

Any party which has reason to believe that any other party may not be in compliance with the provisions of the treaty, or which has concerns about a related situation that may be considered ambiguous, should be entitled to request clarification of the actual state of affairs bilaterally or through the Consultative Committee. Such a request, which may include a request for an ad hoc on-site inspection, should be accompanied by an explanation. (A party should not be expected to present conclusive evidence, but only its reasons for concern. Also, any bilateral action taken under this procedure should not preclude recourse to multilateral action by a party.)

The Depositary should be obligated to convene, as soon as possible and in any case within 10 days, upon request by any party, the fact-finding panel of the Consultative Committee (outlined in Appendix II). The panel should promptly conduct a fact-finding inquiry, including any ad hoc on-site inspections considered necessary by at least five members of the panel, and transmit to the Depositary a report on its work, whether interim or final, within six months of the date of the convening of the panel. Reports of the panel should include all views and information presented to the panel during its proceedings. The Depositary should distribute the report to all parties.

Any party whose concerns about compliance have not been resolved by the fact-finding panel within six months should be able to request the Depositary to convene a special meeting of the Consultative Committee to consider a compliance issue. The Depositary should convene such a meeting as soon as possible and in any case within one month of the receipt of the request. Any party should be able to participate in such a meeting, whose functions and rules of procedures should be established in an annex.

Each party receiving a request for an ad hoc on-site inspection from the fact-finding panel or the Consultative Committee should have a stringent obligation to permit the inspection. If a party refuses such a request, the Depositary should promptly notify the Security Council.

The complaint provisions should not be interpreted as affecting the rights and duties of parties under international law, particularly as regards bringing to the attention of the Security Council concerns about compliance with the Convention.

Since questions arising about use of chemical weapons would also raise questions about compliance with the Convention's ban on production and stockpiling of chemical weapons, the fact-finding procedures should enable reports of chemical weapons use to be investigated. Evidence of use should constitute evidence of violation of the Convention.

#### Domestic Implementation Measures

Each party should: (a) take any measures necessary in accordance with its constitutional processes to implement the Convention, and in particular to prohibit and prevent any activity in violation of the Convention anywhere under its jurisdiction or control, and (b) inform the Consultative Committee of the legislative and administrative measures it had taken to implement the Convention.

#### Confidence-Building Measures

Further legally binding measures should be developed specifically for the purpose of building confidence in compliance.