

(Mr. Loeis, Indonesia)

The negotiations to totally ban chemical weapons during the 1989 session of the Conference on Disarmament, as well as the open-ended consultation recently concluded, have made considerable progress. Understanding in some aspects has been achieved, and divergences of views have been narrowed. We notice among other things that efforts to set up a verification régime under the convention to totally ban chemical weapons, as well as other matters pertinent to the smooth running of the convention, have persistently been expended by the Committee.

We are gratified to have been working with the scale of negotiations in the Committee and the wealth of ideas that delegations have submitted. The outgoing chairman of the Ad hoc Committee on Chemical Weapons, Ambassador Morel, as well as the chairmen of the five working groups, deserve our appreciation and gratitude for the able and creative manner in which they guided the negotiations last year. At the same time, however, if we reflect on the commitment entered into by the international community to comprehensively ban chemical weapons, then we are astonished to learn that one of the most crucial elements of the future convention, the prohibition of use of chemical weapons, is excluded from the Committee's mandate.

United Nations General Assembly resolution 44/115 B specifically urges the Conference to pursue as a matter of continuing urgency its negotiations on a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction. The message is clear. The General Assembly has specifically stressed that the convention should include the prohibition of the use of chemical weapons.

The demand of the international community to ban chemical weapons results from the fear of the most dangerous consequences if such weapons were to be used. The great danger that chemical weapons pose to mankind is not the development, production or stockpiling of those weapons as such, but their possible use. Such a possibility will always exist as long as the development, production and stockpiling of these weapons are not totally eliminated. The prohibition and prevention of the use of chemical weapons therefore constitutes the core of the problem concerning the banning of chemical weapons, and should therefore be covered by the scope of the future chemical weapons convention.

Objections to the proposals to include use have been raised for a number of reasons. One of these suggests that the use of chemical weapons has been prohibited by the 1925 Geneva Protocol, and that there is no need to include such a prohibition in the future convention: another is that a new convention containing the same rules would weaken the instrument already in existence.

As we all know, the 1925 Geneva Protocol has a number of weaknesses. It conditionally bans the use of chemical weapons, and more than 40 States parties, among them all the great Powers, made reservations stating that they would not be bound by the convention vis-à-vis any State whose armed forces failed to abide by the Protocol. It also contains no mechanism to verify compliance, and it has been evident that it cannot totally prevent the use of these weapons. The effectiveness of the Protocol is therefore questionable, since it could be regarded as a "no first use" agreement.