

(Mr. Elaraby, Egypt)

The executive council should be informed of any request immediately, and should be able to convene right away to follow the course of the investigation so that timely decisions may be taken in order to facilitate the task of the inspectors and to control the situation. Although such inspections should be effective and timely, they should be executed in the least intrusive manner. The challenged State should have the right to protect its national security and industrial secrets. However, in order to ensure compliance by the challenged State, the chemical weapons convention should provide clear-cut procedures in order to strike a balance between these legitimate rights of States and the success of this regime. The report of the inspection operation has to be passed to the parties as well as to the executive council. This report should contain a statement of the factual findings of the inspectors, as well as a conclusion which would help the executive council in deciding whether the challenged party was in compliance with the convention or violating it. Furthermore, the executive council should be able to convene immediately to consider ways and means to remedy the situation and to ensure compliance. This would involve bringing the matter to the attention of the Security Council. A provision to ensure that the right to request challenge inspections will not be abused also has to be included in the text.

The convention should provide a protective umbrella for the States parties, in the form of assistance provided by the other States parties to limit the effect of the use or threat of use of chemical weapons. This system should cover a whole range of measures from prevention to treatment. In addition to the question of automaticity required in implementing this provision, the convention must trigger a mechanism in a well-defined time-frame. It is a major achievement that the Ad Hoc Committee was able to move article X from appendix II to appendix I. However, transferring it to appendix I does not mean that article X cannot be improved. The work undertaken in Working Group A aims at attaining such improvement.

Another major step that the Ad Hoc Committee was able to achieve during the inter-sessional period was that of taking article XI off the shelf, where it has been for several years, and putting it in its proper place in appendix I. Article XI is a key provision for universal adherence to the convention. To a large extent, adherence to it will depend, *inter alia*, on the nature and scope of the provisions that will provide for international cooperation to develop the peaceful uses of chemical industries; a convention that does not, however, impede peaceful chemical activities. I wish to emphasize the interest of all States in ensuring that the economic and technological development of their chemical industry are not hampered. In this context, a technical assistance programme to help parties in organizing a system for monitoring their chemical industry should be devised. It is also imperative that the flow of chemicals, instruments and data be maintained. These concepts should be scrutinized so as to clearly reflect the rights and obligations within the context of a well-justified balance.

The Ad Hoc Committee is divided on the question of environment. We believe it is important to introduce provisions on environment in relation with the destruction of CW and any other activity prohibited by the convention.