

(Mr. Elaraby, Egypt)

We do, however, realize that we still have a long way to go to finalize the convention. This may be partially attributed to the fact that the 1989 session dealt mainly with "technical" issues. We understand very well the importance of resolving such technical aspects. In the course of the current session we hope meaningful progress can also be made on the political aspects of the draft convention.

Today, I wish to put before the Conference my delegation's reflections on some of these remaining questions.

An issue which attracts special attention, though from different standpoints, is that of the relation of the future convention on chemical weapons to other international agreements. It is our understanding that, in accordance with the general rules of international law and article 30 of the Vienna Convention on the Law of Treaties, the chemical weapons convention, being a subsequent legal instrument on the same subject-matter, prevails over any existing international agreement covering the same subject-matter from the moment of its entry into force. Our work would be undone if unilaterally declared "rights" under the 1925 Geneva Protocol were transferred and thereby somehow eternalized in a comprehensive chemical weapons convention. Such attempts should be resisted in order to establish a non-discriminatory convention that contains one single universally applicable legal régime.

My delegation has raised this issue in the past. We consider it a political and not a legal one. No resolution to this problem has materialized, and it seems appropriate to propose that concerned delegations should consult further on this matter. We do hope that Ambassador Hyltenius will be able to reach a successful conclusion on this topic in his consultations on undiminished security.

Amendments are another important issue. This is a substantive and not a procedural matter. It entails highly political and legal considerations. It is the manner by which the parties to an agreement may alter the fundamental obligations when the need arises. With this in mind, the provisions on amendments, regardless of their formulation, should under no circumstances provide for a discriminatory régime that would consequently materialize in dual or multiple legal undertakings. The general rules contained in the Vienna Convention on the Law of Treaties may serve as guidelines in this respect.

A very important issue is that of sanctions. My delegation has been following closely the preliminary deliberations on this subject. The discussion over this question has clearly demonstrated the highly delicate political nature of the problem. It should be pointed out that the concept of sanctions is much wider than the incorporation of provisions on penal and punitive measures. We should strive for credible security guarantees. It is true that some of the material relevant to this subject is already scattered among the provisions of the draft convention. The end-product, however, should not be a weakened and fragmented edifice on the question of measures to redress situations of violation of and non-compliance with the convention. A clear-cut and credible provision should be expressly incorporated in a