

might pass before it could start operating. One cannot expect that a treaty abolishing an entire category of weapon and the industrial base for its production, which has been worked out by a group of 40 CD members, would be automatically accepted by all or most of the remaining nations, as has been the case with some of the less important agreements. In the meantime, the danger of further chemical weapon proliferation might increase. According to US estimates, about 15 countries already possess or are seeking to acquire chemical weapons.²⁹ British estimates are even higher.³⁰ Egypt remarked that, as far as the developing countries are concerned, their joining the treaty would depend to a large extent on the provisions for international cooperation in the peaceful uses of chemical industry.³¹

Withdrawal from the convention. The major arms control agreements contain a clause that allows withdrawal from the treaty whenever extraordinary events, related to its subject matter, have jeopardized the supreme interests of the country concerned. If the chemical weapons convention follows this precedent — which is likely — withdrawal could be justified by the retention or acquisition of a chemical weapon capability by a state remaining outside the convention, or by a violation committed by a party.

In order to deter the parties from acting in breach of the obligations they assumed, and also to deter other states from engaging in activities inconsistent with the objectives of the convention, Pakistan proposed the following undertakings: (a) provision of assistance to the state party which feels endangered by a violation of the convention by another party or by the activities of other states posing a threat to the objectives of the convention; and (b) applying collective sanctions against the states guilty of such transgressions.³²

The envisaged assistance would include measures for the protection against chemical weapons of military forces and the civilian population of the requesting state, and the training of its personnel in the use of protective equipment. These measures could be taken by the executive council as well as by individual parties to the convention. The actions suggested to be taken in case of violation include measures of trade embargo,³³ in addition to possible political pressure put on the violator, and the diplomatic support provided to the affected country.

Preparatory work. To ensure that the convention should be effective from the outset, a preparatory commission would have to be established. Such a commission — as proposed by the the United Kingdom — might come into existence on the day the convention is opened for signature. Composed of the signatories, it would function until the consultative committee, or a general conference, had convened and

the executive council met for the first time after entry into force of the convention.³⁴ The tasks of the preparatory commission could include the working out of recommendations concerning financing, budgeting, recruitment and training of staff, and location of the permanent headquarters of the convention authority.

As regards financing, Venezuela warned that, should the costs of the operation of the verification system be so high that only very few countries would be in a position to meet them, the number of states willing to become parties would be small and the effectiveness of the convention correspondingly limited. It suggested that the example set by the IAEA be followed, where the developing countries bear a lesser burden in financing the safeguards than the developed ones.³⁵

CONCLUSION

Success in the present multilateral negotiations regarding chemical weapons depends in the first place on the determination of the superpowers to definitively renounce chemical warfare and to dispose of their chemical arsenals which are the largest in the world. Verification is no longer an insurmountable obstacle. But even with all good will on the part of the main protagonists, as well as of the other negotiators, a long time may be needed to settle the controversies still outstanding and to work out the missing provisions of the chemical weapons convention. Moreover, the 'rolling text' now before the CD must be transposed into proper treaty language; the redundancies must be removed and the terminology streamlined.³⁶ The inevitably lengthy drafting process could be shortened if the elaboration of certain technical details were left to the organs to be created by the convention rather than attempting to make them final in the body of the convention itself. It is impossible to foresee all eventualities before the convention starts operating. In any event, a periodic review of the operation of the convention will certainly be provided for, as has been the case in several other arms control agreements.

The cause of chemical disarmament would be considerably enhanced if all states clearly stated, even before the convention had been concluded, whether or not they possessed chemical weapons and chemical weapon production facilities, and if those which did possess them ceased the production. Strict export controls, introduced as quickly as possible, over those chemical substances which could be used in making chemical weapons would also be very helpful. Above all, states must become convinced that a world free of chemical weapons will be a safer one. Consequently, a resolute response from the international community is called for whenever there has been a violation of the Geneva Protocol, whatever the identity of the violator.