

FRANCE

Convention on chemical weapons

Confidentiality

INTRODUCTION

Implementation of the regular or exceptional verification measures stipulated in the convention must be acceptable to all parties concerned, and for that reason it is imperative to find a proper balance between the effective exercise of controls and the need for the inspected State to protect its confidential information in the military, commercial, and industrial fields. It is essential to maintain confidence in the treaty régime while keeping the risk of the loss of confidential information in the military, commercial and industrial fields at acceptable levels. Far from being contradictory, verification and confidentiality must be combined in order to ensure that the convention is implemented in the best possible way: if properly applied, confidentiality can contribute to better verification.

The procedures linked to confidentiality should be spelt out in the actual verification provisions of the convention, because they touch on fundamental national interests.

The convention should include in particular specific provisions governing the procedures for handling confidential information, as well as provisions concerning parties entrusted with the handling of such information.

This working paper deliberately presents an open-ended approach which covers different aspects of confidentiality and various ways to handle them in the convention. After a first chapter on the scope and limits of the concept, it explores three different avenues:

- A systematic review of the "rolling text" (CD/881), in order to identify places where the insertion of a reference to confidentiality could be deemed appropriate;
- The tentative structure of a specific article devoted to confidentiality;
- The principal elements of a special annex covering the various aspects of confidentiality.