

FEDERAL REPUBLIC OF GERMANY

Working Paper

on

Principles and Rules for Verifying Compliance
with a Chemical Weapons Convention

A. Introduction

1. There is general consensus that the observance of a convention prohibiting the development, production and stockpiling of chemical weapons and stipulating the destruction of existing stocks of such weapons requires adequate verification. The parties to the Geneva Protocol of 1925 banning the use of chemical weapons did not establish a verification mechanism. However, in the event of a gross violation of the Protocol, the general rules of international law still permit retaliation since the production and stockpiling of chemical weapons is not prohibited. This state of affairs engendering mutual mistrust was soon seen to be unsatisfactory by the international community. Not least as a result of this perception a comprehensive ban on chemical weapons was called for to avert once and for all the danger of these inhuman weapons being used. However, such a treaty does not do full justice to the security needs of the Contracting Parties if the problem of verifying compliance with its provisions is not reliably resolved.
2. There is also agreement that such verification should not be confined exclusively to national measures but that it should be a combination of national and international measures and mechanisms to be implemented by a special standing international body, referred to as the consultative committee in CD/220 and as "committee" below. The Contracting Parties must therefore undertake both to ensure at the national level observance of the convention and to submit to the monitoring carried out by the committee.
3. The Federal Republic of Germany, which renounced the production of chemical weapons as early as 1954 and agreed to international verification of its non-production of these weapons, is the only country with long-standing experience in international co-operation in this field. It presented this experience in a workshop in 1979 and recorded the results in CD/37. Its intention is not to recommend the procedure applied to the Federal Republic as a model, but to prove that international verification measures, including on-site inspections of chemical plants, are feasible without harming the Contracting Parties' legitimate interest in safeguarding business and production secrets.
4. The Federal Republic of Germany realizes that permanent and full-scale monitoring by means of on-site inspections of all military and non-military plants for the manufacture, stockpiling and destruction of chemical weapons and agents covered by a convention is not practicable since the necessary effort in terms of staff and finance would be excessive. It therefore advocates regular on-site inspections of all declared plants suited for the production of supertoxic chemical warfare agents, using a procedure by which the committee selects, by casting lots, a specific number of such plants every year for monitoring.