

(Mr. Ahmad, Pakistan)

In my statement last Thursday I had in very broad terms described my delegation's views on the question of fact-finding. In doing so I had made the point that the fact-finding procedures should be devised in such a manner that they operate as a safety net around the Convention. I had also stated that the Convention should provide for a graduated, though not necessarily rigid, framework for resolving doubts through the machinery to be established under it. The Working Paper that we have submitted elaborates our views on this subject.

The overall approach spelt out in document CD/664 aims at handling the question of fact-finding at four different levels, which though separately identifiable, cannot be deemed to impose a strict discipline whereunder one level has necessarily to be traversed in order to reach the next one.

In our opinion most of the doubts and ambiguous situations emerging in the implementation or observance of the chemical weapons convention should be resolved through clarifications sought and obtained within the framework of bilateral consultations in a co-operative mood. This could be described as the first or the least acrimonious level at which suspicions could be allayed.

In case a State party having some doubts about the observance of the convention by some other State party does not wish to directly approach the latter it should have the right to seek clarification through the organization set up under the chemical weapons convention. This could be described as clarification through the multilateral process and referred to as the second tier for resolving doubts.

The third tier would come into operation when a State party failing to satisfy its concerns through either of the approaches already mentioned by me, or without resorting to them, submits a request for the dispatch of a fact-finding mission to another State party in order to clarify a situation that gives rise to doubts about compliance with the convention. Fact-finding at this level acquires a more serious nature and needs to be carefully elaborated since it implies, inter alia, direct interference in the affairs of another State.

The fourth level of the fact-finding procedure involves a complaint regarding the use of chemical weapons. Since such a complaint would denote a violation of the gravest nature it would need to be handled in the most expeditious manner. It should be obvious that delayed action could lead to the removal or diffusion of the evidence of the use of chemical weapons.

I have broadly outlined the thinking behind the Working Paper submitted by my delegation. In our document we have tried to foresee different contingencies that may arise in the implementation of the fact-finding procedure. The treatment may, however, still be far from exhaustive. We have also put various steps in different time-frames keeping in view their relative importance as well as the overriding necessity of allaying suspicions as expeditiously as possible. We are conscious of the fact that the issues addressed in our document may not be readily amenable to solutions acceptable to everyone. However, we have presented our ideas with the conviction that the objective of resolving contentious issues cannot be served by taking extreme positions, but by seeking reasonable and practical solutions which lie somewhere between the extremes.