

ARTICLE I

GENERAL PROVISIONS ON SCOPE

1. Each State Party to this Convention undertakes never under any circumstances:
 - (a) to develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone;
 - (b) to use chemical weapons, 1/ 2/;
 - (c) to assist, encourage or induce, in any way, anyone to engage in activities prohibited to Parties under this Convention.
2. [Each State Party undertakes not to [conduct other activities in preparation for use of chemical weapons] [engage in any military preparations for use of chemical weapons].]
3. Each State Party undertakes to destroy chemical weapons which are in its possession or under its [jurisdiction or] control. 3/ 4/
4. Each State Party undertakes to destroy any chemical weapons production facilities it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.

1/ The question of herbicides was subject to earlier consultations. The 1986 Chairman of these open-ended consultations has suggested the following formulation for a provision on herbicides: "Each State Party undertakes not to use herbicides as a method of warfare; such a prohibition should not preclude any other use of herbicides".

2/ It is understood that this includes prohibition of use against States not Party to the Convention.

3/ The view was expressed that the application of this provision to the destruction of discovered old chemical weapons needs to be further discussed. Another view was expressed that the application of this provision does not allow for any exceptions. The outcome of consultations carried out during the 1990 and 1991 sessions on the issue of old chemical weapons is contained in Appendix II.

4/ During the 1990 session, consultations were carried out on the issue of Jurisdiction and Control, the results of which are contained in Article VII and in Appendix II. Further work was undertaken during the 1991 session, the result of which is now incorporated in Articles I, III-VI. Paragraph 3 of Article I needs further discussion.