

(Mr. Butler, Australia)

of so-called frivolous use of a system of challenge inspection seems to be causing fairly widespread concern. We believe that one should keep this issue carefully in perspective. Let me try and illustrate what I mean.

Surely these are the facts. The basic obligations of the Convention are of fundamental importance. There will be a clear difference between a State which decides to join this Convention and one which does not. Surely, as in other similar treaties, each State will be faced with a choice. Do you want to ban chemical weapons or not? Are you prepared to participate in this system or not?

Having made that choice, and such State will immediately assume some fundamental obligations, and those obligations will be immediately verified. They will have to declare any stockpile they have. Those stockpiles will have to be destroyed, and verification of their destruction made effective. They will have to accept a continuing routine of inspection of the relevant industry to ensure that new supplies of chemical weapons are not produced.

Those are the fundamental obligations, and surely it will be a matter of great importance to see the difference between States that enter into those obligations and those that do not. My point here is that there is some room for good faith in this area, because it is significant to undertake these obligations as against declining to do so. And an element of good faith should be extended to those who have done so as against those who have not.

Further, the Convention itself will surely nurture that good faith and the confidence that is basic to any universal arms control régime. As parties to the Convention increase in number, and our experience grows in applying the daily and routine systems of inspection to ensure that the obligations of the Convention are being fulfilled, so should confidence in the Convention increase.

Now I said that from my delegation's point of view we accept the need for mandatory challenge inspection. Why, in the light of what I have just said about the fundamental obligations of that continuing régime, should this be necessary? Because we must entertain the possibility that, at some stage, there may be a person, a State from within the Convention which would try to avoid its obligations -- what someone else has referred to as the possibility of either an evil person or a mad person seeking to avoid obligations that have been entered into.

Under such circumstances the system of challenge inspection, under which such an eventuality could be brought to notice, would be required. But the development of that system has been questioned on the grounds that it may be open to frivolous use. While this is always possible, that is, the so-called mad person or evil person acting against the system, I think that our concern about that possibility should be kept in its correct perspective. It should not be allowed to come to dominate the other major issues of the Convention.

We should not allow ourselves to enter into a situation in which, when one person calls for a law that says "Thou shalt not kill", someone else points out that it may be broken from time to time, and someone may get