

(Mr. Hyltenius, Sweden)

As I have stated, CD/1053 is in the first place an outline in which the details are to be developed. Discussion of it should therefore first focus on its basic concepts. Among its basic concepts I would like to underline the obligation to declare all CW-capable plant sites, whether or not they actually produce listed chemicals, and thereby the undertaking to accept short-notice on-site inspections at any of these. Such inspections should be streamlined and aimed primarily at verifying declarations on planned activities and the absence of activities that should have been declared. It is of particular importance to note that such inspections, according to the proposal, would focus on ongoing activities instead of trying to verify past activities. This helps to avoid unnecessary anomalies and ambiguities.

Hence we have on the one hand, broader openness and transparency than hitherto contemplated, and on the other hand less intrusiveness and interference in those cases where an actual inspection is carried out. My delegation proposes to identify CW-capable facilities through the use of certain chemical conversion processes. It might not be possible to use this classification absolutely unambiguously for each and every plant site. It is the view of my delegation, however, that a list of chemical conversion processes would be sufficiently clear to implement obligations under the convention. The responsibility to define exactly how the obligation to declare should be implemented in each State party could be entrusted to national legislation. Certainly, guidelines could be recommended through consultative multilateral work in the preparatory commission.

The negative verification approach, coupled with the absence of facility agreements in CD/1053, goes a long way towards streamlining the actual inspections and responding to legitimate concerns regarding confidentiality in industry. In fact, Sweden has carried out a national trial inspection on the basis of the approach taken in CD/1053. The result was encouraging. The inspectors were satisfied with the verification result - the absence of any production of listed chemicals - and the facility was particularly satisfied at the absence of a facility agreement, the elaboration of which would have required the facility to provide sensitive process information in written form.

Many delegations have asked questions regarding the selection of facilities for inspection. In the view of my delegation this problem is not of major importance. The overall approach, including the declaration régime, the concentration on production, the definition of CW-capable industry and the similar treatment of schedules 2 and 3, should be discussed first. Were those elements to be accepted, the selection principles could certainly be negotiated without too much difficulty.

It has been natural for my delegation to build on the present annex II in providing for obligatory inspections in those facilities that actually produce schedule 2 and schedule 3 chemicals. In addition, it is proposed that inspections should take place in these as well as in other CW-capable facilities through a system which blends directed efforts with random selection. We think all of these elements may be necessary. How actually to combine them - a higher or lesser degree of random selection - can certainly be discussed. But again, in the view of my delegation, this is a practical detail rather than a matter of principle in our proposal.