 19-30 July

In Geneva, the second Meeting of Experts takes place under the 'new process' established by the Fifth Review Conference of the BWC. In the first week, the experts focus on 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. In the second week, they address the enhancing of 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. The purpose of the meeting is to prepare the ground for the annual meeting of states parties in December.<sup>62</sup>

During the meeting, the UK proposes updating the guidelines and procedures – last refined in 1989 – to the 1982 UN General Assembly resolution<sup>63</sup> that enables the UN Secretary-General to conduct investigations of alleged violations of the 1925 Geneva Protocol. The resolution, however, does not authorise the investigation of alleged development or stockpiling of biological weapons. Richard Lennane, secretary of the Meeting of Experts, describes reaction to the proposal as 'cautious'. Guy Roberts, acting head of the US delegation, says the available mechanisms under the BWC and the UN 'remain viable and that revisions to their scope or procedures are neither necessary nor appropriate'. He adds that any discussions relating thereto should in any event take place within the UN.<sup>64</sup>

### Notes

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