

(Mr. Sutresna, Indonesia)

Other delegations, including my own, have put forward valid arguments in favour of the inclusion of the prohibition of use in the convention. For this reason, I do not want to go through those arguments again. I believe, however, that it is of great importance for this Committee to note that there is no logic in the argument that since the development and production of chemical weapons are to be prohibited by the convention, it will not be necessary to prohibit their use. Statements made in this Committee at previous sessions as well as at this session have clearly indicated the inadequacy of the 1925 Geneva Protocol, caused among other things by its limited scope of application, the lack of a verification régime and the apparent built-in mechanism which renders the use of conventional weapons a possibility. Those weaknesses were in fact and in part due to the rapid development in technology which now has confronted us with new imperatives, and had nothing to do with the goodwill of the parties concluding the Protocol. And it is precisely because of those shortcomings that we are attempting to elaborate a comprehensive convention on chemical weapons. As to the contention that a prohibition to develop, produce and stockpile will subsume a prohibition to use, my delegation would like humbly to submit the following. First, the Convention we are elaborating will certainly not be applied in a vacuum. It will be applied in a situation where some countries will already have stockpiles and arsenals of chemical weapons. Under this circumstance, before a State party could destroy such chemical weapons, for practical reasons, there will be a time lapse during which that State, for reasons of national security, could probably use the chemical weapons at its disposal legally, simply because there is no provision in the convention which bans or prohibits their use; hence the 1925 Geneva Protocol mechanism will operate. This is a legal lacuna which we want to avoid and overcome. Secondly, since it is generally agreed that the scope would include a prohibition to acquire chemical weapons, and since actually it could also be said that prohibition to develop, produce and stockpile chemical weapons will subsume the prohibition to acquire, my delegation can not understand why certain delegations treat the question of non-use differently from the question of non-acquisition by opposing the inclusion of non-use. On the relations between the proposal to include prohibition of use in the scope and the 1925 Geneva Protocol, we would like to take this opportunity to assure those delegations that we have no intention whatsoever to undermine the 1925 Geneva Protocol, to which Indonesia itself is a party.

My delegation has indicated in its statement in plenary of its appreciation of the developments in the informal consultations concerning various elements of the convention, including the scope. While we are taking a firm position in favour of the inclusion of the prohibition of use in the scope, we are prepared to study alternative approaches which could generate a consensus. In this connection, we are also prepared to include in the "package solution" a provision in the convention which will ensure that a convention which includes a provision on the prohibition of use will not undermine the 1925 Geneva Protocol. Our position on the question of non-use is motivated simply by fear and anxiety created by the destructive effects of chemical weapons on living structures as well as by the fact that modern technology has been developing in such a way that it has lowered the threshold for the production and use of chemical weapons.

Another important element of the convention is definition. We take note of the positive developments reported informally to the Working Group on Chemical Weapons on the progress of informal consultations on this matter. It is my delegation's view that we should work out a comprehensive definition of chemical weapons which