

(Mr. Morel, France)

Generally speaking, we feel that it could be useful to inject a little method into our work, and to that end differentiate between three successive phases that would raise different problems: initiation of the inspection, the inspection process itself, and the final report and results phase.

First of all, we consider -- and it seems to us that agreement could be reached on this -- that all States parties should be able to activate the challenge inspection procedure. Any intervention by a collective body at the beginning of the procedure would in our view create more problems than it would solve. Obviously we cannot overlook the risk of an improper request for inspection: this is a real difficulty but introducing a screening mechanism would run the risk of weighing down a procedure which is designed to be rapid. The process itself will quickly show whether or not the procedure has been abused. Therefore we think that the question of abuse of procedure is a subsidiary matter.

The second phase, the process of inspection proper, is obviously crucial and therefore demands special attention. Two concerns should guide the conduct of this process. First of all, we must constantly bear in mind the trigger, in other words the crisis of confidence between two States as regards respect for the Convention. The primary purpose of challenge inspection is clear: to restore confidence as soon as possible. Secondly, this initiative is of a serious nature because it reflects the concern of the requesting State as regards the chemical safety, and because it could lead to the application of the Convention by one or several States being called into question.

The procedure must therefore be activated and organized between two partners, with the assistance of the corps of inspectors. Within a short time, these should be in a position to halt the procedure if it proves inapplicable, or else to pursue the procedure to completion, in the form of a full and objective report, either by means of direct access to the plant itself or by alternative means.

In any event the requested country remains obliged to satisfy the requesting country. This does not involve what may seem the improper exercise of a sort of privilege, but stems from the obligation for full respect that has been entered into by all States parties.

While observance of the Convention and its corollary, that is to say the restoration of confidence, may not be modified, its implementation may be adapted to circumstances. This is the purpose of the alternative measures: far from offering a loophole, these are other means of arriving at the same result as an alternative to direct inspection, which obviously is still the simplest solution.

We think it is desirable to envisage the maximum number of realistic possibilities as regards alternative measures in order to assess the role these alternative measures could play in the dialogue between the two States. But it seems neither possible nor desirable to codify them in the body of the Convention in circumstances that could rapidly become obsolete or prove too rigid.