

(2) On matters to be considered in deciding the frequency of inspections, proposals have already been made as set forth in page 117 of document CD/881. The following two points may be worth further consideration, judging from the experience of our NTI.

(a) With regard to a multipurpose plant, it is most desirable that inspection takes place during actual production of listed chemicals, taking into account the necessity of ensuring the protection of know-how relating to the production of chemicals not listed in the convention.

The frequency of inspection could be decided, for instance, in proportion to the production ratio of listed chemicals at the multipurpose facility inspected and thus should be at a lower level than in case of inspection on a single-purpose plant.

(b) With regard to a plant where listed chemicals are produced only as an intermediate material, the frequency of inspection should be reduced in comparison with a single-purpose plant, while due consideration should be given to the possibility of listed chemicals being taken out.

9. Measures to protect confidential information

(1) In order to protect confidential information, it is important to consider protection measures in concrete terms for each type of inspection as well as for each category of facility. It was recognized, however, as a result of our experiment, that there would be a certain limit for the protection of specific information. It is essential, therefore, to impose strict restrictions upon inspectors in order to protect confidential information (See 2. above). From this point of view, "Guidelines on the International Inspectorate" contained in document CD/881 provides a useful basis, which should be elaborated further.

Moreover, it is considered necessary to have in-depth discussion on how to work out strict procedures for the selection of inspectors, what kind of sanctions should be imposed upon inspectors in case of the leakage of confidential information. Furthermore, it is necessary to consider the possibility of introducing a "penal" provision in case that an inspector acts in violation of the provisions on the protection of confidential information. As to the "penal" provision, an idea might be to impose restrictions upon the right of the State Party, from which the inspector concerned comes, to recommend its nationals as inspectors for a certain period of time. (It is essential that interpreters employed by the Organization should also be obliged not to leak confidential information.)

(2) In case of a verification inspection, the facility attachment itself can largely contribute to ensuring the protection of confidential information. In case of an initial visit, however, it is necessary to ensure the protection of confidential information further by means of working out an appropriate set of guidelines on an initial visit, as referred to in II.1. above, since there are no concrete restriction measures envisaged to protect confidential information in that case.