

Attachment (B)

Proposal by the Co-ordinator

Annex to Article IV, Section VII

Discovered old chemical weapons */

1. The present section applies to discoveries of chemical weapons which are not a part of the chemical weapons stock of any State Party and which, during or after past military conflicts, notably the two World Wars, were:

- (a) lost on battlefields (unexploded ordnances),
- (b) abandoned or disposed of at sea or on land and the origin of which is identified.

Such chemical weapons are hereafter referred to as "old chemical weapons".

2. A State Party that discovers such old chemical weapons shall notify the International Authority within ... days of such discovery. It shall give preliminary information on type(s), quantity, age, condition and the origin of the chemical weapons discovered as well as give a summary description of the circumstances, including location, of the discovery. As soon as possible, the State Party shall submit updated and detailed information concerning the discovered old chemical weapons. In the event that the discovery was made before the entry into force and that the weapons have not yet been destroyed, the detailed information shall be given within 30 days after the entry into force.

3. The International Authority shall review, if necessary through appropriate verification procedures, this detailed information, including the origin, aggregate quantity of chemicals and the condition of the chemical weapons, notably to what extent the munitions or devices could still be used as chemical weapons and/or whether the chemicals could still be extracted and used for the production of chemical weapons. For old chemical weapons discovered under the sea, the possibility of access and/or safe retrieval shall be examined by the International Authority.

4. States Parties shall be informed by the International Authority of the conclusion of this review, including whether or not the discovered old chemical weapons still [are to be considered as chemical weapons under the Convention] [pose any risks to the objective of the Convention]. If the conclusion is positive, and provided access to the discovered old chemical weapons and their safe retrieval prove to be possible, they will be stored and destroyed in accordance with Article IV and its Annex. An appropriate

*/ Some delegations reserved their position on the approach taken on this issue as reflected in this paper.