

2. For facilities of the former category, routine inspections and the politically significant instrument of challenge inspections initiated by States parties are the available means of clarifying suspected violations of the Convention. For facilities of the latter category verification can be carried out by means of challenge inspections alone. On the basis of the groundwork done by other delegations, particularly the Australian observations on spot checks (CD/698), we believe it is worth considering additional provision for a form of Ad hoc check which the international authority could manage easily on a routine basis as follows:

The international authority should be empowered (under a system analogous to the right to query unclear data envisaged in paragraph 5 of our Working Paper CD/CW/WP.159) to carry out on its own initiative Ad hoc checks at short notice in production facilities of the chemical industry. These checks should serve solely to ascertain whether, at the time of the check, substances listed in the Annexes to Article VI and not reported for the facility in question were being produced there.

If the production of such substances is ascertained, their amount should then be investigated. In this way it can be established whether the Convention has been violated through production of an amount in excess of the thresholds for reporting.

We believe that with the aid of this instrument, directed against the major sources of concern regarding potential violation of a CW ban, a maximum degree of additional transparency, and hence of additional confidence in the reliability of all parties' compliance with the Convention, can be achieved.