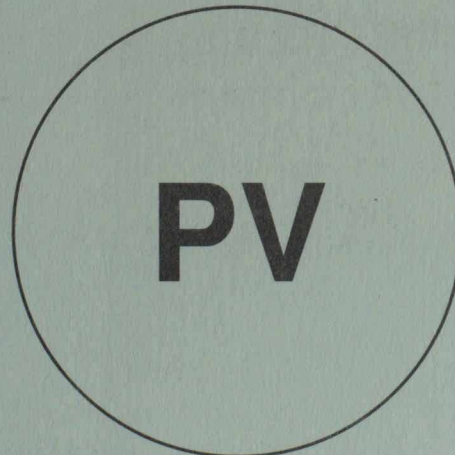


D118A

CONFERENCE ON DISARMAMENT

**CHEMICAL WEAPONS -  
FINAL RECORDS (PV)**

1992 SESSION



COMPILED AND EDITED BY:  
ARMS CONTROL AND DISARMAMENT DIVISION OF  
EXTERNAL AFFAIRS AND INTERNATIONAL TRADE CANADA  
OTTAWA, CANADA

NOVEMBER 1993

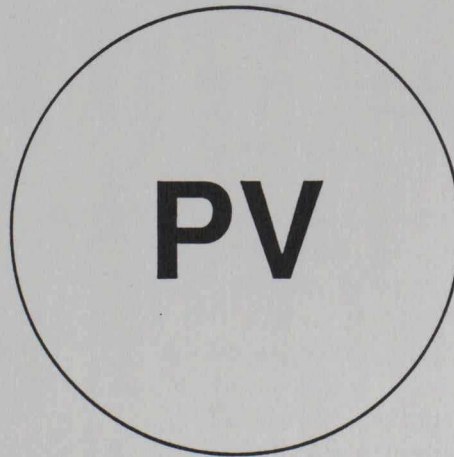
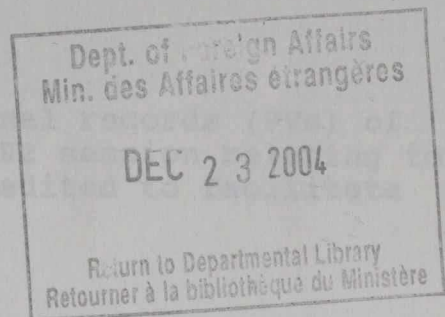


CONFERENCE ON DISARMAMENT

# CHEMICAL WEAPONS - FINAL RECORDS (PV)

1992 SESSION

This volume is a compilation of the final records (PV) of the Conference on Disarmament during its 1992 Session on Chemical Weapons. It has been compiled and edited by the Secretariat of the Conference on Disarmament.



COMPILED AND EDITED BY:  
ARMS CONTROL AND DISARMAMENT DIVISION OF  
EXTERNAL AFFAIRS AND INTERNATIONAL TRADE CANADA  
OTTAWA, CANADA

NOVEMBER 1993



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(The President)

It is in this light that I see the priorities of our work. I think it will be exceptionally important that this year we wind up our work on the convention on the prohibition of chemical weapons successfully. Nobody needs convincing that the initiatives for the control and non-proliferation of weapons of mass destruction, chemical and nuclear in particular, are of top priority.

... It is certain that there exists a political will to bring to a close the negotiations on the convention on the prohibition of chemical weapons, but in order to stay to the point we have to make sure that the convention is of equal interest to all members of the Conference and the United Nations as a whole. In this regard we shall require much patience and wisdom, to review and respect the interests of others and adopt realistic solutions.

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(Mr. Komatina, Secretariat)

... "The Conference is on the threshold of a major achievement of multilateral diplomacy, as it has now entered the final stage of the elaboration of a convention on chemical weapons. I am confident that the future chemical weapons convention will constitute a far-reaching security arrangement for effectively eliminating a barbaric and indiscriminate means of warfare, and act as a barrier to its possible future resurgence. I welcome the intensification of the negotiations on this issue and strongly urge the Conference to maintain the momentum and exert its utmost effort to achieve the goal it has set out for itself this year - a final agreement during the 1992 session.

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(Mr. de Rivero, Peru)

This is the first time in the history of disarmament that a populated geographical area of the planet has become a zone free of all weapons of mass destruction. At the same time, through the Declaration - it is important to emphasize to this Conference - the Andean countries, in the same Declaration, also expressed their determination to become unconditional original signatories of the convention on the prohibition and destruction of chemical weapons. The Cartagena Declaration is the culmination of a combined effort, but it is also the start of a gradual process to regulate the acquisition and transfer of advanced weaponry and related technology and prevent the strategic destabilization of Latin America and the Caribbean.

(Mr. de Rivero, Peru)

... The Conference on Disarmament has the ineluctable responsibility to finalize this year the convention to eradicate all chemical weapons once and for all from the face of the Earth, thus ending a barren 15-year period during which the Conference on Disarmament did not produce any agreement. It is on the threshold of this deadline, which will determine the future of the Conference on Disarmament, that I venture to make three comments on the approach that should guide the negotiations so as to ensure that they are successful and that by the end of this year we have a convention banning chemical weapons.

My first thought relates to the scope of the prohibition and the intended beneficiary of protection under the convention. On this important aspect of the negotiations, there are some - guided no doubt by the best of intentions - who would like to exclude from the convention any gap, ambiguity or loophole that could give rise to possible forms of non-compliance that are not explicitly prohibited in the text. With the best intentions they seek a

(continued)

(Mr. de Rivero, Peru)

perfect legal instrument. Of course, ideally we should set forth an absolute, perfect prohibition. However, since beings are not perfect, and nor are diplomats, there is no alternative but to achieve a complete prohibition, in the context of what is possible and necessary, so as to provide for regional and global security and confidence.

When we say that the provisions should fall within the context of what is possible and necessary, what we mean is that their scope can never go beyond what can qualitatively or quantitatively be examined, certified and verified. There should be no doubt whatsoever as to the intended beneficiary of protection - human beings and, by extension, animals. Expanding the scope of protection to plants, even though the prohibition may be specifically restricted to use, would give rise to a series of collateral problems, such as the verification and implementation of article X, which refers to the threat of use, *inter alia*. The generic or unlimited inclusion, within the definition of chemical weapons, of those substances that do not fall within the classification of "supertoxic lethal" or "lethal" chemicals should be handled very cautiously, and it might perhaps be advisable, since the prohibition cannot be absolute and perfect, to give pride of place in the definition to the effects that occur, that is death, temporary disability or permanent injury. Only in so far as a toxic chemical specified in the convention produces these effects in human beings or animals may it be considered a chemical weapon.

My second thought on the chemical weapons negotiations relates to the problem arising from the destruction of the stockpiles, which according to declarations exceed 90,000 tons. The issue of converting chemicals to a form unsuitable for production of chemical weapons in facilities specifically designed and equipped for that purpose, as provided for in articles IV and V and their annexes, is currently being reconsidered in certain specialized sectors, in view of the difficulties being encountered by at least one of the chemical-weapon States in achieving the total destruction of its chemical stockpile within the stipulated 10-year time-frame. In my delegation's opinion it would be appropriate to re-examine the concept of destruction in the light of the observations and difficulties prompted by the 10-year time-frame. The experts state that starting up a facility to destroy chemical weapons, for example, could take between three, four or six years, including the initial feasibility study. We are all aware, moreover, that the destruction of chemical weapons is very costly, particularly because of the physical security and environmental protection measures involved. We are also aware that there may be alternative methods and technologies to neutralize chemical-weapon stockpiles completely. On the other hand, the 10-year time-frame could be retained, provided that we are all convinced that this is a genuine, feasible time-frame that would be enough for carrying out the destruction or possible neutralization of chemical weapons, and that this will not lead to undue haste or pressure that might endanger the environment.

(Mr. de Rivero, Peru)

My third and final thought relates to the problem of challenge inspections. Working paper 371 of the Ad Hoc Committee on Chemical Weapons to a large extent summarizes the present status of the negotiations. However, unfortunately some still wish to some extent to distort the basic component in the original proposal to carry out such inspections in any place, at any time, and without delay. As far as my delegation is concerned, challenge inspection would be the last resort provided for under the convention in extreme cases when the other mechanisms available prove inadequate to resolve or clarify any doubt that arises from compliance with obligations under the convention. It is therefore important to emphasize and reiterate the exceptional or extreme nature of challenge inspection, because it is only in this fashion that we can understand the discretionary powers that should be conferred on the inspection team. My delegation therefore considers it questionable that the "final" perimeter of the site where the inspection is to be conducted may, in the final analysis, be the perimeter proposed by the inspecting State. It can also distort a challenge inspection if the inspected State is authorized to select alternative measures other than full and broad access for the inspectors.

If we bear in mind a recent case which has given rise to concern in the international community, we must agree that if we accept challenge inspections with ambiguities or restrictions, they will simply lose all justification. In this way we will be losing one of the most intelligent and appropriate mechanisms for ensuring confidence in compliance with the obligations and resolving doubts and questions that any convention, however perfect we may wish it to be, may have.

(Mr. Marín Bosch, Mexico)

... Once again a large part of the CD's time and efforts will be spent on the negotiation of a convention on the total prohibition of chemical weapons. Since last year important changes have been made in the mandate of the Ad Hoc Committee on Chemical Weapons: in February the qualification that prevented it from proceeding to the finalization of a draft convention was dropped, and in June, besides the call to intensify negotiations "with a view to striving to achieve a final agreement on the convention by 1992", the prohibition of use was included in the title of the future convention. Those changes have begun to bear fruit. This is reflected in the report that we submitted to the United Nations General Assembly, which in its resolution 46/35 C urges the CD, as a matter of the highest priority, to resolve outstanding issues so as to achieve a final agreement during the present session.

The work done by the Ad Hoc Committee on Chemical Weapons during the intersessional period is further proof of the commitment we all have to strive to achieve an agreement during 1992. However, bearing in mind the many implications of the series of outstanding issues, it is advisable to avoid setting deadlines which later we may not be able to keep. The example of the Uruguay Round of negotiations in GATT could serve as a precedent. That does not imply that we should reduce the pace of the Committee's work, but rather

(Mr. Marín Bosch, Mexico)

that time should be given to assess carefully the effects of each and every one of the provisions which will be included in the future convention, so that it can be applied on a truly universal scale.

(The President)

I shall now proceed to document CD/WP.417, by which the Conference will re-establish the Ad Hoc Committee on Chemical Weapons and appoint as its Chairman Ambassador Adolf Ritter von Wagner of Germany. I see no objection to the draft decision, and we shall therefore adopt it.

It was so decided.

The PRESIDENT: I am pleased to note that, by this quick decision at the opening of our work for 1992, the Ad Hoc Committee on Chemical Weapons is now in a position to resume work immediately, in order to intensify its negotiations this year on a final agreement on a convention banning chemical weapons. Allow me also, on behalf of the Conference, to extend our congratulations to Ambassador von Wagner on his appointment to the heavy responsibility of conducting the work of the Ad Hoc Committee at this crucial stage of its work. His knowledge of the subject-matter and his diplomatic competence will, I am sure, provide the necessary impetus for these negotiations. I give the floor to Ambassador von Wagner.

Mr. von WAGNER (Germany): Mr. President, let me express my delegation's deep satisfaction at having the privilege to negotiate world-wide arms control and disarmament questions under your able guidance. We wish you luck and success.

The Conference on Disarmament has just decided on the re-establishment of the Ad Hoc Committee on Chemical Weapons. I feel very honoured that the Conference entrusted me with the task of chairing the Ad Hoc Committee. I should like to express my sincere thanks to all my colleagues for their confidence in my efforts. I feel very honoured and grateful - but above all, I feel obliged by the responsibility which accompanies the Ad Hoc Committee chairmanship in this critical year. You have my firm commitment that I will do everything to bring our common endeavour to a successful conclusion.

In this context, and here I should like to add to my prepared manuscript, I want to stress that I am perfectly aware that I need your trustworthy cooperation. I shall undertake concrete efforts to maintain close contact with all groups and delegations, and I shall consult with them as closely as possible in order to achieve smooth proceedings in the more formal meetings and sessions. At the same time, I should like to invite and encourage all delegates also to seek close contact with me; the cooperation I envisage cannot be a one-way street. Efforts, however, from all sides will achieve success.

The convention is clearly within reach this year, thanks to the contributions by all delegations and by the previous chairmen of the Ad Hoc Committee. I should like to pay tribute in particular to my predecessor, Ambassador Batsanov, who led the work of the Committee in a very skilful and pragmatic way. Due to the untiring efforts under particularly difficult circumstances by Ambassador Batsanov, his working group chairmen and Friends of the Chair, we now have the basis on which we can venture the last breakthrough to the signing of the convention.



(Mr. von Wagner, Germany)

As we resume our negotiations on finalizing the global ban on chemical weapons, it may be useful to recall our basic negotiating objectives so as to put the remaining problems into perspective. First of all, we have the objective to rid the world of chemical weapons in order to achieve a gain in security for all of us. It has long been recognized that chemical weapons are a particularly cruel and repugnant means of warfare. One year ago, history gave us a lesson that should also have removed any lingering doubts about the role of chemical weapons in international security. If their existence continues to be legitimate, they pose a grave threat to international peace and security. The Gulf war and its antecedents have confirmed two conclusions. Firstly, despite their limited military utility, chemical weapons do have very harmful political properties. In the hands of unscrupulous aggressors, they can foster political and military adventurism. Secondly, non-proliferation efforts through export controls are insufficient to control the danger that chemical weapons constitute for the international community. The best non-proliferation measure is an effective chemical weapons ban that is based on global cooperative efforts.

Looking at these conclusions, one might wonder why it seems so difficult to bring the Geneva negotiations to a close. The security benefits which a global ban on chemical weapons would bring about seem too obvious to allow of any hesitation. Such security benefits would accrue to all countries, although national perceptions sometimes might differ. Some countries might have a particular interest in the chemical weapons convention. A Chinese scholar in the Chemical Defence Research Institute in Beijing observed last year:

"... developing countries face a more dangerous threat from chemical weapons than do developed countries. It is not surprising that all the uses of chemical weapons after World War I were against developing countries."

The quotation continues:

"... the statement 'Chemical weapons are the poor man's nuclear bomb' is wrong. The right statement is 'Chemical weapons are the sword of Damocles hanging over the poor man's head'."

The immediate security benefits which would flow from a global ban on chemical weapons already provide a compelling reason for strongly urging the Conference on Disarmament to conclude negotiations in Geneva. But there are further compelling reasons - reasons going beyond chemical weapons. Concluding the CWC successfully offers us the chance to inaugurate a qualitatively new era for multilateral arms control and disarmament. It is very difficult to maintain the momentum of a complex, long-term endeavour like multilateral arms control without any visible, tangible results. Success in this field requires treaties. The Conference on Disarmament in its present form has not produced one single international treaty text. The environmental modification Convention of 18 May 1977 was the last achievement of

(Mr. von Wagner, Germany)

multilateral arms control to this date. Whereas - in the years just passed - disarmament treaties between the former cold war opponents have proliferated, arms control on a global scale seems to have come to a standstill.

This not too rosy picture would change dramatically if we finally came to terms with the few remaining issues of the chemical weapons convention. The convention would provide invaluable fresh impetus for the endeavour of multilateral arms control. The liberation of mankind from the threat of chemical weapons would have positive implications going far beyond the negotiating matter.

In addition to the direct security benefits, States parties to the convention would discover a completely new experience in applying an unprecedented body of provisions for global disarmament and verification. Experience in applying the instruments of the convention would help us to understand that reliable disarmament does not imply risk, but opportunity; not a danger to national sovereignty, but a singular opportunity to build on the foundation of a new, cooperative concept of international security.

The world needs such a new, cooperative security concept. We all know the global challenges of our time, which have united us into one large "community for survival". We have seen the fading away of the old East-West conflict, we witness the transformation into the vision of a zone of peaceful cooperation stretching from North America over the Atlantic Ocean and Europe to the Pacific. In this process, the cooperative instruments of confidence-building, arms control and disarmament have played a key role. It is true that these instruments cannot be utilized independently from overall political conditions. But it is also true that without such cooperative instruments tension and confrontation cannot be transformed into common efforts of building peace.

Looking at the remaining negotiating problems of the chemical weapons convention in this broader context, their relative significance, having been put into perspective, should have become clearer. The remaining obstacles must be surmountable, although they reflect serious questions like verification, trade issues, cooperation and old chemical weapons. Having a vision of the larger issues at stake, we will overcome these obstacles.

The success of the chemical weapons convention will depend largely on its universal acceptance. You, Mr. President, rightly pointed to this important feature in your opening statement. In this respect, the already large number of countries which have pledged early signature is very encouraging, and the Cartagena Declaration, which was introduced to the CD by Ambassador de Rivero of Peru is an additional pledge of the highest importance to this effect. Furthermore, all delegations in Geneva have clearly pronounced their strong interest in the success of the convention. The attractiveness of the convention will also play a key role with regard to universality. But more will be needed, in particular demonstrations of responsibility on the regional level. In some regions, long-standing political conflict might seem to require prior solution before accession to the chemical weapons convention is

(Mr. von Wagner, Germany)

considered. However, there could be a fallacy in such thinking: as I have indicated before, arms control treaties are not only luxury items that follow peace; they are vital instruments in bringing about and strengthening peace.

We know that our negotiations have reached a watershed. . The final breakthrough is in sight. The United Nations General Assembly, in its resolution 46/35 C, strongly urged the Conference on Disarmament, "as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session". If the Conference on Disarmament failed to live up to this task, the consequences for the global arms control dialogue might be grave - as the positive ramifications of success would go beyond chemical disarmament.

The time has come for a global ban on chemical weapons. After long periods of contentious debate and stagnation, we face a singular opportunity. Let us grasp it so that, during the months to come, we may adopt by consensus the text of the chemical weapons convention.

Mr. BATSANOV (Russian Federation) (translated from Russian): First of all, Mr. President, I should like to congratulate you on taking up this very important post at our Conference and to wish you every success in your very difficult work. I have taken the floor at this time as the outgoing Chairman of the Ad Hoc Committee on Chemical Weapons, even though in a week I will of course be performing my last function, which is to present the report on our work last year. But I have taken the floor in order to congratulate Ambassador von Wagner very sincerely on taking over from me at this time, and to express my full conviction that under his leadership - I do not wish to dwell on his qualities, with which we are all familiar - we will achieve final success, by succeeding in finalizing the draft convention on chemical weapons.

(The President)

I now give the floor to the representative of Germany, Ambassador von Wagner.

Mr. VON WAGNER (Germany): Thank you, Mr. President.

Mr. President, the situation for those delegations which have in the past observed our deliberations and have had the opportunity to participate in, at least the Ad Hoc Committee on Chemical Weapons, is of course particularly unsatisfactory. In previous years, Mr. President, all ad hoc committees set up by the Conference needed a certain time to get started. Last year, if my recollection is correct, it took about three to four weeks until the Ad Hoc Committee on Chemical Weapons got started. This year we are happy to record that the Ad Hoc Committee on Chemical Weapons got started right away. There is the question of the admittance of observers, which is not delayed but takes more time and I accept that of course fully.

Nevertheless, the situation for the observers is, as I have said, very unsatisfactory. I have not very thoroughly consulted with the Secretariat so far whether there are ways and means of helping; I do not see any, I must confess. Nevertheless, I could promise those who are not yet observers but are participating in this public meeting today to see whether there are any ways and means, but my hope is not very great. I would wish to let them know that at least the Ad Hoc Committee Chairman deplores this delay, for which he is not responsible.

(Mr. Batsanov, Russian Federation)

... Russia intends, as a matter of principle, to accede to the international regime for the non-proliferation of missile and missile technology as an equal partner. It also supports the efforts of the "Australian group" for control of chemical exports.

The Russian Federation intends to adopt domestic legislation regulating the export from Russia of "double purpose" materials, equipment and technology that could be used for the production of nuclear, chemical and biological weapons as well as battlefield missiles. A system of State control over such exports is being created.

Russia seeks to establish the closest cooperation and coordination among all the member States of the Commonwealth of Independent States on these issues.

The statement underlines - and now I am moving to what is clearly the key issue for the Conference's activity now that Russia advocates the earliest conclusion - already in 1992 - of a global convention on the prohibition of chemical weapons. It is necessary reliably to block ways of gaining possession of chemical weapons without detriment to the legitimate economic interests of the parties to such a convention. Moreover, Russia adheres to the agreement with the United States on the non-production and elimination of chemical weapons signed in 1990. However, the agreement's timetable for the elimination of such weapons needs some adjustments.

All the chemical weapons of the former USSR are on Russian soil and the statement stresses that Russia assumes responsibility for their elimination.

Russia is open to cooperation on this issue with the United States and the other countries concerned.

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Mr. BELL-GAM (Nigeria):

... Mr. President, the Nigerian delegation is aware of the commendable role most non-member States to the CD have played, especially in the Ad Hoc Committee on Chemical Weapons. This year we have already received over 36 such applications, including that of South Africa.

... We are currently negotiating a multilateral Convention on the complete and effective prohibition of the development, production and stockpiling of

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(Mr. Bell-Gam, Nigeria)

chemical weapons and on their destruction. There is every reason to believe that South Africa possesses chemical weapons. There must be an assurance that as an Observer, they will not only contribute constructively towards elaborating the Convention but also recognize the paramount need for universality. For that reason, my delegation will not block consensus this time around, as all potential violators should be brought into the negotiating process. Nigeria reserves the right to block future consensus on this matter. This is more so until South Africa becomes a free, democratic and non-racial society and conducts herself in accordance with the principles and purposes of the Charter of the United Nations.

Mr. BATSANOV (Russian Federation) (translated from Russian):

... Today, I should like to introduce the report of the Ad Hoc Committee on Chemical Weapons, which I had the honour to chair during the 1991 session of the Conference on Disarmament. As you have indicated, Mr. President, this report has been distributed by the secretariat as document CD/1116, dated 20 January 1992, and it describes the results of the Ad Hoc Committee's work for the period from September 1991 to 20 January 1992 inclusive.

The report retains the format of previous years: a technical part, the draft text of the Convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction (Appendix I); and an Appendix II, which contains various papers reflecting results of work undertaken on a number of issues relating to the draft Convention. In comparing this report with the preceding report of the Ad Hoc Committee, contained in document CD/1108, one cannot fail to note that during the latest period the so-called rolling text has been amplified with a good deal of new material, much of it formulated in treaty language. This mainly concerns verification issues, which have been among the central issues in our negotiations. Appendix I contains wording for the second part of article IX - a space that has long remained blank.

Furthermore, part III of the Protocol on Inspection Procedures has been considerably redone, its text reflecting new ideas put forward in the course of last year and the results of their discussion by the participants in negotiations. Appendix II contains new texts of annexes to article VI reflecting the considerable work done on clarifying and improving the verification mechanism for civilian chemical industry. Appendix II also contains for the first time provisions in treaty language pertaining to the composition, functions and decision-making procedure of the executive council. Also to be found in Appendix II are draft provisions on the financing of the future organization and the results of last year's discussion of so-called old stocks of chemical weapons.

Numerous additions and clarifications have been introduced into the draft Convention representing the results of the work done in various structures of the Ad Hoc Committee; and a number of footnotes that reflected unagreed

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(Mr. Batsanov, Russian Federation)

positions on the part of participants have been eliminated. This concerns primarily the inclusion of definitions relating to the chemical industry in article II "Definitions and Criteria", and the "footnote purge" of articles XVII "Signature", XIX "Accession" and XXI "Entry into Force". Thus, for the first time in the history of the negotiations, we now have all the articles of the draft convention formulated in treaty language. Of course, many of them are open to further considerable work. The status of the various elements is not the same and I should like to stress that in my opinion more could have been achieved during the past year. Progress in the solution of a number of important issues turned out to be less significant than might have been expected. Evidently, the Chairman too did not exploit all the opportunities that presented themselves in the negotiating process.

But, be that as it may, I believe that we now have a real prospect of completing the negotiations successfully in the course of 1992. At the same time, unless the pace of agreeing our positions on substance increases in the very near future, this opportunity too may become uncertain. We are now coming under extreme time pressure and all of us must clearly bear this in mind. The success or failure of the negotiations will not only mean the realization or the abandonment of the idea of creating a world free from chemical weapons, with all the consequences of either for the security of every one of our countries, but also will have a most telling impact on the dynamics of the disarmament process as a whole, on the attitude of Governments to the potential of multilateral diplomacy in the field of disarmament and, if you will, on the fate of our forum, the Conference on Disarmament.

Therefore, the time has come in the negotiations on chemical weapons to separate the primary from the secondary, the priority tasks from issues which can be put off to a later time without harm to our goal or to one's positions, to separate real from fancied interests and real concerns from bargaining chips. Indeed, just to solve highly complex problems of principle requires immense pressure, unorthodox attitudes, inventiveness and a willingness to make mutual concessions on the part of the participants in the negotiations and the members of the Ad Hoc Committee and its Bureau headed by its Chairman.

I venture to express the view that at this stage special attention and efforts are demanded by such issues as challenge inspections, verification in commercial industry, the future of export control measures, the composition of the executive council and the problem of so-called "old" chemical weapons.

It should also be borne in mind that the present "rolling text" is the result of years of effort. Some of its provisions do not form the happiest combination with others. They, or other sections and wordings reflect concepts and a vision of security and of the objectives of the future convention that differ as to the time of their formulation and as to substance. Some of them may no longer entirely correspond to the new realities. Therefore, this material needs to be reduced to a common denominator.



(Mr. Batsanov, Russian Federation)

I would like, however, to conclude on an optimistic note and express confidence that the document being presented today will be the last "rolling text" of the draft convention and that the next report of the Ad Hoc Committee on Chemical Weapons submitted to the Conference will contain the final agreed draft.

Mr. President, in summing up the results for the past year, I cannot fail to mention the important contribution to the negotiations made by the members of the Ad Hoc Committee's Bureau, the Chairman of Working Group A, Mr. Mashhadi (Iran), the Chairman of Working Group B, Mr. Giżowski (Poland), the Chairman of Working Group C, Mr. Perugini (Italy), and the friends of the Chair, Ambassador Brotodiningrat of Indonesia, Mr. Canonne (France) and Mr. Meerburg (Netherlands). They went about their difficult functions, sacrificing their spare time, with a high degree of responsibility. To a large extent it is thanks to their efforts that progress could be made on a number of the unsettled issues we faced.

I should also like to express my warmest words of gratitude to the personnel of the secretariat and in the first place to our virtually permanent Secretary of the Ad Hoc Committee on Chemical Weapons Mr. Bensmail and his deputy, Ms. Hoppe, as well as to Ms. Darby. Their experience and professionalism are highly prized by all participants in the negotiations. I express my gratitude also to the interpreters and translators, with their wonderful knowledge not only of linguistic nuances but also of chemical terminology.

And, naturally, I cannot fail to express my profound thanks to all delegations and representatives of States members and non-members of the Conference on Disarmament for their cooperation, for their readiness to find mutually acceptable solutions and for their support of others, including me as Chairman, and to all members of the Bureau of our Ad Hoc Committee for the period now concluding.

In completing my work as Chairman of the Ad Hoc Committee by introducing this report today, I want with all my heart to wish the present Chairman, the distinguished Ambassador of Germany, His Excellency, Adolf Ritter von Wagner, the greatest success at this crucial stage of finalization of the work on such a profound and complex document as this first multilateral disarmament instrument in the history of mankind. His great diplomatic experience, his fine sense of tact, his purposefulness and his ability to find mutually acceptable compromises in the most difficult situations are the qualities that led to Ambassador von Wagner's election to the post of Chairman. Ambassador von Wagner faces complex, difficult but solvable tasks. I wish to assure him that the delegation of the Russian Federation, and here I am speaking as the Ambassador of my country, is open to the closest possible cooperation with him in achieving our common lofty goal, the conclusion of a multilateral convention banning chemical weapons. With that I will conclude.

(Mr. Kozyrev, Russian Federation)

... Permit me now to read out a message to the Conference from the President of the Russian Federation, Boris N. Yeltsin:

Recent talks with the leaders of many States and the results of the summit meeting of the United Nations Security Council show that qualitatively new, friendly relations are being created - in the long run, even relations of alliance - between former potential adversaries. A unique opportunity is emerging to rid ourselves through joint efforts of the over-armament we have all inherited from the cold war.

Given these circumstances, the Conference on Disarmament, too, must proceed to solve unprecedentedly bold tasks. First of all, it is essential this very year to complete the drafting of the Convention on the Prohibition of Chemical Weapons.

(Mr. Kozyrev, Russian Federation)

... Moreover, thought might be given to exchanging on a reciprocal basis among all nuclear Powers data on the number and types of existing nuclear weapons, the quantity of fissionable materials and on nuclear-weapons production, storage and elimination facilities. Agreement to that effect could be reached at the Conference on Disarmament, in which all the nuclear Powers are represented and which has experience in dealing with similar issues in the context of the negotiations on chemical weapons.

(Mr. Kozyrev, Russian Federation)

... The Russian Federation intends to become a full-fledged participant in the international Missile Technology Control Regime (MTCR). It supports the useful work being done by the "Australian group" on the non-proliferation of chemical weapons. Russia is setting up a State export-control system for "dual-purpose" materials and technology and the relevant laws are being drafted. Our approach on this issue is consistent with the position of other States members of the CIS, in line with the Alma-Ata agreements of last December.

(Mr. Kozyrev, Russian Federation)

Now, Mr. President, let me come back to the principal and most urgent task before the Conference: the completion of the negotiations on the total prohibition and destruction of chemical weapons. What are now beginning to acquire special significance in the negotiations are the economic factors connected with compliance with the obligations under this agreement. This is quite natural since the Convention, unlike any other previously concluded multilateral disarmament agreements, will affect the broadest sectors of the economy. That is why Russia believes that it is extremely important that, while effectively blocking the roads to possession of chemical weapons, the Convention should take into account the legitimate economic interests of the parties to it and also be "economical" in the sphere of verification.

In particular, there are serious doubts whether the complete destruction of former chemical weapons production facilities would be advisable. Especially in view of our current economic difficulties, we believe that it would be more justified to leave open the possibility of utilizing some of the equipment and buildings of such former facilities for the purposes of peaceful production, subject of course, to the elimination of equipment directly connected with the production and filling of chemical weapons and the existence of other safeguards, including international verification that would reliably preclude any attempt to reconvert such facilities to activities prohibited under the Convention.

I shall not hide the fact that Russia faces extremely difficult problems in connection with the destruction of chemical weapons. It was not Russia that took the decisions which resulted in the presence on its territory of 40,000 tons of toxic substances that are difficult to eliminate, although we have assumed full responsibility for their destruction.

Russia possesses the technology required for the destruction of chemical weapons. The main problem is obtaining the consent of the population and local authorities for the construction of the necessary facilities. I think that international cooperation and some help from abroad could play a role in resolving these problems. Such cooperation could be instrumental in guaranteeing the ecological cleanness of the destruction process and in creating incentives among the local population for having such facilities nearby, etc. We would support the idea of creating a kind of "ecopolis" in areas where destruction facilities might be established.

It is necessary for all States ultimately to accede to the future Convention on the Prohibition of Chemical Weapons. This is favoured by the momentous change that has occurred in the world situation. Fears that participation in the Convention might have negative effects on security are lessening. The guarantees of the Security Council are becoming more effective. It is now working as was envisaged by the founders of the United Nations; that, in any case, is how things are moving. Russia intends to so participate in this work as to make a weighty contribution to the strengthening of universal security. Of course, in all these matters we are cooperating most closely with other States members of the Commonwealth of Independent States.

(Mr. Kozyrev, Russian Federation)

I should like to take this opportunity, Mr. President, to wish success to the new Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, and to assure him of our unswerving support.

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Mr. von WAGNER (Germany): Mr. President, may I, through you, thank the Foreign Minister of the Russian Federation, His Excellency Andrei Kozyrev, for the kind words he addressed to Minister Genscher and to my humble self.

With our negotiations on the Chemical Weapons Convention entering a final stage and our common goal coming within reach, very practical issues become more and more important. I am referring to those issues related to the work of the Preparatory Committee and the establishment of the future organization. In this context, one important issue is the composition of the staff of the future Technical Secretariat and Inspectorate.

Today, in my capacity as head of the German delegation, I would like to reiterate what has always been our position in this respect: We believe that the recruitment of staff personnel must provide, of course, the appropriate verification expertise to the Technical Secretariat. This, however, would not be enough. It must also be ensured that personnel from all regions be included in the technical staff.

In this context, the German Government has welcomed the active role of Finland in research and development of analytical methods of verification, a project recognized and appreciated by all of us. Finland has also taken the lead in sharing the experience it has gained in this field, not only through

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(Mr. von Wagner, Germany)

publication of a series of the well-known "Blue Books"; by organizing and conducting training courses for participants from developing countries, the Finnish Project continues to contribute substantively to the build-up or reinforcement of a pool of skilled technical personnel in the third world who could serve as inspectors under the future organization. More than 20 analytical experts from many developing countries will have attended these courses by the end of this year. Some of the participants reported to the Ad Hoc Committee on Chemical Weapons on their positive experience.

Some time ago, Norway informed the Conference on Disarmament on plans to conduct similar training courses. I very much welcome the fact that other countries feel encouraged by Finland's example to organize their own training courses, thus recognizing the importance of such an endeavour.

Mr. President, I am pleased to inform the Conference on Disarmament today that Germany, like Norway, has decided to contribute to our common efforts by conducting a first such training course this year, which is intended to be complementary to, rather than duplicating, the Finnish programme. The aim of our two-week course is the training of analytical chemists in some of the specific methods and the use of instruments of the type needed for on-site verification tasks under the future Chemical Weapons Convention. The participants in the first Finnish training course of 1992 from Argentina, India, Mexico and Morocco have also been invited to attend this follow-up course, to be held at the NBC Defence Establishment in Munster from 1 to 12 June 1992.

The programme of the course, which is organized by the Ministry of Foreign Affairs and the Ministry of Defence of the Federal Republic of Germany, was set up in close cooperation and coordination with Finland. It concentrates on practical exercises to enable future inspectors to act on-site in a safe and efficient manner. The programme includes

the handling of CW agent samples, in connection with the use of personal protection equipment;

specific field sampling techniques and on-the-spot identification of samples using a mobile mass spectrometer;

the investigation of munitions using non-destructive interrogation methods.

The course will also touch on the issue of old chemical weapons destruction. Furthermore, it will include a visit to a plant site in the chemical industry in Germany.

Mr. WAGENMAKERS (Netherlands): Allow me to congratulate you, Mr. President, upon your assumption of the presidency of the Conference on Disarmament. We, the representatives of the CD member States, have been provided with palpable proof of the successful application of your diplomatic skill and talent in the discharge of duties pertaining to the high office that is yours. Most important, the Ad Hoc Committee on Chemical Weapons has been set to work smoothly without delay. Then, the package decision on the admission of non-member States forms no small part of the credit you raised. I would also like to thank your predecessor, Ambassador Horacio Arteaga of Venezuela, for his high-quality contribution to the CD's work, both in the last month of the 1991 session and during the following inter-sessional period.

... As the Chairman of the 1991 Ad Hoc Committee on Chemical Weapons stated in introducing its report to the plenary on 6 February last, we have reached the final stage of the negotiations on a chemical weapons convention. We have set ourselves a deadline. And we are going to meet that deadline. Keeping that in mind, it is not too early to start thinking seriously about practical steps in preparation for the implementation of the convention.

Granted, a considerable amount of preparatory work has already been done. Studies have been made on the structure and cost of the future Organization on the Prohibition of Chemical Weapons (OPCW) by, inter alia, the United Kingdom, Canada, the United States, the Netherlands and independent consultants. Finland and the Netherlands jointly presented papers last year on the required laboratory facilities for the organization and their quality control. A wealth of material on the tasks of the Preparatory Commission can be found in the report of the Ad Hoc Committee on Chemical Weapons.

Last August, when the Ambassadors to the CD visited The Hague with a view to familiarizing themselves with The Hague as the proposed seat of the OPCW, they were asked whether they thought a seminar on the OPCW, especially during its early years of existence, would assist our deliberations, here in Geneva. Encouraged by the many positive answers received, the competent Netherlands authorities have further examined the idea of holding such a seminar and decided to go ahead with it.

I take pleasure in announcing now that the Netherlands will organize a brief seminar on practical aspects of the implementation of the Chemical Weapons Convention in its early years. The seminar, under the title "CPCW, the First Five Years", will be held at The Hague on 8 and 9 May 1992.

(Mr. Wagenmakers, Netherlands)

As to participation, Ambassadors or their deputies will be invited as well as a number of independent specialists on chemical weapons issues. All costs will be borne by the Netherlands Government. Further details on the seminar will be communicated in due time.

The seminar's agenda has not been entirely set as yet. The Netherlands delegation is, of course, receptive to any suggestions for the agenda. Our preliminary ideas centre on, inter alia, the following issues:

Which tasks should the OPCW perform immediately upon entry into force of the Chemical Weapons Convention, and which tasks can wait?

How should the OPCW be structured?

Which steps will be required to structure the OPCW, and in which order should these be carried out?

What are the implications, organizationally and otherwise, for the Preparatory Committee and the composition of its staff?

What kind of central laboratory or workshop is needed?

What are the data-handling requirements of the OPCW?

Financial questions.

No doubt, those topics will stimulate the participants in the seminar to engage in a lively and instructive brainstorming-type discussion, a discussion that could help set the stage for the future Preparatory Committee. After all, the PrepCom may already have to begin its work towards the end of this calendar year, or early in 1993. In short, the Netherlands delegation hopes that the seminar at The Hague will enlighten us as to the various institutional and practical tasks which probably will require our increasing attention during the months ahead.

As we prepare for the operation of the Convention on Chemical Weapons, allow me to address another related practical aspect. The negotiations show that the future organization will require a highly qualified technical staff, particularly for data-handling and inspection functions. Several delegations from developing countries have pointed out that it may be difficult to find sufficiently qualified personnel from the developing world to work in the new organization. As a result, the recruitment of inspectors and other technical personnel might develop a bias in favour of the industrialized States. It seems to us that this is a valid observation. Unbalanced recruitment patterns must indeed be prevented.

Some years ago, Finland launched a laudable and successful programme to train chemical analysts from developing countries as a means of preparing for the effective implementation of the CW convention. Just now, Germany has

(Mr. Wagenmakers, Netherlands)

announced an interesting additional training programme, aimed especially at clarifying the practical aspects of on-site inspections of CW stockpiles and chemical industrial plants. The German programme is intended for participants in the Finnish training sessions, and is subsequent to these. Apparently, some other States are also considering organizing training courses for future inspectors from developing countries.

The Netherlands has decided to add its own contribution to this commendable endeavour. In the second half of June 1992, we will organize a training programme for about 10 graduates in chemical sciences from developing countries. Since the programme is somewhat comparable to the German one, it seems more efficient to invite other graduates than those already involved in the next Finnish course.

A detailed letter inviting applications for the course will soon be sent to all delegations concerned, be they CD members or CD observers.

The intensive programme will include practical training in the use of protective gear, decontamination measures, sampling and transport of highly toxic chemicals, recognition of chemical munitions and, possibly, a kind of trial inspection in an industrial plant. All costs, including travel costs, will be borne by our Ministry of Development Cooperation. The course will be given by the Netherlands Chemical Defence Organization, the Prince Maurits Laboratory of the Netherlands Organization for Applied Scientific Research.

Finally, Mr. President, I would like to support what Ambassador von Wagner just said about the long lead-times involved in the effective training of candidate inspectors. I would join his urgent appeal to all those countries which consider establishing training programmes not to wait any longer but to take action now.

The PRESIDENT: I thank the representative of the Netherlands for his statement and for the kind words he addressed to the Chair.

That concludes my list of speakers for today. Does any other representative wish to take the floor at this stage? I see none.

Before we adjourn this plenary meeting, I wish to inform you of some pending questions with which we will be dealing at our next plenary meeting tomorrow. As is the practice of the Conference, we shall take up tomorrow, for adoption, the report of the Ad Hoc Committee on Chemical Weapons, which was introduced by the representative of the Russian Federation at our 610th plenary meeting and was circulated as document CD/1116. As I announced last week, we shall then formalize agreement on the organizational arrangements to be followed for agenda items 2 and 3, on which consensus was achieved during presidential consultations. I wish to inform you also that we should consider, tomorrow, another request from a non-member for participation in the work of the Conference. The relevant communication from Malta was circulated in the delegation's boxes late last week. Since, so far, that



(The President)

request seems to be acceptable, I hope that we can dispense with convening an informal meeting to review it. In any case, it will also be considered this afternoon at presidential consultations, where we can dispense with that requirement.

(Mr. Errera, France)

... That is why we attach so much importance to a credible verification system for the future convention on the prohibition of chemical weapons, one likely to deter potential violators and thereby reassure the vast majority of States which abide by their commitments. It is at that price, and only at that price, that the security of States will be guaranteed and hence the universality of the convention will be ensured. And it is that concern that will continue to guide the French delegation until the conclusion of this first world disarmament agreement, whose signature I would remind you, France, as a depository of the 1925 Geneva Protocol and through the voice of the President of the Republic, has proposed at Paris before the end of the year.

3. It is because the vital interests of all States, north and south, are at stake that we attach so much importance to the establishment of strict international controls of non-proliferation and credible multilateral verification of disarmament. This approach does not mean seeking to impose new constraints on developing countries; on the contrary, to our mind, it means responding to their security and development needs; it means contributing to the construction of a juster and safer world. No viable policy can be based on contentment with insufficient, inadequate control and verification regimes, inasmuch as of transfers of technology to the south would become increasingly limited. Such a makeshift solution could only run counter to the interests of the immense majority of the developing countries which, in abiding by the rules of non-proliferation, would find themselves doubly penalized: first, because they would be denied access to the technologies needed for their economic development, and, secondly, because their security would be threatened by those which refuse to enter into binding commitments or which violate the commitments they have entered into. Everything prompts us, on the contrary, to seek together a balance between the necessary strengthening of non-proliferation controls and greater cooperation in transfers of technology with those countries which honour their commitments.

(Mr. Errera, France)

That is indeed the sense of the call addressed in the Cartagena Declaration "to the countries that possess technology for the production of weapons of mass destruction to strengthen in an effective manner systems to monitor the transfer of such technologies". That is also the sense of France's support for the efforts of countries which advocate multilateral dialogue on these issues. It is in this spirit that France, at the last session of the First Committee of the United Nations General Assembly, wanted to be included among the co-sponsors of the relevant draft resolution introduced by Argentina and Brazil. Lastly, that is why we unreservedly endorse the initiative of our Mexican colleague, Ambassador Marín Bosch in favour of an informal exchange of views on non-proliferation questions in our Conference.

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(Mr. Lang, Austria)

... Furthermore, it is with great satisfaction that we have noted that Argentina, Brazil and Chile undertook on 5 September 1991 in Mendoza not to use, develop, produce, otherwise acquire, transfer, stockpile or retain biological or chemical weapons - as a direct consequence of the existing Convention on Biological and Toxin Weapons as well as of the current negotiations on chemical weapons.

All of us are expecting the conclusion of the Convention on Chemical Weapons in 1992. Nevertheless, serious obstacles have still to be overcome, especially in the field of verification. As far as challenge inspections are concerned, Austria is of the opinion that the warning time for the inspected States Parties ought to be kept as short as possible. In this context, the Swiss experience of an experimental challenge inspection - as described in

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(Mr. Lang, Austria)

document CD/CW/WP.372 - clearly demonstrates that challenge procedures should be kept simple in order to avoid undesirable delays during the inspection. The reason for "streamlining" them seems evident to us: by no means should a violator be allowed time that would help him to destroy or hide evidence of non-compliance. If this could not be guaranteed, the whole proceeding would then become highly detrimental to the aims and purposes of the Convention.

Certainly, abuses during inspection cannot be excluded, at least theoretically, from the very outset but we would like very much to point out that the issue of abuses is not at all specific to inspections in the field of chemical weapons. The possibility of abuse is inherent in all legal regimes - whether the regime of individual property law, company law, State constitutions or international organizations. We are very well aware that within the scope of the Convention on Chemical Weapons the abuses could be both of a political as well as of a more technical nature if we think of the possibility of industrial or military espionage. It goes therefore without saying that the possibility of abuse should be minimized, but fears about abuses should not lead to a verification regime that is not conducive to the effective deterrence of any prospective violator.

For very similar reasons, Austria takes a sceptical stance with regard to widening the scope of Article VI of the Convention. The future Organization for the Prohibition of Chemical Weapons will necessarily dispose of a limited budget, even if it is generously funded. Hence, the Organization ought to concentrate its verification activities on more acute cases of alleged non-compliance. A perfect system of total control of all capable facilities would inevitably put a strain on the staff and its means which it would not be able to handle both from a quantitative and a qualitative point of view. If this were the case, the credibility of such a system would decrease even below a threshold of dissuasion.

Mr. President, please allow me at this stage to express a grateful word of thanks to Ambassador Brotodiningrat for having carried out consultations on the issue of "Old Chemical Weapons" and having subsequently produced an excellent paper, dated 20 December 1991, reflecting the various opinions on this subject. The Austrian view on this topic starts from the perception that in many cases it could be tackled as an environmental issue where particular care should be devoted to the serious hazards these so-called weapons are very likely to pose to men and nature. In this respect, the efforts of this Conference should only consider the issue of old and abandoned chemical weapons in so far as they constitute a threat to national and international security interests. We fear, however, that more detailed stipulations would pose insurmountable difficulties, given the very different historical reasons for which old and abandoned chemical weapons are to be found nowadays and given the different provisions in various peace treaties with regard to war material which has been left behind.

Austria, being a member of the Security Council since the beginning of 1991, knows very well in this context that the provisions of last year's Security Council resolution 687 on a permanent cease-fire in the Iraq-Kuwait conflict are not directly comparable to the necessities of a future Convention

(Mr. Lang, Austria)

on Chemical Weapons. However, the application of that resolution taught the inspectors involved highly valuable lessons. Drawing on their experience, we think that the right of the on-site United Nations inspectors to go anywhere, anytime, in Iraq was absolutely necessary, in particular because of Iraq's attempts to cover up in the nuclear area. The obstacles that emerged from various factors, for instance during the efforts to discover all Iraqi SCUD missiles, underline the vital need for a strong verification regime in the framework of the future Convention on Chemical Weapons. This proves to us again that the unbroken efficiency of challenge inspection is, in our view, the centre-piece of a dissuasive verification regime. As we have been talking of Iraq's behaviour during inspections commissioned by the United Nations, it ought also to be mentioned that Iraq eventually took a more cooperative stance with regard to chemical weapons and the relevant inspections.

... As long as two years ago, we had the privilege to present Austria's invitation to host the future Organization for the Prohibition of Chemical Weapons in Vienna. This proposal is to be seen as a consistent continuation of Austria's readiness to substantially contribute to the work of international organizations and to international peace. An optimal working environment for

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(Mr. Lang, Austria)

the new organization and its staff members will enhance their performance and thus contribute to effective compliance procedures necessary for a successful disarmament regime in the field of chemical weapons.

My delegation appreciates that two prominent diplomats, well known for their skill and spirit of innovation, Ambassador Ritter von Wagner and Ambassador Kamal, are in charge of facilitating a decision on the site and the headquarters of the new organization. We certainly stand ready to participate in consultations on this issue and will submit our replies to the future questionnaire in due course.

Since, however, the best and most convincing documentation can be no substitute for a personal impression, we would like to offer to you the possibility of making up your mind by visiting Vienna and examining yourself our proposal for the provisional and permanent headquarters of the future Organization for the Prohibition of Chemical Weapons as well as the infrastructure of the candidate city. I have therefore the honour to repeat a recent informal statement by Ambassador Klestil, Secretary-General of the Austrian Ministry of Foreign Affairs, and to invite all delegations which are members of the Conference on Disarmament to a two-day excursion to Vienna as guests of the Republic of Austria and the City of Vienna, at a date convenient to this Conference. We extend this invitation to the heads of each delegation accompanied by a person of their choice. I am confident that the information there at your disposal will facilitate an objective decision about the future host-country of the Organization for the Prohibition of Chemical Weapons. Let me assure you that we would be proud and honoured if it were Austria.

I wish to conclude my statement by paying a tribute to the Government of the Netherlands, which is organizing later this year a seminar on the practical aspects of the implementation of the chemical weapons convention. We hope that insights gained during this seminar will enable the contracting parties to the convention to assure an early and efficient "take-off" of the convention.

The PRESIDENT: I thank the representative of Austria for his statement. That concludes my list of speakers for today. Does any other representative wish to take the floor at this stage? I see none.

With your permission, we shall now proceed with action on those organizational questions which I mentioned at the opening of this plenary meeting. I put before the Conference, for adoption, the report of the Ad Hoc Committee on Chemical Weapons, contained in document CD/1116. If there is no objection, I shall consider that the Conference adopts it.

It was so decided.

The PRESIDENT:

... As you know, the Ad Hoc Committee on Chemical Weapons approved yesterday a communication addressed to all States, members and non-members of the Conference, concerning the seat for the Organization for the Prohibition of Chemical Weapons. Under rule 11 of the rules of procedure, the President shall represent the Conference in its relations with States, in full consultation with the Conference and under its authority. If there is no objection, I shall proceed to send that communication, as drafted. I see no objection.

It was so decided.

... I believe that my distinguished colleagues share the satisfaction that we have achieved concrete results as regards some important organizational questions. At the very beginning of our work, we were able to set up the

(The President)

Ad Hoc Committee on Chemical Weapons and we elected the Ambassador of Germany, H.E. Mr. von Wagner, as its Chairman. That achievement is in full conformity with the assessment that it will be exceptionally important that this year we wind up our work on the Convention on the total prohibition of chemical weapons successfully. Through that we have sent a good message to our Governments and to public opinion, that we are serious and dedicated to the conclusion of this Convention on time.

The PRESIDENT (translated from French):

... Excellencies, ladies and gentlemen, first of all, I have the pleasure, on behalf of the Conference and on my own behalf, to welcome most warmly the Vice-Chancellor and Federal Minister for Foreign Affairs of Germany, His Excellency Mr. Hans-Dietrich Genscher, who is our first speaker today.

I should like to express to His Excellency, the Vice-Chancellor, our gratitude for the interest with which he follows our work. Since 3 February 1983, he has visited us repeatedly to present the views of his Government on vital disarmament issues and, in particular, to invite us to step up negotiations for the complete prohibition of chemical weapons. I should also like to thank His Excellency, the Vice-Chancellor, for having kindly agreed to address the Conference at a turning-point, when negotiations on these weapons, we all hope, are to lead to a convention this year. I am convinced that the contribution of Germany will be decisive in achieving this goal. The commitment and effectiveness shown by the German delegation in its chairmanship of the Ad Hoc Committee on Chemical Weapons also are proof of the importance of Germany's participation in the negotiating process in the Conference.

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(The President)

... The international community is thus justified in expecting a great deal from this Conference. No effort should be spared to limit, and regulate the production and export of the latest arms and equipment, whatever they may be - nuclear or conventional, chemical or bacteriological, radiological or space weapons. It is fortunate that the Conference has now reached the stage of negotiations on a multilateral convention on chemical weapons.

Mr. GENSCHER (Germany) (translated from German):

... My visit today occurs during the initial phase of a very important annual session of the Geneva Conference on Disarmament. In the next few months we must successfully conclude decade-long efforts to arrive at a global ban on a category of the most horrific weapons of mass destruction. This year we must succeed in finalizing a convention banning chemical weapons. That is an historic responsibility for the member States that here prepare new disarmament and arms control agreements on behalf of the international community.

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(Mr. Genscher, Germany)

... Germany itself has for decades renounced the manufacture and possession of, and access to, nuclear, biological and chemical weapons. But we know that real success can be achieved only through cooperative action by all States, since all of them are jointly concerned. The aim must be to safeguard and strengthen the nuclear non-proliferation regime, whose central pillar is the Non-Proliferation Treaty.

... Mr. President, the central task of the Conference on Disarmament this year is the conclusion of a convention on a global, reliably verifiable ban on chemical weapons. The CD States have set themselves the goal of completing this task at the current session.



(Mr. Genscher, Germany)

Your appointment of Ambassador von Wagner to the chairmanship of the Ad Hoc Committee on Chemical Weapons during this decisive year is an expression of your confidence in Germany's commitment to these negotiations, and I thank you for it. Germany takes this responsibility very seriously and we will do all in our power to bring the negotiations to a punctual and successful conclusion.

Chemical weapons are a man-made scourge of humanity. As I have repeatedly said at this Conference, they are not weapons at all but means of exterminating people.

The ban on the use of chemical weapons has been disregarded time and again and has proved inadequate. Even unilateral measures, however urgent these might be, can only temporarily stem the tide of proliferation. Only the clear-cut prohibition of any association with chemical weapons, hence including production, acquisition and possession, can finally free us of this scourge of humanity.

The convention prohibiting chemical weapons can only do this if two preconditions are met: first, accession to it by the vast majority of the international community, and, secondly, confidence in the effective verification of the prohibitions agreed on.

The first precondition for a successful convention is accession by as extensive a membership as possible. For that, the advantages of the Convention must be judged as outweighing its cost. For some States which do not see their neighbours as a threat, the gain in security may seem small. But no one should forget how deadly the combination of missile technology and mass-destruction weapons can be. No State is immune to that threat.

Now let me say something about the second aspect, verification. Only verifiability of the obligations assumed creates confidence, and only confidence creates security.

The negotiations on the verification system of a chemical weapons convention are far advanced, and everything points to possible consensus. The reliably verifiable proscription by the international community of a whole category of weapons of mass destruction will be a pioneering achievement.

Controls of the chemical industry are indispensable for a chemical weapons convention. The task of the convention is to deter, by means inclusive of verification measures, any attempt to misuse the civilian chemical industry for the production of chemical weapons. Naturally, such verification measures, being so new, cannot function perfectly from the outset. The task of the future Chemical Weapons Organization and its technical secretariat will be to gradually develop verification procedures that work to the satisfaction of all member States.

The international community must make it part of its code of conduct to accord a State that accedes to this convention greater confidence and willingness to cooperate than a State that does not.

(Mr. Genscher, Germany)

Confidence will also be generated by the destruction of the existing arsenals of chemical weapons, which have long been a burden even to their owners.

I welcome President Yeltsin's statement that Russia has taken over responsibility for the destruction of all of the formerly Soviet stockpiles of chemical weapons. Special importance attaches to the timely destruction of those stockpiles. Russia needs help in dealing with problems arising in connection with the storage, security and destruction of those weapons. Germany is ready to help but others must also do so.

The banning of weapons of mass destruction must also include biological weapons. We welcome the results of the Third Review Conference, in September 1991, of the Parties to the Biological Weapons Convention. It is a further contribution to the development of the system of confidence-building measures. That convention should be equipped with a verification system.

The disintegration of the Soviet Union has given a new dimension to the already existing peril of the spread of know-how concerning the manufacture of weapons of mass destruction. On this I submitted proposals to Secretary-General Boutros-Ghali. Those ideas were taken up and reaffirmed in the Final Declaration of the Security Council Summit of 31 January. Along with United States Secretary of State Baker and Russian Foreign Minister Kosyrev, I called for the establishment of an international science and technology centre in Russia. Scientists previously employed in research and development on weapons of mass destruction are to be given civilian jobs in their own country. The idea is to minimize any temptation to engage in activities that would lead to the proliferation of nuclear, biological and chemical weapons, as well as of delivery technologies. Through projects in their own country these scientists and engineers are to participate in the reduction and elimination of weapons of mass destruction and to contribute to greater safety in the peaceful uses of nuclear energy. This initiative is in many respects an important contribution to conversion. To be successful, the initiative will require considerable international support. It already has the backing of the European Community.

(continued)

(Mr. Genscher, Germany)

... This urgently requires additional radical disarmament and arms control measures, but also a broad-based open dialogue on all aspects of security, and lastly the strengthening of stability in Europe through effective conflict prevention and crisis management. Here, Mr. President, you have rightly pointed out the close connections between disarmament, conflict prevention and crisis management. Success here is in the interests of the CSCE States and in the interests of the whole world. The Helsinki meeting is also to see the signing of an "Open Skies" agreement which will make military transparency and thus confidence building throughout the CSCE area a reality for the first time. Willingness to accept comprehensive transparency, inspection and verification must be a major element of cooperative security and confidence building.

An example of this in the field of chemical weapons are challenge inspections throughout the territory of the contracting States. They are an extreme means of checking compliance with the chemical weapons convention. Outside Europe, the opening of sensitive facilities to such inspections is still largely unknown, but our experience in this area has been good. I can tell you, Mr. President, that today Germany is probably the most inspected country in the world, and this has in no way impaired our security. On the contrary, it has won us more confidence.

It is the attitude to transparency, the willingness to accept inspection and verification that is the touchstone which separates two approaches, which separates old thinking from new thinking. To wish to keep everything secret is old thinking. Complete openness is a manifestation of new thinking. Those who have nothing to hide need not fear openness. They can rather prove the good intentions that stand behind their words. Thus, this new openness becomes an essential element of confidence building. As we know, distrust is one of the causes of tensions, and tensions are the causes of the arms races that follow.

(continued)

(Mr. Genscher, Germany)

... Mr. President, if the mandate of the United Nations General Assembly that a chemical weapons convention be submitted at this year's session is to be implemented, consensus must be reached by the beginning of August. The progress already made and the spirit in which you are supporting the German chairman make me confident that this goal can be reached.

Thereafter, when this year's United Nations General Assembly has endorsed our common product, a signature conference should be convened as soon as possible. I call upon all States that have not already done so to declare their willingness to become original signatories of the convention. To obtain the signatures of as many States as possible under this historic document from the outset, all members of the international community, whether members of the Conference on Disarmament or not, should participate in such a signature conference. I welcome President Mitterrand's offer to hold such a conference in Paris before the end of the year.

For the Geneva Conference on Disarmament, the chemical weapons convention will be the first treaty to be successfully concluded since the Biological Weapons Convention of 1972. In that sense, the success of the CW Convention will also guarantee continued confidence in the Geneva Conference on Disarmament and in the fulfilment of its future tasks. Germany will do all within its power to contribute to a successful outcome. Of that, Mr. President, I can expressly assure you and the States assembled here.

(Mr. García Moritán, Argentina)

... Mr. President, besides announcing the submission of that important document, today Brazil and Argentina would like to express some general considerations on a category of weapons of mass destruction of particular significance and responsibility for all of us in this Conference on Disarmament: chemical weapons.

Time flies and we are faced with the fact that we are now well into the first quarter of 1992. This is the year within which we have committed ourselves before the international community to conclude our negotiations. That commitment, which is a prominent feature of the mandate we have given the Ad Hoc Committee, has caught the attention of the international community, which is carefully watching us.

(Mr. García Moritán, Argentina)

... On that occasion, the permanent and non-permanent members of the Security Council issued a joint statement which has the merit of being a coherent and consensual review of some of the most urgent problems on the international agenda, among them the problem of chemical weapons. The then President of the Security Council, the Prime Minister of the United Kingdom, read out the joint statement on behalf of the members of the body that, according to the Charter, "bears primary responsibility for the maintenance of international peace and security". The statement expressed support for our negotiating efforts to conclude, by the end of 1992, a universal convention - including a verification regime - to definitively prohibit chemical weapons.

The hackneyed phrase to the effect that we can no longer behave as if the situation were one of business as usual seems finally to have acquired real meaning.

Time is short, but I believe that we have all the necessary elements to finish the convention now. To begin with, we consider the Ad Hoc Committee chairmanship of Ambassador von Wagner in itself an element that must be recorded as important for achieving so difficult objective in so brief a time. Allow me, Mr. President, through you to address our colleague Ambassador von Wagner, Chairman of the Ad Hoc Committee on Chemical Weapons, in order to reiterate to him the commitment and unlimited cooperation of the delegations of Brazil and Argentina in taking the final step in our negotiations. Our task, Ambassador von Wagner, cannot be more demanding and its urgency has been recognized by all. However, in saying that the task is urgent, we do not wish to imply that it must be completed hastily. Nevertheless, while fully conscious of the heavy responsibility borne by the Chairman of the Ad Hoc Committee, we are also aware that after almost a decade of negotiations all of the elements are on the table and the time has come for the final political decision.

In our view, it is time to assemble the factors of the final equation, to put them in logical order and to submit them to the plenipotentiaries for definitive consideration. The idea, with respect to certain questions, of "leaving them to ripen" - a euphemism which has served to circumvent the absence of political will in the past - will no longer do.

Universal participation is a principle dear to the political and diplomatic tradition of Argentina and Brazil, and consequently we fully support it in this area while recognizing the logical limitations sometimes imposed by political reality. In this regard, we shall continue our endeavours to win more support, every day, every minute, in an effort of diplomatic education to make obvious to all what is already a conviction to most of us here, i.e. that accession to this convention will be good not only for the international community but also, and above all, for everyone in our States individually.

(Mr. García Moritán, Argentina)

In any case, in our subcontinent, South America, the States - through pronouncements like the Mendoza Agreement, the official text of which is now before the distinguished delegations, which comprises Brazil, Argentina and Chile and to which the Eastern Republic of Uruguay, Paraguay and Bolivia will accede, as well as the Declaration of Cartagena of the Indies, uniting the efforts of Colombia, Ecuador, Peru, Bolivia and Venezuela - have sent a strong and unanimous political signal of support for the convention through the commitment of our countries to be original signatories of the convention.

To the above must be added the public expressions of many other countries in other continents and regions along similar lines, all of which allows us to conclude that we have already reached the critical mass necessary to launch the first multilateral convention prohibiting completely and without discrimination an entire category of weapons of mass destruction.

Mr. President, as we proceed to this final phase of the negotiations, allow me to share with you briefly some ideas which Brazil and Argentina consider relevant and which are currently being dealt with in the Ad Hoc Committee.

First, as regards the verification regime. In our opinion, it would be advisable to deal with realistic assumptions. The scheme of inspections will necessarily have to adjust to the realities of a budget which will inevitably be limited. Consequently, we must ask ourselves whether it would be sensible to aim at a scheme requiring a very large number of inspections if that target cannot be met. We would be running the risk of unleashing a gigantic system which would not provide the degree of security proportional to the resources that would be at its disposal.

The system of routine inspections should, in our judgement, be guided by clear cost-effective criteria. At the same time, as is the case in other, similar situations, the inspections would have to be made primarily by the Organization, including such aspects as the designation of relevant facilities and the execution of the inspections themselves.

As regards such questions as national designations in connection with inspections of the chemical industry, the principle could be reflected in the convention in such a way as not to weaken the powers and the role of the Technical Secretariat vis-à-vis the views of the States parties, which could be taken into consideration as suggestions. On that understanding and with those limitations it should not prove very difficult even now to arrive at compromise formulas.

As to another aspect of challenge inspections, Brazil and Argentina would perhaps have preferred to see a model of challenge inspections closer to the original version (anytime, anywhere and without right of refusal) than the one we are finally considering.

The approach suggested in the proposal of the United States, the United Kingdom, Japan and Australia departs considerably from that scheme, probably owing to the new reading its authors have given to the post-cold war

(Mr. García Moritán, Argentina)

global strategic scenario. We believe that if, as negotiators, we have to accept this new scheme for the sake of consensus, it would be useful to strengthen those special aspects which, if not adequately addressed, might weaken the system to the point of irrelevance.

We are referring specifically to questions like securing the inspection site, minimum intervals once inspection is requested, and other elements connected with managed access. There has also been discussion about the question of observers, an integral part of the United States proposal, and about whether it belongs in a convention of this kind. We believe that it should prove possible to agree on a mechanism allowing the presence of observers in consultations with the requested State. Nevertheless, it must be spelled out clearly that it is the team of international inspectors of the Organization for the Prohibition of Chemical Weapons that carries out the inspection in all its aspects. To call into question their impartiality and their technical expertise through the presence of onlookers would create a dangerous precedent which could have repercussions even for the normal functioning of other mechanisms of internationally applied safeguards, such as the case of nuclear safeguards.

The third aspect we should like to deal with this morning is the role of the Executive Council in challenge inspections.

Closely connected with the system of challenge inspections is the question of assigning a role to the Executive Council in the process, both at its beginning - to determine the appropriateness of the request - and at the end of the inspection - to indicate whether or not there has been a violation. The question is extremely complex and the development of the negotiations will no doubt alter or nuance the nature of the controversy.

Be that as it may, we deem it important to keep a basic premise. The Executive Council is a political organ, albeit tinged in this case with major technical elements. That being so, it would be extremely dangerous to try to transform it into a judicial body, able to grant or not to grant a request that might have been submitted for inspection, or to pronounce final judgement concerning the situation that gave rise to the inspection. The Executive Council of the Organization will issue neither good-conduct certificates nor guilty verdicts. That is not its function and it would be unrealistic to claim that it is.

It would be possible, on the other hand, to accept the inclusion of a minimum of provisions whereby the Executive Council could have a rapid preliminary supporting opinion from the Technical Secretariat concerning the request for inspection. That organ should limit itself to confirming the existence of sufficient elements to justify launching the complicated and costly process of a challenge inspection, without entering into a value judgement on those elements, something that would seem a priori unrealistic coming from an office situated far from the place concerned. Otherwise, the Council would become a scene of polemics inconducive to the ultimate purpose of the Convention.

(Mr. García Moritán, Argentina)

As to granting the Council the power to pronounce on the final results of the inspection, we believe that the caution called for in the previous case is even more necessary here. It should be borne in mind at all times that a challenge inspection might well produce ambiguous results or lend itself to different readings. It could even happen that the results of an inspection may be considered valid at a certain time but not necessarily applicable to future situations. As we see, the range of possibilities is too great to be thinking about endowing the Council with the power to pass final judgement on circumstances which may well be ambiguous or not very clear. But all of the above is without prejudice, of course, to the full exercise by the Council of the important political powers set out in the text of the convention.

Mr. President, one of the aspects on which Brazil and Argentina have laid particular emphasis is the subject of economic and technological development and international cooperation, and in that context the matter of controls or limitations on international trade in chemicals and related equipment.

Our insistence simply reflects a concern which Argentina and Brazil have expressed and will continue to express in all fora and bodies that deal with questions relating to security. It is based simply on the idea that States which have given the international community satisfactory guarantees regarding their commitments with respect to the non-proliferation of weapons of mass destruction should not encounter limitations on their legitimate aspirations to develop and accede to dual-use technologies for the development and welfare of their peoples.

With reference to this topic I would like to draw attention to the ideas expressed some days ago in this room by Ambassador Errera of France when he indicated his readiness and that of his Government to seek, by way of open dialogue, a solution to the complex problem of the technology-cooperation-security triad. In our convention, these questions fall within the scope of article XI.

We are hopeful that the efforts of the friend of the Chairman responsible for this important question, Counsellor José Eduardo Felicio of Brazil - whom I would like, as head of the Argentine delegation, to assure of our complete support and confidence - will be matched by the necessary search for compromise on the part of all delegations, in particular those which, in the absence of a multilateral convention, have so far chosen the path of restrictions channelled through informal groups.

Linked to that problem is the problem of cooperation and trade relations between parties to the convention and States which opt to remain outside of it. We believe that with a little imagination it would be possible to design a gradual scheme that would avoid extremes and allow for trade under clearly defined conditions and requirements similar to those in the nuclear field where the existence of models of safeguards agreements on a case-by-case basis has produced an adapted and flexible response that perhaps could be followed in the chemical convention.



(Mr. García Moritán, Argentina)

I deem it important to stress that what we have in mind is not a scheme that would threaten the universality of the convention or indirectly discourage the decision of States to accede to it; but, on the contrary, a strict regime of a temporary nature that would cater for the concrete situations that are bound to arise in the first years after the entry into force of the convention.

One of the effects of having negotiated this convention for so long is that, like a historical saga, it has been incorporating elements coming from earlier negotiating traditions and conditions.

That would be an interesting tale if our task were to recount the history of our negotiations, but it sometimes becomes an unnecessary obstacle when our object is to complete the treaty once and for all. Much has been achieved in 1991 in attuning our convention to the signs of the times we are living. The finishing touches are still to be made, however, and in them perhaps a little boldness may not be superfluous.

We are counting on the boldness of all the delegations here and of the Chairman of the Ad Hoc Committee, and we, for our part, promise that of Brazil and Argentina in order to attain the lofty objective we have set ourselves, which is to complete, in the next few weeks, a convention definitively banning chemical weapons.

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Mr. O'SULLIVAN (Australia):

... Mr. President, I should like to commence by applauding the statement that we have heard this morning from the Vice-Chancellor and Federal Minister for Foreign Affairs of Germany, in particular, his injunctions to us to conclude a Chemical Weapons Convention this year. I also wish to say that I fully share the sentiments that have just been expressed by Ambassador García Moritán of Argentina. In particular, I strongly support his view that we need a new sense of urgency, a new approach to our work, some audacity, some boldness and we need to take final political decisions here.

Mr. President, in June 1988, the Australian Prime Minister announced that Australia was in the process of initiating a Regional Initiative on Chemical Weapons Issues in South-East Asia and the South Pacific, with the objective of developing a greater regional understanding of the future Chemical Weapons Convention and its requirements for national implementation.

(Mr. O'Sullivan, Australia)

As we have previously stated in this forum, as part of this Regional Initiative, Australia has hosted two seminars, one in Canberra in August 1989 and one in Brisbane in November 1990.

I spoke to this Conference on 14 February 1991 and said that Australia intended to host a workshop for regional chemists later in 1991, with the aim of providing the necessary background to those technical advisers in governments in the region who may be required to assist in the national implementation of the future Convention.

It is my pleasure to report that this workshop was held, as planned, last August, at the Materials Research Laboratory with 19 participants from 16 countries in our region. In addition to the presentations and discussions on the scientific and technical aspects of the CWC, the participants observed the conduct of a Trial Inspection of a chemical plant site that may be defined as either Schedule 3 or "CW-Capable" under the future Convention. A Trial Inspection report is being issued by the Secretariat as document CD/1128, and will appear as Working Paper CD/CW/WP.385. I hope that this Working Paper will assist in the future work of this Conference and the Ad Hoc Committee on Chemical Weapons, in particular, the Working Group on Verification.

Mr. President, while discussing the subject of implementation of the future Convention, a number of delegates at this morning's meeting may recall that at the Government-Industry Conference against Chemical Weapons, held in Canberra in September 1989, the Australian Foreign Minister announced that the Department of Foreign Affairs and Trade was proceeding to establish a National Secretariat to act as a nucleus for the future National Authority of the CWC. The Minister stated that that secretariat, in consultation with appropriate Federal and State Government departments, would be responsible for reviewing existing laws and regulations covering the activities of the Australian chemical industry, and looking for ways to introduce and adapt the prospective requirements of the CWC to our current regulatory matrix.

The first task of the National Secretariat was to develop a strategy to prepare Australia for national implementation of the Convention. The strategy comprises a programme of consultation and research leading to the development of a package of implementation measures which will be considered by the Australian Government at the appropriate time. A document entitled "Strategy for Preparing for the Implementation of the Chemical Weapons Convention in Australia" was presented to the Conference on Disarmament in February 1991 as document CD/1055. That paper served to illustrate the fact that there is a wide range of tasks which should be initiated in good time by all governments to allow arrangements to be put in place for a smooth transfer from signature of the Convention to its ratification.

An important requirement under the future Convention, highlighted in the Strategy Paper, is the assembling of data on which chemicals are produced, used, and traded. When considering its approach to implementation, Australia's National Secretariat was faced with the problem of not knowing the levels of production or use of the relevant chemicals in Australia. This is a

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fundamental question which is critical for any country in determining not only the size and shape of its National Authority, but also the overall national implementation effort which will be required.

With this in mind, the National Secretariat has recently commenced a survey to collect the information about the production, processing and consumption of chemicals that would be required from Australia by the Organization when the Convention comes into effect.

The survey questionnaire was developed by the Australian Bureau of Statistics, with the technical assistance of the Materials Research Laboratory, chemical industry organizations, and a number of chemical companies. The survey was conducted in December 1991.

Mr. President, it is my pleasure to report that document CD/1129 (Working Paper CD/CW/WP.386) which is being issued by the Secretariat, discusses the overall objectives and the approach taken in the conduct of the survey. In addition, a copy of the survey questionnaire is included as an annex to the working paper. It is our hope that this working paper, and in particular the survey methodology and questionnaire, will assist other countries in undertaking similar exercises in preparation for the implementation of the CWC.

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(Mr. Kostarczyk, Poland)

... Negotiations on the convention on chemical weapons have entered a final and decisive stage. The determination expressed unanimously in General Assembly resolution 46/45 C clearly indicates that the completion of work on the convention this year is within the reach of the Conference on Disarmament. In this connection, I would like to take this opportunity to express our satisfaction at the appointment of the distinguished Permanent Representative of Germany, Ambassador Adolf Ritter von Wagner, to the chairmanship of the Ad Hoc Committee on Chemical Weapons. I wish him all the best in discharging his demanding duties and offer him the full cooperation of the Polish delegation in this task.

There is a good basis for optimism. Indeed, the Conference has before it only a few of the outstanding issues that require final decisions. Among them, the most important ones concern the challenge inspection regime, the pattern of routine verification in the chemical industry and the composition of the executive council. Challenge inspection is essential for the effectiveness of the verification regime of the convention. In order to be acceptable to all States it should encompass a proper balance between the requirement to ensure its high efficiency and the need to protect sensitive and confidential information that is not related to chemical weapons. Requesting a challenge inspection should be the responsibility of the requesting State. It would be unrealistic, and even detrimental to the efficiency of such an inspection, to envisage any role for the organization in the assessment of the request in the initial phase, apart, perhaps, from making a technical assessment that all the necessary elements are contained in the request in accordance with the established procedures.

Poland welcomes the emerging consensus on the need to expand the scope of inspections in the chemical industry. Broad coverage of relevant peaceful chemical industry activities constitutes an important confidence-building measure. We are also pleased with the positive attitude of the representatives of chemical industry towards the convention and their recognition of its role in facilitating trade and cooperation in this field. It augurs well for achieving agreement on this issue.

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(Mr. Kostarczyk, Poland)

The Conference cannot delay its decision on the composition of the executive council. Positions of States in this regard as well as on criteria to be applied are already well identified. Early agreement on the composition of the executive council and related matters will greatly facilitate the work of the Conference on other, more substantive issues.

I should also like to mention one additional issue to which my Government attaches particular importance, namely, the question of old or abandoned chemical weapons. Our position in this regard is clear - responsibility for the destruction of such weapons lies with the abandoning State.

As is well known, Poland - like many other members of the Conference on Disarmament - has already put on record its willingness to become an original signatory of the convention. We trust that in the interest of the effectiveness and universality of the future convention, all members of the Conference will be in this group.

We also believe that the Conference on Disarmament will submit to the forthcoming forty-seventh session of the General Assembly an agreed final draft of a convention on chemical weapons for its endorsement and subsequent signature. In this connection, I wish to express to the delegation of France our appreciation for the offer, made by President François Mitterrand at the recent Security Council "summit meeting" in New York, to hold in Paris, before the year's end, a special conference to sign the convention.

(Mr. Tóth, Hungary)

... The new negotiating mandate agreed on last summer and confirmed in January puts additional responsibility on delegations taking part in the work of the Ad Hoc Committee on Chemical Weapons of the Conference on Disarmament. The ambitious but by no means unrealistic target to conclude the chemical weapons convention by 1992 requires further serious efforts on the part of the negotiators and an enhanced spirit of compromise. National positions need to be reviewed, however difficult that may be, if we are sincere about our intentions of achieving a chemical weapons ban.

The very welcome concluding phase of the multilateral negotiations on the comprehensive and global prohibition of chemical weapons appears to be no less difficult than the previous negotiating stages. Resolving a number of crucial problems that have been deferred over the years due to their contentious nature demands prompt decisions based on compromise. It is clear for us that such bold steps are not easy to take, but they are simply inevitable if we are to succeed. The mandate of the Ad Hoc Committee on Chemical Weapons adopted by consensus leaves no room whatsoever for delaying concerted action on issues as yet unresolved.

We may need further initiatives aimed at speeding up the course of negotiations. All of us have to be aware of the fact that we don't have much time. This is why the approach of the Chairman of the Ad Hoc Committee on Chemical Weapons to the outstanding issues enjoys our full agreement and support.

As Hungary has already outlined several times, our basic goal is to have an effective convention that lives up to the high requirements set by the complexity of the problems. As a humble contribution to this aim, allow me to draw your attention to document CD/1135. In this document Hungary is presenting its third annual declaration on the activities of its chemical industry as required by the draft provisions of the chemical weapons convention. The presentation is fully in line with Hungary's unilateral commitment put forward in 1989 at the United Nations General Assembly, declaring that Hungary was ready to comply with all the provisions of the convention under negotiation and to act in full conformity with it at this stage already. We firmly believe in the confidence-building effects of such

(Mr. Tóth, Hungary)

measures. Let me welcome at this point the approach of document CD/1129, submitted by Australia at our last plenary meeting, which seems to share the main purpose of our paper.

Having introduced our annual declaration, let me touch on a few unresolved points on the agenda of the CW negotiations. In our view challenge inspection is an indispensable element of any disarmament agreement. This is even more valid in the case of the chemical weapons convention, where both the relative easiness of producing dangerous chemicals and the enormous range of relevant chemical industry render the establishment of a foolproof verification system practically impossible. Earlier in my statement I had the opportunity to recall one part of the 1989 Hungarian initiative. Our unilateral commitments, however, went much further than that and also included the vital issue of verification. In fact, already three years ago Hungary stated its readiness to receive - on a reciprocal basis - verification, including on-site inspections in accordance with the objectives of a chemical weapons ban. In practical terms, this step means that any country ready to accept the same obligations vis-à-vis Hungary is welcome to carry out inspections on Hungarian soil. It stems from this unilateral measure that for us the preferred solution of the question of challenge inspections is the most stringent regime which is still acceptable for other negotiating partners. We had no serious difficulties with the so-called "classical" approach, but we also realize that national interests concerning the protection of sensitive information not directly related to the convention need to be reconciled with the objectives of the chemical weapons ban. This flexible approach, however, doesn't stand without its limits. Narrowing down conceptual differences regarding the role of the executive council, the obligations and rights of the inspected State, the question of observers, the perceived danger of abuse and the modalities for action following the preparation of the inspection report must not lead to a total dilution of the challenge regime. If the original aim of finding satisfactory answers to serious compliance concerns is lost from sight, the very sense of challenge inspections will be endangered.

It is clear that besides the technical complications associated with challenge inspections, this method of verification is overburdened by political implications. One of the highly political issues is the role of the executive council in the process of a challenge inspection. We strongly believe that a challenge inspection request needs prompt action, especially if it is to detect a suspected violation of the convention. Regular and protracted intervention by the executive council in the required automaticity in responding to an inspection request will certainly cause delays that might adversely affect the inspection procedure. Noting the justifiable concerns with regard to possible abuse or requests that clearly fall outside the scope of the convention, the setting up of an exceptional decision-making mechanism at the very beginning of the challenge process is within the limits of acceptability. This mechanism has to be quick and effective, and the possibility of stopping the inspection procedure should be linked to the consent of all members of the executive council which have no direct interest in the specific case. It seems to be undesirable, however, to set up a political filter at the beginning of the challenge inspection process. In our judgement, it is after the mission of the inspection team has been

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accomplished that the executive council will have an important role to play. It is at that time that the executive council, capitalizing on all the trust that the community of States parties has in its members, will exercise its authority by reviewing the situation, considering the possible need for further action and proposing specific measures to redress the situation.

Let me also say a few words on the issue of observers. Hungary, stemming from its openness, has no problem whatsoever with accepting observers accompanying an inspection team. We believe that whenever the presence of an observer may increase the possibility of clarifying a compliance concern, his or her participation is desirable for the achievement of the basic purposes of the convention. A possible violation is not only the concern of the requesting State, but of all States parties. Yet we also witnessed that the obligatory acceptance of observers caused problems for some delegations. Our belief is that the agreement reached at the consultations held by the Chairman of the Ad Hoc Committee, Ambassador von Wagner, resolves the issue in a sensible manner, and we certainly endorse it.

As for the other element of the verification regime, Hungary shares the view that the system related to verifying the civilian chemical industry elaborated over the years does not really serve the underlying objectives. This is why we also welcomed new approaches aiming to integrate the major and relevant part of the international chemical industry in a more comprehensive system of verification. Unfortunately, after significant efforts to reflect these ideas in our negotiating work, we cannot yet speak of major achievements. The horizontal extension of verification activities in the chemical industry is causing problems for certain negotiating parties. If these concerns persist, we will eventually have to put up with a verification system that is neither cost-effective nor "purpose"-effective. In view of these apparent shortcomings, we will be faced again with a political decision whether the risk inherent in such an inadequate regime applicable to the chemical industry is within the confines of acceptability.

Finding the way out requires an answer to the basic question: what can we achieve through a routine verification system? If the aim is to set a regime which involves at least some elements of credibility, excluding the major part of relevant chemical industry from the scope of actual inspections simply doesn't make sense. A foolproof system is certainly no more than wishful thinking, but the rational distribution of limited financial, material and human resources must be a realistic goal. The idea of including facilities producing schedule 3 chemicals in the inspection regime is one that merits positive consideration. Such an extension of the scope of routine inspections would increase or even multiply the number of potentially inspected facilities in all corners of the world. But it is a simple fact that nearly all of these facilities are capable of producing large quantities of schedule 2 chemicals, and under the present "rolling text" this capability is simply left to the good intentions of the declaring State party. Of course, the actual functioning of any disarmament agreement is not possible without a degree of



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confidence in the system and in other States parties; still, we are of the opinion that confidence must be the result of verification and not the alternative to it.

The inspection of facilities producing schedule 3 chemicals could also be a step forward in a related field, namely the problem of schedules and guidelines. We are impressed by the efforts of the technical experts to find an optimum solution, though some of the argumentation concerning the placement of certain chemicals seems to be a bit too pragmatic. It certainly appears to cause fewer practical problems to put in schedule 2 chemicals of which the annual production is only a few tons, rather than others whose annual production can only be measured in thousands of tons. Nevertheless, the only criterion to govern putting a specific chemical in schedule 2 or 3 should be the degree of danger it poses to the basic goals of the convention. One can easily come to the conclusion that the real risk lies in higher rather than lower quantities of production. If, however, all facilities producing schedule 2 or schedule 3 chemicals face in one way or other the possibility of being inspected - and why not go back here to the idea of an ad hoc basis? - the risk is at least decreased.

The ability to disclose potential non-compliance is only one element of credible deterrence. The other factor is constituted by sanctions - sanctions against those States which do not abide by their voluntarily assumed international obligations. Hungary is ready to support the strictest possible regime of sanctions against violators of this convention. In this regard, special consideration should be given to cases of the use of chemical weapons, since this is practically the only form of violation which can be proved with almost total certainty.

Speaking about sanctions, obligations and verification, one cannot avoid the problem of universality and - in close connection to it - the still outstanding issues of article XI. Our endeavours to find a solution perhaps require a twofold approach. On the one hand, States remaining outside the convention should be urged to join. It is justified by the security interests of the whole international community that, after a reasonable period of time, the ways and means of persuasion should not only be political but economic as well. The convention should include carefully worded but concrete provisions guiding our future activities in this field. On the other hand, all States have to see clearly and be able to judge their situation even before signing the convention. This requires a sharp picture of both their obligations and their rights stemming from the convention. The balance of rights and obligations is perhaps the most important ingredient of universality. A situation where States parties, with all their political, financial and other obligations, were practically negatively discriminated against compared to some of the non-parties, would seem to be going against the requirement of reasonableness. In this field, we think that the approach outlined by the distinguished Ambassador of France in his 13 February plenary statement is a very positive one and merits further exploration.

(Mr. Tóth, Hungary)

In almost every negotiating process of diplomacy a point is reached, somewhere in the finishing stage, where the potential financial implications for the contracting parties have to be addressed. We are happy to note that the chemical weapons negotiations have reached this phase, since it indicates that we are approaching the conclusion of our work. The implementation of the convention will entail two major types of costs for States parties. One is strictly national, like for example the establishing and maintaining of the national authority. Other expenses are related to the functioning of the organization to be set up under the convention. The various and extremely important functions to be performed by the organization will require substantial funds. The precise amount of these funds is as yet unknown to us, though some estimates have already been made. Whatever the sum may be, an adequate, equitable method for distributing costs has to be defined. We share the view that a single and simple formula based on the well-established United Nations scale of assessment would provide a workable solution to the problem of cost-sharing. The principles and characteristics of that formula are well known and are basically not disputed. In this way, it could provide a ready system for the sharing of costs to be borne by all future States parties.

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Mr. ROMERO (Chile) (translated from Spanish): My delegation has asked for the floor again to inform the plenary of the Conference of Disarmament of the content of an official statement made by the acting Foreign Minister of Chile on 12 February last on the subject of disarmament. This statement has been circulated as an official document of the Conference on Disarmament with the number 1134 and contains the views of my country on two important issues for this multilateral forum: nuclear non-proliferation and chemical weapons. It reads as follows:

(Mr. Romero, Chile)

"Another important dimension is that relating to the multilateral convention on chemical weapons which is being negotiated in the Geneva Conference on Disarmament and which unquestionably represents the most important international effort in the matter of disarmament and a significant contribution to the protection of the global environment. In that connection, it will be recalled that Foreign Minister Silva Cimma, along with his colleagues from Argentina and Brazil, signed the Mendoza Agreement, subsequently joined by the other Latin American States before and during the Presidential Summit of the Rio Group at Cartagena. At present, we are finalizing with Argentina and Brazil the contribution which the three countries can make to the procedures of verification and implementation of the future convention in keeping with the position taken in the Mendoza Agreement.

"Santiago, 12 February 1992."

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(Mr. Shannon, Canada)

... Now may I turn to the documents we have requested be circulated? First, there is our traditional annual compendium relating to the past year's work on the CWC. This is in three volumes, one covering the procès-verbal and two covering the working papers. It is being distributed as a formal CD document. I should express my hope that this will be the last set of such documents relating to the CWC negotiations that Canada will produce. We are now in the final phase of this long-drawn-out task, and such changes to the "rolling text" as may be developed during this 1992 CD session will in the end be incorporated in the CW convention itself. And even if, contrary to all our shared hopes and expectations, we do not manage to finish our task during this CD session, we presumably will be close enough to that goal no longer to require the sort of detailed record in easily accessible form of our ongoing and past work which these annual compendiums comprise.

Mr. HU (China) (translated from Chinese):

... During the past 12 months a lot of work has been done in the negotiations on a chemical weapons convention. Among the progress achieved we have been able to start our preliminary but detailed discussions on the issue of challenge inspection, taking the four-State proposal as a basis. Substantive consultations have also started on the issue of the executive council, among

(continued)

(Mr. Hu, China)

others. The new "rolling text" itself indicates the enormity of the work. However, if we are to achieve the goal of concluding the convention within this year, much difficult work remains to be done and a number of major issues have yet to be resolved - for instance, challenge inspection, verification of the civilian chemical industry, the executive council, abandoned chemical weapons, article XI of the convention, and so on. China has always maintained a positive position towards the chemical weapons convention and its negotiation, and the Chinese delegation hopes that fair and reasonable solutions can be found to all these issues so as to successfully realize the goal of completing the chemical weapons convention before the end of the year.

The fundamental purpose and objective of the future chemical weapons convention lie in the complete prohibition and thorough destruction of all chemical weapons. To this end all States should undertake corresponding commitments, including the obligation to destroy the chemical weapons each has abandoned on the territory of another State. A just and thorough solution of the issue of chemical weapons abandoned by a foreign State is one of the most urgent tasks in the negotiations on the chemical weapons convention. And the purpose of my statement today is to introduce documents CD/1127 and CD/1130 tabled by the Chinese delegation upon instructions on the issue of abandoned chemical weapons. These two documents also bear the symbols CD/CW/WP.384 and CD/CW/WP.387.

First of all, in response to requests and proposals made by some delegations, the Chinese delegation is now providing, in the form of a CD document as well as a working paper of the Ad Hoc Committee on Chemical Weapons, information on chemical weapons abandoned in China by a foreign State, with a view to promoting understanding and facilitating the work of the Conference and its Ad Hoc Committee on Chemical Weapons.

As is known to all, the Chinese people have in the past been victims of the use of chemical weapons by a foreign State, and even to this date such weapons are still causing tremendous losses and constitute a grave threat. After nearly half a century, such weapons continue to be discovered in China. They have done great harm to the safety of the Chinese people and their property and ecology. As the foreign State concerned has provided no information on the chemical weapons it abandoned in China, it is impossible to take the necessary precautionary measures when such weapons are discovered, and many injuries have occurred as a result. Preliminary statistics reveal that direct victims alone have numbered more than 2,000. Furthermore, the danger posed by such abandoned chemical weapons to the natural environment and to the safety of human beings is increasing. About 2.3 million pieces of chemical munitions abandoned in China by the foreign State have been found so far. Among them roughly 300,000 pieces have been destroyed or given preliminary treatment by China, with approximately 2 million pieces yet to be destroyed. Since most of these chemical munitions are still buried, the exact figure has yet to be verified after excavation. In addition, about 120 tons of toxic chemical agents abandoned by the foreign State in China have been discovered, among which more than 20 tons have been destroyed by China. The present state of affairs in this regard has been a source of bitter grievance and serious concern for the Chinese people.

(Mr. Hu, China)

Information on the types of these chemical munitions and toxic agents and their geographical distribution is contained in document CD/1127 submitted by my delegation. Please allow me to point out that, in the English text of this document, there are two technical errors, one towards the end of page 2 and the other towards the end of page 4. In this regard the secretariat has issued a corrigendum. The Chinese leadership and the Chinese delegation have on many occasions expounded our principled position and propositions on the issue of abandoned chemical weapons, and I am not going to repeat all of them today. However, in the interest of resolving the issue of abandoned chemical weapons in the negotiations as soon as possible, we find it necessary to emphasize the following. Firstly, the complete destruction of abandoned chemical weapons is of close relevance to the objective of the convention and constitutes an essential and important part of the convention. In this respect no gap or lacuna can be allowed. Secondly, the issue of abandoned chemical weapons is by no means a mere "historical problem", but rather an important one of relevance to both the present and the future. Nor is it an issue that concerns only a few victim States, but rather one that has a bearing on the basic rights and obligations of all States parties. It is, therefore, an important issue of relevance to the maintenance of international peace and security. Thirdly, the key to the resolution of the issue of abandoned chemical weapons lies in the attribution of responsibility for their destruction. The convention must lay down in fair and clear terms the principle that a State which has used and abandoned chemical weapons shall bear the responsibility for their destruction.

On the basis of the above-mentioned position of principle, the Chinese delegation has put forward and will continue to put forward concrete and constructive proposals. For example, bearing in mind the similarities as well as the dissimilarities in the circumstances in which chemical weapons were abandoned, we maintain that the following wording should be included in the convention: "Each State party undertakes to destroy all chemical weapons it has abandoned on the territory of another State, and the States concerned may on this basis seek proper solutions through consultations among themselves." The second part of this wording is flexible enough to accommodate all kinds of circumstances and the corresponding solutions.

Apart from the key issue of responsibility for destruction, we are of the opinion that it is also necessary to make some additions and modifications related to abandoned chemical weapons in articles III and IV and their annexes. Proceeding from these points, the Chinese delegation has outlined its position of principle, propositions and specific proposals on the issue of abandoned chemical weapons in document CD/1130. We hope that these propositions and proposals will be considered in all seriousness by the CD and the Ad Hoc Committee on CW and fully reflected in the "rolling text", and in this regard we are ready to continue our constructive cooperation with all other delegations.

Mr. DONOWAKI (Japan):

The purpose of my intervention is, of course, to state the position of my Government on the question raised by the previous speaker. I listened with much interest to the statement that the Chinese Government has great interest in achieving the chemical weapons convention this year, and was very encouraged by the reference to the four-nation proposal on challenge inspection to which the Chinese Government has been giving serious consideration, since Japan is one of the co-sponsors of the four-nation proposal. I am very much encouraged by that fact. On the question of old and abandoned chemical weapons, my delegation has taken a consistent policy for some time, but perhaps it is important to repeat it to help achieve an early conclusion of the negotiations. The purpose of our negotiations, as the previous speaker pointed out, is to achieve a convention which will effectively destroy existing chemical weapons. Of course, we know that some States have a large stock of chemical weapons. One of the major purposes of the convention is to deal with these. At the same time, however, we should also take into account the importance of destroying old and abandoned chemical weapons. The purpose of the convention is also, in the long term, to prevent the production of chemical weapons by introducing a system to check compliance with it - a very complicated task. That is why our negotiations are going through very difficult phases. So these are the broad objectives of our convention which should be formulated in such a way that there will be no gaps or loopholes in achieving this purpose.

We have to make sure that all possible cases of old and abandoned chemical weapons will be covered by the convention, not only those referred to in the working paper submitted concerning our two countries, but also others - and each case is different. For that reason, the work and consultations being conducted by Friend of the Chair Ambassador Brotodiningrat of Indonesia are very important, and we highly appreciate the efforts he is making. My delegation will make every constructive effort to cooperate with him in finding an early solution, together with other countries.

(continued)

(Mr. Donowaki, Japan)

However, my delegation's position is that this Conference is not the forum for bilateral issues. In the case of the latter, we have been making honest and serious efforts, apart from the negotiations in this Conference, and we are working towards a successful settlement of them. I do not wish therefore to dwell upon this side of our efforts. I will simply state that the working paper submitted this morning gives preliminary data exemplifying one case of abandoned weapons.

In order to arrive at a satisfactory framework for dealing with the question of abandoned chemical weapons, I have to reiterate the positions we have consistently taken on this question. Old and abandoned chemical weapons discovered by States parties to this convention will not all be of the same type - there are many different varieties. Also, it is a fact that any State party has sovereignty over its territory and should have primary concern for the destruction of such weapons. I do not insist that this should be stated as a responsibility, but rather as a concern - in normal cases - for the country which finds such weapons on its territory. The amount may be small, and the time that has elapsed between the abandoning and discovery may be so long that they may not be poisoned or dangerous and might perhaps be dealt with as a question of environmental hazard. This should be easy to do in many cases. However, there may be other cases where a country discovering such old and abandoned weapons may not find it easy to destroy them.

As regards provision in the convention - as may be supported by some States members of this Conference - if destruction is to be made the responsibility of the abandoning State, then it is my delegation's view that this may introduce complications, because the abandoning State will not normally have jurisdiction or the sovereign right to enter the territory of another State party where abandoned chemical weapons may be discovered; also, it may sometimes be very difficult to establish or identify the country which may have abandoned them. The abandoning State may not be a State party to the Convention. Thus, a loophole or gap may be created, i.e., that nobody will destroy such dangerous abandoned weapons. The existing provisions of the "rolling text", after many years of negotiations, seem to have received the support of most nations. My delegation believes that if it is established that a certain country has abandoned old chemical weapons and the country where they are discovered wishes the abandoning country to cooperate, such an arrangement should certainly be provided for in the convention. We will carefully study the concrete proposals which the Chinese delegation has presented in the past and today. In particular, my delegation is interested in the proposal regarding article X, for cases where the identity of abandoned chemical weapons has not been established, providing for assistance in their destruction by the technical secretariat. That kind of provision is one way to close the gap, so in that sense my delegation will be greatly interested in studying further that kind of very constructive proposal.

Also I should like to point out that even in the Chairman's summary on this question for 1990 it was stated that the discovering State should not a priori be made responsible for the destruction of such weapons. At the same time, however, it did not state that the abandoning State should have this



(Mr. Donowaki, Japan)

responsibility. The question of responsibility is a very delicate one and if we try to provide for the responsibility of States retroactively for who knows how many years, we will create some confusion. For that reason my delegation believes that a more practical approach, rather than establishing such responsibility, would be to make appropriate provisions to settle the question satisfactorily. My delegation is ready to make concrete proposals which should be feasible, practical and conducive to the settlement of this question in our negotiations.

Of course, we are aware that in connection with the question of old and abandoned chemical weapons, there are suggestions that perhaps a cut-off date should be set at a certain point in the past which might help solve the problem to a great extent. My delegation may agree to such suggestions. But all these matters should be discussed in the consultations to be conducted by the Friend of the Chair, the Ambassador of Indonesia.

(Mr. Komatina, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations)

The Conference is an institution for the democratization of international life and for collective participation in a field that historically was the preserve of the major Powers or those which possessed powerful armaments. While there is something true in the globalization of problems, their globalization, interdependence, disarmament and security problems will become increasingly multilateral, and not in the technical sense reflected in the number of negotiators or participants in the negotiations but in the conceptual sense. The Conference must not only survive but continue in the new conditions to play a central role. To what extent this general trend towards multilateralization will be reflected in the facts will depend on our ability to understand the new agenda, our readiness to act and adapt our goals and means. If the problem is approached in this manner, the boundaries between multilateral, regional and bilateral negotiations will gradually disappear. I am certain that the Conference is on the threshold of making history with the convention on chemical weapons by elaborating the most comprehensive system of security and cooperation in the history of disarmament, which of course would strengthen its role and give it self-confidence. The Conference, in the shape of all that it contains, reflects or implies, is a complex endeavour all of whose effects are difficult to gauge, but to the extent that the process of standardizing criteria for analysing and synthesizing the new realities continues, we may view its future with optimism. We should avoid the risk that the defeat of fundamentalist ideologies will become the defeat of ideas, or that the failure of one aggressive ideology will be replaced by others.

(Mr. Morris, Australia)

... I have the honour to make the following statement on behalf of a group of Western countries.

... The end of the cold war has brought with it greatly enhanced opportunities for organizations which are committed to the promotion of global peace and stability - both governmental and non-governmental - to move closer towards their common goals. Here in the Conference on Disarmament there are opportunities to be seized. The negotiations for a chemical weapons convention being conducted in the Ad Hoc Committee on Chemical Weapons is a particular and indeed pressing case in point. An effective convention can be concluded this year, and this is a major challenge for us here in Geneva.

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Mr. BAGBENI (Zaire) (translated from French):

... The new world which is being built is intended to be a world of peace and security which will be marked by enhanced international cooperation while safeguarding the sovereign equality of States but without the threat of the use of nuclear, conventional or chemical weapons or ideological confrontation.

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(Mr. Bagbeni, Zaire)

... The present Conference on Disarmament has a very rich and very varied agenda. It enables each of our delegations to assess the progress made on each of the items on it in order to envisage more dynamic prospects regarding items on which real progress has been made as far as negotiation is concerned. To that end, my delegation considers that the multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and their destruction, which was, moreover, the subject of the Paris Conference, from 7 to 11 January 1989, has been unanimously welcomed by the member States and that it would therefore be appropriate for this convention to enjoy accession by all the States members of the Conference on Disarmament so that an arsenal is finally removed from the list of weapons of mass destruction constituted by chemical weapons. To

(Mr. Bagbeni, Zaire)

that end my delegation wishes to congratulate all the chairmen of the Ad Hoc Committee on Chemical Weapons who have worked steadfastly to finalize the text of this convention on chemical weapons after the intensive negotiations and consultations they had to conduct for that purpose. The question of the conclusion of an international convention on chemical weapons which is on the agenda of this Conference is, without any doubt, one of the subjects that has focused the greatest attention of the international community in recent years. The Geneva Protocol of 1925 on chemical weapons signed under the auspices of the League of Nations raised complex questions, so much so that many countries did not hesitate to circumvent it, if not disregard it. That is why, following so much improper use of the relevant provisions of the Protocol, this question has been the subject of substantial discussions here in Geneva on many occasions in order to add to it and develop it.

Since the international conference on chemical weapons held in Paris, notable progress has been made in Geneva. So many obstacles have been removed, so many rewarding discussions have been held on chemical weapons, but what is important is that we must crown our efforts, because between now and the end of the year this convention will be concluded, and therefore signed by all the States parties - at least that is our hope.

(Mr. Bottai, Italy)

... For the first time in the history of the negotiations for the prohibition of chemical weapons, our goal finally seems to be within reach. The negotiations have proved to be much lengthier than at first expected, as a result of the difficulties in reconciling the innovative solutions gradually emerging with the diverging views between East and West as to the degree of transparency necessary to foster mutual confidence. As the history of these negotiations largely reflected, for better or for worse, the wider political circumstances of the time, they should reflect today the recent and extraordinary changes in world events. A new dimension of the role of the international community is taking shape, as particularly highlighted during the dramatic sequence of events after Kuwait's invasion by Iraq. (War always brings about a tremendous toll of suffering, and it was wise of you, Mr. President, to recall that in your opening statement on your appointment to the presidency of the CD.)

Only a limited number of weeks are left before the deadline we have set ourselves elapses; the General Assembly of the United Nations itself, at its last session, decided as a matter of the highest priority that the chemical weapons convention should be concluded before the end of the year. Should it not be possible for the Conference on Disarmament to meet this goal in time for its presentation at the next United Nations General Assembly, we are concerned that the whole project would risk postponement to a further round of negotiations of unpredictable length, with a negative impact on multilateral disarmament as a whole. We strongly believe, however, that it is possible to reach a conclusion in the negotiations and that this outcome will give new impetus to the future activity of the CD. I won't hide from you that most of the differences still existing do not seem of an unsurmountable nature to a layman not so directly involved like myself.

With great expectation we are following the extraordinary efforts you are deploying this year, at the level of delegations as well as in the context of the groupings, and we wholeheartedly support the endeavours of the German Chairman to reach compromises on the essential issues still unresolved as quickly as possible. At the same time other problems of a more technical nature could be dealt with later by the preparatory commission, with the assistance of the provisional technical secretariat.

(Mr. Bottai, Italy)

Allow me to briefly elaborate on some of these essential issues still pending. First of all, on the problem of verification which for years has been a stumbling-block to progress in various fields of disarmament. Italy considers that the convention on the prohibition of chemical weapons will be an unprecedented achievement in multilateral disarmament, in that it proposes a new set of verification measures not applicable solely to a given sector, whose management has been entrusted to a neutral and impartial organization. In the establishment of a genuine superpartes system lies the best possible guarantee that any bilateral aspect, which is usually involved when a country has doubts about compliance by someone else, will be adequately taken into account, while at the same time discouraging the inappropriate exercise of the right to trigger a challenge inspection. It seems to us that the team of inspectors, drawing on its autonomous powers of neutral evaluation, will be in the best position to assess, on site, whether the suspicion prompting the request justifies the prosecution or the interruption of the inspection; and to estimate the degree of intrusiveness required, without prejudice to the basic needs for the protection of confidentiality.

Those in Europe who have already opened up their national borders to intrusive bilateral inspections of military activities cannot but recognize the importance of the "supernational" nature of the convention, as an anticipation of a new era characterized by the increasing role of the international community in the consolidation of peace and security. Along the same line of thinking, Italy does not believe that its own continuous presence within the executive council would be essential for the protection of its national interests, provided the structure and functioning of the council reflects such a "new way of thinking" - looking ahead beyond the year 2000 and not backwards - and on the condition that the relevance of a country's chemical industry is given due consideration.

Furthermore, the convention will introduce new forms of collective solidarity, as in the case of assistance and protection against use or threat of use, as well as the concern to safeguard the economic and technological development of member States and international cooperation in the field of chemical activities not prohibited by the ban. Italy is also prepared to examine possible forms of cooperation to facilitate the burdensome tasks of destruction required by the convention.

The fact that important sectors of chemical industry, including those parts considered as "relevant" located also in our country, will be affected by the implementation of the convention, should not be taken lightly. We are aware of the concerns felt by industry about attaining a realistic balance between management of available resources and satisfactory deterrence without being overburdened with declarations and inspections. For this reason we are in favour of a pragmatic approach in order to leave a certain margin of discretion to the future organization and to ensure that the convention will be able, after its initial phase of application, to adapt itself to changing circumstances. In view of this, Italy is in favour of adopting an amendment procedure which, whilst naturally safeguarding the essential features of the ban, does not confine the convention within excessively rigid boundaries.

(Mr. Bottai, Italy)

Italy is ready, with an open mind, for the final effort aimed at shaping the real identity of the convention which, although comprising the fruit of differing perceptions of security, will also encompass several essential common points at the heart of the CW ban. In order not to be born outdated, the convention will have to reflect a minimal relinquishment of national sovereignty for the sake of collectively shared interests. It would be extremely disappointing, after so many years of negotiations, if the convention were to be signed by only a group of like-minded States: this is certainly not what all of us had in mind - nor, I believe, France, in its welcome offer to host a conference in Paris before the end of the year for the signature of the convention, with universality as one of its essential targets.

I should like to conclude by expressing Italy's complete confidence in the future role of the Conference on Disarmament. As in the past, it will have to adapt itself to new challenges even in its very structure without binding itself to any predetermined "magic" numbers for its composition, beyond which the realm of effectiveness would be lost. Important countries, both within and outside Europe, are awaiting the opportunity to make their positive contribution as full members of the CD. The revision of the competences of the CD will also have to be addressed as soon as possible after the conclusion of the negotiations on the CW ban. In the meantime, this body is already at grips with a new item related to the subject of transparency in armaments. I should like to confirm that it is Italy's sincere expectation that the consideration of this issue will be started without further delay, following the specific request formulated by the United Nations General Assembly. As a follow-on to the seminar held in Florence in 1990, a new opportunity for addressing the problem of arms transfers in an informal framework will be offered by Italy in the same town early next autumn, under the auspices of the Department for Disarmament Affairs of the United Nations, in order to examine the issue in a regional perspective. Arms transfers constitute only the first of a number of interrelated and interdependent problems, which could be seen by the CD, to the benefit of everyone, in a comprehensive and balanced way, such as conversion, non-proliferation, production, promotion of technological cooperation and the interrelationship between disarmament on a regional and on a global scale.

Mr. SERVAIS (Belgium) (translated from French):

... Having distributed barrowloads of compliments, I now come to the substance of my message. At a time when, under your enlightened leadership, the negotiations aimed at achieving a chemical weapons ban are entering a phase which we all hope will be decisive, I should like to spell out the position of my authorities on a particular point related to the choice of headquarters of the future organization. My authorities consider that The Hague offers incontrovertible advantages which many of us were able to see for ourselves last summer. There is no need to praise the traditions of hospitality or organization of our Dutch friends, and for that reason, while it fully appreciates the good points that other countries might offer, Belgium has chosen to give its firm support to the candidature of the Netherlands.

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Mr. RANJBAR (Islamic Republic of Iran): My Ambassador was supposed to make a statement today on behalf of the Group of 21, but unfortunately, due to circumstances beyond his control, at the last minute he found himself unable to do so. Although somewhat late, I wish, however, to make the following statement for the record.

... Let me also join the previous speakers in welcoming the women participating in the eighth congress commemorating International Women's Day. Normally, it is assumed that matters related to armaments are handled by men, whereas it is quite clear that women also encourage the cause of disarmament for peace. We hope that next year, when they come to visit us, we will have been able to conclude the chemical weapons convention.

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Mr. SHANNON (Canada):

... My second point concerns the site of the headquarters of the chemical weapons convention. I am pleased to be authorized to announce today that Canada supports the Netherlands offer to provide the site for the CWC headquarters.

(The President)

Because we are on the eve of the thirtieth anniversary of the Conference, we should be aware of the urgency and importance of achieving progress in our consultations and our work and, in particular, we hope that we will be able to complete the work on a multilateral treaty concerning chemical weapons. The Conference has been encouraged to intensify its deliberations by the visits from distinguished figures who have presented the views of their Governments. We specially noted the presence of the Vice-Chancellor of Germany, His Excellency the Minister for Foreign Affairs, Mr. Genscher. I had already had an opportunity to say how honoured we were by his presence, but also by his cooperation, not only because he is Vice-Chancellor but also because his country and his delegation have made a particularly noteworthy contribution in the work of our Conference. I am also referring to the Minister for Foreign Affairs of Zaire, Mr. Bagbeni Adeito, the Under-Secretary of State for Foreign Affairs of Poland, Mr. Andrzej Kostarczyk, and the Secretary-General of the Ministry of Foreign Affairs of Italy, Ambassador Bruno Bottai. I personally greatly appreciated the contributions they made and I think that I am reflecting the sentiments of the Conference in saying that all of us together express our gratitude to them here.

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(The President)

... Whereas efforts were made in the past to attribute the lack of progress in multilateral disarmament to an often unfavourable international climate, today there are grounds to hope, given the new circumstances, that multilateral bodies will recover their proper place and at last carry through their universal mission in the service of disarmament. 1992 could then see the establishment of the first genuinely multilateral disarmament instrument which will put an end to the existence of an entire category of particularly devastating and murderous weapons. It is imperative that the convention on chemical weapons should be recorded among the achievements of the Conference on Disarmament. This contribution could offer a promising start for resolving the other items on its agenda, particularly those relating to nuclear and space issues. In discharging this lofty task, the United Nations, through our Conference, the only organ responsible for disarmament negotiations, would be seeing its original purpose reinstated. Its responsibility, in this field, would then no longer be reduced to the passive role which, for decades, has confined it to the simple function of rubber-stamping agreements concluded without its participation.



(The President)

... Algeria has always shown sustained interest in the cause of disarmament, and it is as a mark of this renewed interest that I should like to remind you here of the announcement made last September by His Excellency Lakhdar Brahimi, Minister for Foreign Affairs of Algeria, during the forty-sixth session of the United Nations General Assembly, whereby the Algerian Government decided, as a first step, to accede to the following multilateral instruments in the field of arms limitation and disarmament: the Geneva Protocol of 1925 for the Prohibition of the Use in War of Asphyxiating,

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(The President)

Poisonous or Other Gases, and of Bacteriological Methods of Warfare; the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies; the 1971 Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof; and the 1977 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. This illustrates the importance attached by Algeria to the multilateral disarmament process, which as never before stands at a point conducive to the emergence of new multilateral agreements, among them those for which drafts have reached a very advanced stage of negotiation. I have in mind the draft convention on the prohibition of chemical weapons that has been under negotiation for more than a decade in the Conference on Disarmament. Today we can no longer allow ourselves to become bogged down in purely technical and procedural consideration that will only cause an undue postponement of the long-awaited deadline of the conclusion of the convention this year.

My delegation wishes to pay particular tribute to the devotion and perseverance with which the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador Adolf von Wagner of Germany, is pursuing his mission to achieve that objective. I can assure him of the full cooperation and wholehearted readiness of the Algerian delegation to assist him in discharging his tasks. We appreciate the magnitude of the problems that remain to be solved. We also know how much has already been done. As the negotiations now stand, only a genuine political will, which is in any event essential, stemming from a spirit of mutual compromise, can overcome the difficulties that still remain - they are actually few in number - on the most controversial political issues. In the view of my delegation, the future convention, however many implications are involved for the chemical industry, remains first and foremost a fundamental security treaty for the international community as a whole. As such, it is imperative that its multilateral character should remain predominant and should consequently take into account on an equal footing all the legitimate expressions of concern. The executive body of the future convention should therefore be representative of the international community as a whole.

In order to ensure the universality of the convention, all States, regardless of size and importance, should have the same opportunity to serve on the executive council. To that end, only equitable geographical distribution among the various regions of the world can offer a good basis for the representativeness of the international community within it. It remains understood, of course, that due account will be taken of the industrial criterion in each region's selection of its own representatives. Bearing constantly in mind the multilateral dimension of the future convention, the executive council must be entrusted with a central role in the implementation and application of the future convention. This role is all the more essential as it is related to concerns regarding compliance with the convention. These same concerns, although unilateral in origin, will certainly come to be shared by all the States parties, mainly because of the nature of what is at stake for the security of all States if the convention is not respected.

(Mr. Evans, Australia)

I have not come here today to chide, harangue or plead with this Conference, or to add any more rhetoric on chemical weapons to the already large stockpile. Rather I have come to work with you and, I hope, to contribute to your deliberations in a practical and helpful way. I do come with a sense of urgency, which I know you share, about the palpably growing risk of proliferation of weapons of mass destruction, and in particular chemical weapons, in the contemporary world. It is that sense of urgency which was the origin of the work which I bring to you today in the form of an Australian draft of a model compromise convention, now before you as document CD/1143, and may I say a special word of thanks to the secretariat staff who have worked so hard and so productively to enable that document to be circulated today?

This is not the occasion either to recount the horrors of past use of chemical weapons, or to construct brutal scenarios about their possible use in a world where proliferation has already occurred. Nor is there a need for me, before this audience, to spell out the great costs to trade in the chemical industry which are likely to flow from failure here. But I do want to begin by recalling the immense investment of political capital which already exists in the early conclusion of a chemical weapons convention.

In recent years we have had many meetings, many of them attended at the highest levels, devoted to expressing our unanimity about the urgency of concluding a convention. In Paris, in January 1989, 149 States which were party to the 1925 Geneva Protocol met and called for the earliest possible conclusion of the CWC. In Canberra, at the Government-Industry Conference against Chemical Weapons in September 1989, the international chemical industry expressed the strongest possible support for a chemical weapons convention and undertook to contribute actively to its implementation. In New York, year after year, the United Nations General Assembly has adopted unanimous resolutions calling for the urgent conclusion of a CWC. Heads of State, from the CSCE in Europe and from the group of Latin American States in the Mendoza Declaration and the Cartagena Declaration, have recently been united in calling for the urgent conclusion of a CWC. President Bush has called in a highly publicized way for the completion of a convention by mid-1992. And the Conference on Disarmament's own mandate calls on this Conference to achieve a final agreement on the convention by 1992.

So, over and over again, for year after year, at gathering after gathering, we and others representing our countries have said that a convention is within our grasp. There is complete unanimity in the international community about the need to conclude a CWC in the shortest possible time-frame. But for all our agreement on these points, there have been too few answers to the question of just how to achieve this.

The very thorough work here at the CD has, of course, continued to advance the process. There have been many valuable contributions from delegations, and in particular from the chairmen of the Ad Hoc Committee, in recent years, and I want to pay a significant tribute to Ambassador Morel of France, to Ambassador Hyltenius of Sweden and to Ambassador Batsanov of Russia. And we are now seeing the fruits of the labours of another

(Mr. Evans, Australia)

outstanding diplomat, Ambassador von Wagner, who will have the heaviest responsibility of all if we are to conclude a convention over the coming months. Australia places trust in the German Ambassador and we look forward to working very closely with him. We in Australia have been developing, and very actively pursuing in recent weeks, some ideas which we believe will help us to conclude the convention rapidly. But we are acutely conscious that it will not be possible to carry those ideas forward without inspired leadership from Ambassador von Wagner, and indeed without inspired support from all of you for his efforts.

Let me preface my description of our text by making clear what it is not. Australia has not sought to establish an alternative or parallel negotiating process to that which you in Geneva have pursued, and over which you have laboured so diligently and for so long. And our text does not seek to be in any way an alternative to, or substitute for, the remarkable achievement which the "rolling text" represents. The production of a model compromise text was begun as an exercise for ourselves - designed to test amongst Australian officials the validity of the claim that a convention, which we want very much for our own national security reasons, was indeed within our grasp. Was it really close enough to conclusion to justify a major diplomatic effort to help close the remaining gaps? We did not begin our exercise, nor have we pursued it since, for the sake of headline-grabbing. We have not been trying to raise our international profile or to enhance our stature - just making hard-headed judgements about our national self-interest.

A great deal of effort did eventually go into our drafting exercise - and I want here to acknowledge the skill and stamina of my own team of officials who have worked immensely long and hard on this issue, in Canberra and around the world - visiting some 33 CD capitals in the process in recent weeks - over the last few weeks and months. But the result of that effort was to prove, at least to our own satisfaction, that a convention really is within the world's grasp. I now believe strongly that if the international community is able to make the same relatively small leaps of imagination that we have done, and to grapple in the same spirit of compromise with the few remaining unresolved issues, then we can indeed have an instrument which will materially and significantly contribute to the security of us all. And we can have that convention soon.

A great deal of our text, Mr. President, should be very familiar to you and the other ambassadors here. Fully 80 per cent of it is drawn directly and unambiguously from agreed language in the "rolling text". Moreover, no part of the "rolling text" - save in cases of redundancy or repetition - has been omitted from our text. The previous achievements of the CD are all represented in our work: nothing that has been so far agreed (recognizing of course that in negotiations of this kind nothing is finally agreed until everything is agreed) has been altered or subtracted in the text before you.

So our text is not an alternative to the "rolling text". Our text is no more, and no less, than an accelerated refinement of the "rolling text". Eighty per cent of it is an embodiment, in treaty format, of all the achievements of the CD to date. The remaining 20 per cent is our response to

(Mr. Evans, Australia)

issues where agreement does not already exist: our text here advances a model for the kind of compromises which it will be necessary for all parties to make if agreement is to be reached.

To those who ask what is wrong with the present process, and why we need to accelerate the negotiations, our answer is clear. Acceleration can bring us an instrument of self-protection quickly - and that makes good security and economic sense for us, and for everyone else in the international community. Conversely, not to accelerate runs a tragic risk that there will slip away from us that opportunity for conclusion which the current international focus at this time on proliferation issues offers. If we are diverted, the window may close and leave us with a nearly finished convention for many years more. We might ultimately find ourselves with a convention agreed, painstakingly, but agreed too late to protect us from a proliferation which will have already occurred - and perhaps too late as well for effective development opportunities for the world's chemical industries. Failure in this respect would, moreover, have a disabling impact on other multilateral disarmament efforts. Questions would arise, endlessly and forcefully, about the efficacy of multilateral disarmament and indeed of the CD itself.

The 20 per cent of our text which represents a model for the sort of compromises that remain to be made is not yet, as I have said, agreed language. But it is a model based on known positions. The differences we have on these issues are not new. This was underlined again for us Australian ministers and officials in the extensive consultations in recent weeks which have been undertaken here and in capitals. Encouragingly, no new concerns emerged. Focus on some outstanding issues sharpened, but in many cases the sharpened focus led to a significantly greater understanding of the possibility of compromise. Our text is a package, but it is a package based on some very solid foundations.

I do not bring it to you today as a final package. It is not something to which, in its entirety, we ask now that you either agree or not agree. So we have not, despite an extremely encouraging level of support for our work, which I hope will be reflected in statements later today - we have not sought specific co-sponsorship today of our document. To have done so would have been seen by many of you as an effort to force an invidious and premature "take it or leave it" decision.

As I will suggest a little later, we believe there will be a point very soon when decisions do indeed need to be made. But I am not seeking decisions from you today. We see our text rather as forming the basis for further refinement in the near future into a final text, and it is on that text that we will indeed need to make decisions and judgements as to the real interests, security and economic, that are at stake.

We have distributed a detailed explanatory memorandum in association with our text, and that should give you a very clear idea of how we have gone about the process of achieving model compromises in respect of those few areas as yet unagreed. But it may be helpful for me now to address a few important specific areas to illustrate the way we have gone about drawing together opposing positions into what we believe should be mutually acceptable language.

(Mr. Evans, Australia)

The very heart of the convention for which we are all striving will be, necessarily, an effective verification regime. Central to our text is the verification annex which we have created, bringing together elements from a number of parts of the "rolling text": its significance is demonstrated not least by its relative bulk. In it, as in all of our text, we have sought to strike a balance - here between effective verification, which must be the hallmark of this treaty, and on the other hand excessive intrusiveness, which sound reasons of sovereign interest demand that we guard against.

We believe that there is a broad measure of agreement that new ground needs to be broken to ensure the effectiveness of the verification regime we want to put in place. Our consultations have indicated that member countries of the CD are not questioning the fundamental direction in which we are heading, but are now looking in a very practical way to see how their concerns either about effectiveness or intrusiveness are protected.

We have retained what is a basic, non-negotiable requirement for many, namely the spontaneity and immediacy of challenge inspection. But we have also written in very specific provisions which would deter a State party from any casual abuse of the uniquely intrusive regime which challenge inspection represents. We should not be frightened of intrusiveness, which ultimately is the best guarantee of effectiveness and the best guarantee therefore of the security of us all: after all, it is only those countries which are in breach of the convention who will have anything to fear from properly conducted intrusive inspections. But at the same time we have to avoid creating a monster which allows States parties to use the convention for purposes for which it is not designed. I hope, and believe, that those competing objectives can be accommodated, and have been in our drafting.

On challenge inspection, for example, and taking the CD's working paper 352 as a basis, our approach envisages shortened time lines, improved measures for securing the site, strengthened managed access procedures and the elimination of the concept that access is circumscribed by reference to national security concerns, legal obligations and proprietary rights. These are all concerns of those whose preoccupations are, properly enough, with the effectiveness of the regime.

But we have, of course, in our consultations, encountered continuing concern over the possibility of abuse of the challenge inspection regime. Accordingly we have introduced in our draft specific measures designed to ensure that there is no abuse. We have, in article IX.12, empowered the executive council to meet at the same time as the challenge is mounted to discuss, as fully and publicly as desired, the circumstances of the challenge. We have also, in article IX.18, provided for the executive council to issue an opinion after the challenge as to whether it was initiated and conducted in conformity with the obligation to keep the challenge within the scope of the convention. The text also provides limits on the number and duration of challenge inspections. And it contains quite specific language on abuse. We believe that these provisions provide the sort of balance which ought to be acceptable to all parties.

(Mr. Evans, Australia)

I should add that we, along with many whose concerns are about intrusiveness, see resort to challenge inspection as a highly political act, and therefore very much an option of last resort. To ensure that it remains so, we believe that there must be a truly credible regime for routine inspections under article VI. There is a clear link between article VI and article IX, and an effective verification regime under article VI is essential to maintain this link.

On routine inspection our text is consonant with the recent work of the CD's own verification working group, which is considering how schedule III and other relevant CW-capable facilities will be monitored by data reporting and international on-site verification. In our view such an approach provides the best possible balance given the emerging view that current coverage in the "rolling text" of these facilities is inadequate.

Australia shares the view that to restrict the coverage of on-site verification activity only to facilities producing schedule I and II chemicals, while ignoring others which could be readily adaptable to chemical weapons production, would be to build a grave deficiency into the convention. We fully acknowledge that schedule I and II facilities are of particular concern, and have accordingly emphasized inspection arrangements for facilities producing these chemicals. But for the convention to be effective it must allow for inspection of CW-capable facilities. It was clear to us that many countries are of this view.

Equally, many others have concerns that such an extension of verification activity would overwhelm the CWC secretariat, industry and national Governments. We have sought to address those concerns by stipulating a 100 tonnes per annum threshold on whether a facility will be subject to declaration and thereby to possible inspection. Australia judges - on the basis of detailed technical advice - that such a threshold would significantly limit the potential burden on the secretariat, industry and Governments, while ensuring that facilities which pose a real risk to the convention can be monitored.

The provisions concerning verification of the chemical industry also need to provide the flexibility to allow for future developments in that industry and in verification technology. Accordingly we have sought to ensure that article VI is not overburdened with excessive detail, thus providing the secretariat with the flexibility to implement the verification of the chemical industry in the most practically effective and cost-effective manner. The secretariat is allowed the necessary scope to focus its inspection effort on the kinds of facilities which would pose the greatest risks to the objectives of the convention.

We recognize that article XI raises for many countries important issues of principle, chiefly as to how national rights to economic and technological development are to be guaranteed as nations implement their obligations under the convention. May I emphasize at the outset that Australia has no interest whatsoever in hindering either the future development of our own industry or the legitimate aspirations of developing countries? For good economic reasons

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the chemical industry in the industrialized world, and its Governments, share a concern that the convention not hinder trade unnecessarily. So, with all this in mind, the Australian text advances what we consider is another balanced compromise between the emphasis of various delegations on the issue of, in shorthand, export controls.

We are proposing that the convention clearly outlaw restrictions which could be said to be designed to impede the development and promotion of technological knowledge. We also believe it appropriate that parties undertake to ensure that their national restrictions are applied completely consistently with the objectives and purposes of the convention: this requirement is set out in article XI, paragraph 1 (d). This means that CWC parties in good standing should be able to expect that there would be no restrictions placed on them in the field of chemistry, including in the trading of chemicals.

Of course the high ideals enshrined in this convention can only be achieved by parties monitoring responsibly their national chemicals trade. National machinery must be able to ensure that our individual chemical industries give no assistance whatsoever to those still bent on inflicting the scourge of chemical weapons on us all. It is clear that present export control regimes, including the policy harmonization work of the Australia Group, will need to be significantly modified to ensure consistency with the convention. But we are equally persuaded, from our wide consultations, that if we do not achieve a convention, significantly more draconian export control regimes will necessarily emerge - and so damage the prospects for the development of legitimate chemical industries and trade in many parts of the world.

The question of how to handle the problem of old or abandoned chemical weapons stocks is an issue which affects a large number of the countries represented here. The Indonesian Ambassador, as a Friend of the Chair, has done useful work on this issue and indeed has helped advance our own thinking. Our text seeks to outline a balanced compromise based on a clear and realistic definition of what constitutes a chemical weapon. Accordingly we have introduced, in article I, the concept of "other toxic munitions and devices". This removes any ambiguity, making it clear that other toxic munitions or devices are not to be regarded as chemical weapons under the convention.

The question of responsibility for abandoned chemical weapons is addressed in article IV of the convention. Our text builds on the very considerable effort that has been given to this question in the CD negotiations by including a compromise formulation which ensures that the abandoning State party is consulted before, and involved in the process of, destruction of chemical weapons abandoned by it.

The provisions in articles I and IV thus interact to ensure that a State party does not seek to circumvent its obligations in relation to chemical weapons by resorting to abandonment of CW. This is achieved by placing a 1925 cut-off date for defining abandoned CW as "other toxic munitions and devices".



(Mr. Evans, Australia)

For some delegations the most difficult issue of all in our text may be the proposed composition of the executive council which we have outlined at annex 5 of our draft. As you will all see, we have devised a formula for the composition of the council which, again, seeks a balance - this time between the geopolitical criterion and the so-called "industrial criterion". I might note in passing here that we could have advanced formulas which better sought to protect an Australian national interest in this part of the convention. But that was not the purpose of our draft: we were seeking, here as everywhere else, a balanced compromise with which everyone could live.

I have to say, none the less, that this has been the most difficult area of all in which to predict the final shape of a workable compromise. This is really an area which is likely to require political resolution as one of the last acts of the end-game of negotiations. So I appeal to you not to be too focused on this part of the text. Though we believe our formula has merit, it is included more than anything for the sake of completeness - to assist in our overall purpose of producing a model of what a final text will look like. Our first task should be to look at the other compromises and balances we have struck. If we can speedily agree on all of the rest of the final text, reaching agreement on the executive council should not be an insuperable obstacle.

Before the CWC negotiations are over, there are at least two other potential obstacles that I think will need to be addressed squarely. One is the fear of the cost of a new international organization, particularly for small, developing countries which have only fledgling chemical industries and whose main concern is to have unimpeded access to imported chemicals, especially fertilizers and other basic chemical products. We believe that a financial formula based on the scale of assessed contributions to the United Nations is the only credible way that an organization can be established. Our calculations suggest that the verification regime we are advocating will imply an inspection burden for the secretariat of about the same dimensions as that undertaken by the International Atomic Energy Agency.

Australia recognizes that we have special, additional, responsibilities in our own region. At the November 1990 Regional Seminar on the chemical weapons convention which was held in Brisbane, I made clear to participants from the Asia-Pacific region that Australia would provide assistance with the implementation of this convention and with further assistance as necessary for them to have it operate effectively. We have already commenced this process with a workshop for technical experts. By this undertaking I hope that States in our region will understand that they need not fear what might appear to be daunting obligations by way of declarations and the collection of other required data which they would have to undertake to provide. We will discuss with them during the period that the preparatory commission is operating what Australia could do to assist them by way of technical and legal advice, preparation of relevant material and other practical implementation measures. We do hope that other nations with significant commitments in the chemical industry and to the chemical weapons convention will undertake to do likewise in their own regions.

(Mr. Evans, Australia)

The remaining specific issue I want to mention is commercial confidentiality. How can we protect the chemical industry from the risks of industrial espionage? Those industries have often made huge investments in research, development, enhanced processes and state-of-the-art equipment. For them the concern to keep confidential information on novel production processes, and on research and development in relation to new chemicals and pharmaceuticals, is fundamental to commercial viability. I have discussed this problem with leading representatives of major chemical companies in the period leading up to the Canberra Conference and subsequently. Although there is no simple solution to this problem, we believe the provisions set forth in the confidentiality annex to the draft tabled today provide an adequate formal answer. As well, there are proposals within the industry that there should be a system of private insurance established by chemical corporations which would help them deal with the risks I have described. The combination of formal treaty positions and such informal arrangements is likely, we believe, to be adequate and acceptable to industry.

I have already made clear that Australia is not advancing its work at this time on a "take it or leave it" basis. We understand very well that further refinement will undoubtedly be possible and may be desirable. I have no doubt that the consultations amongst you which I know are already occurring will produce suggestions for further refinement with which Australia, for one, could readily agree.

I have described the exercise we are attempting as one of "accelerated refinement" of the "rolling text". It has been our objective to provide a very solid basis for the rapid development of a final text. I cannot emphasize too strongly that our point at this time is as much one about process as it is about substantive language. We have taken the view that only with such an accelerated process can we quickly get to a final text.

The very deliberate and detailed negotiating process of the CD over what has been almost 20 years has served us well in the production of the 80 per cent of the language which is already agreed. But the dramatic changes in the international environment demand new thinking about old problems, as well as fresh initiatives to take advantage of the new circumstances in which we find ourselves. The mechanisms of political negotiations in the CD which have served us well in the past will not necessarily meet the challenges of the present. Let me just add something by putting it this way. We already have a vehicle for achieving a chemical weapons convention; it is called the Conference on Disarmament. We already have fuel for that vehicle - it is all the inputs which are reflected in the "rolling text" and in the known positions of participants in the negotiations. What we do not have is an accelerator for the vehicle, and it is that which, if you like, the Australian text is trying now to provide.

I say, very frankly and directly, to you the negotiators, on whom the responsibility will fall for achieving or not achieving a convention this year, that you really must now redouble your efforts. If we are to achieve a result you must, with the same seriousness of purpose that has marked your work up until now, look at new mechanisms for negotiation. Complex

(Mr. Evans, Australia)

negotiations such as these are often, of course, susceptible to conclusion by the utilization of the device of a Chairman's text. That is a device which has been successfully deployed on a number of occasions to overcome log-jams. I have spoken of the trust we repose in the current Chairman of the Ad Hoc Committee, Ambassador Adolf von Wagner. It seems to us that a combination of first, his skills, secondly, the immense achievements represented in the "rolling text", and thirdly, the model of compromise and treaty format which our work demonstrates, can and should be brought together quickly to produce a Chairman's text. Given the clear political commitment which I believe exists in the CD, we accordingly propose that Ambassador von Wagner should hold consultations with delegations during the forthcoming inter-sessional period with a view to his producing a final consensus text. We believe this could and should be prepared in time for presentation at the opening of your next session in May this year.

We believe that no other process can produce a convention while the window of opportunity, which we all agree is there, is still open. That seems to us to be the logical conclusion to the argument with which many of you here have said you agree - that a convention is within our grasp, that it is desirable to achieve it quickly, that acceleration of the negotiations is needed, and that if we do not achieve it soon the opportunity will have been lost. So I call on all of you who share such sentiments with us to support the process I am outlining for finalizing the negotiations.

I have stressed that the kind of compromises that are necessary to conclude this convention have been proven by our work to be achievable: they require only a combination of real commitment and genuine flexibility. None the less I concede that, as with all Chairmen's drafts presented to nation States on a "take it or leave it" basis, there may be a very small number of residual issues which, by their nature, necessarily have to be resolved by Ministers: I have already pointed to the composition of the executive council as one such example.

Australia has long believed that the very end of the end-game would need to be endorsed by a ministerial meeting. When I wrote to my Foreign Ministerial colleagues last year suggesting this, there was virtually universal agreement. A number argued at that time that such a meeting would need to be very carefully prepared - that Ministers could not sensibly or reasonably be asked to negotiate all of the issues which are outstanding and unagreed. And of course I agree with that. But equally I have no doubt that if we pursue the course that I am commending to you today then, by the time of the end of the next session of the CD at the end of June, or at the very latest by the beginning of the third session at the end of July, we will be in a position where the final issues are very few and very clear.

In these circumstances a ministerial meeting, to endorse the work done by then and to resolve any outstanding issues, would be a very effective way of bringing these very long and difficult negotiations to an end. I need hardly tell you that I stand ready to come here again at very short notice to participate as actively as is needed with my ministerial colleagues, whom I know share all of my commitment to conclude the convention.

(Mr. Evans, Australia)

I said at the outset that I came here today not to harangue you but to work with you. Let me again say that both the compromise text I have tabled and the forward process I have advocated are, in our judgement, essential to the early achievement of a convention, and that the consequences of not achieving a convention quickly will be very grave. Let me just say again what those consequences are. There are three of them. A certainly heightened security risk - there will be some individual countries at very grave risk indeed. Secondly, there will be a much less certain trading environment for chemicals - a particularly serious problem for the countries of the developing world. And thirdly, there will be a massive loss of confidence in the capacity of cooperative multilateralism to produce solutions that are worth having to problems that must be solved. You really will need to bear these considerations very carefully in mind in the period ahead.

Of course history will make its judgements on your efforts. But in the much shorter term all of our Governments will be having to make judgements about our national interests, based on assessments of whether you can soon deliver an instrument of utility to us.

Australia has always been a strong supporter of, and an active participant in, the Conference on Disarmament. We have redoubled our efforts in recent months, and I hope that our efforts are being matched by others. We certainly look forward to an exhilarating few months, under wise guidance from Ambassador von Wagner and in the company of genuinely committed colleagues, as we finish these long and complex negotiations.

The stakes are as high as they could be. A completed chemical weapons convention will be the most important multilateral arms control and disarmament achievement in history.

Mr. ERRERA (France) (translated from French):

... We listened with great attention to the statement made by the Minister for Foreign Affairs of Australia. It is unnecessary to stress its importance and scope. This statement reminds us how high the stakes are. It comes at a decisive moment in our negotiations on the chemical weapons convention. It calls upon us to shoulder our responsibilities. Today we are at a point where our negotiations can be concluded by the end of the year. We are convinced of it. We are determined that it should be so - this has indeed been stated by the majority of the countries in the Conference and set out in the mandate we have assigned ourselves for the year 1992. And, lastly, this is a realistic goal: because considerable work has already been accomplished and few issues remain pending. Even if some of them are fundamental, they have as we know been clearly identified.

In stressing the paramount importance it attaches to the need to conclude the first multilateral disarmament agreement in 1992, France reaffirms that it is ready to make substantial efforts to ensure that this process succeeds. It goes without saying that the goal of rapid conclusion should not be reached at the expense of some essential elements of the convention: this applies, in particular, to the verification regime, which we want to act as a deterrent, so as to make the convention credible vis-à-vis potential violators. In this context, we view the Australian initiative as a major contribution to the early achievement of consensus in our negotiations.

It is no secret that, like other delegations, we initially harboured some doubts about the appropriateness of this initiative. We feel all the more at liberty today to express our full support for it, not only because it is generally acceptable to us - even if it can, of course, be further improved - but also and primarily because it is, in our view, the instrument which will allow us to conclude the convention this year, and this for two reasons. First, this document is consistent with the spirit and often the letter of our work as it appears in the "rolling text". This draft convention is a text in treaty form that has been the subject of considerable work involving rewriting, restructuring and simplifying, as compared to the present "rolling text": no more footnotes, nor bracketed alternative formulations. This work needed to be done. We are particularly grateful to the Australian authorities for having accomplished this difficult task so well. As the

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(Mr. Errera, France)

Minister for Foreign Affairs of Australia has just indicated, 80 per cent of the text of the Australian draft results from a necessary rearrangement of the "rolling text". We consider that it is essential to draw maximum benefit from this effort. Hence we have no objection to placing these parts in the present "rolling text", which they undisputably improve, to produce a text that is closer to the definitive treaty form. Secondly, as for the passages dealing with pending issues (verification, challenge inspection, executive council, old weapons, economic cooperation), we consider the Australian text promising: it brings us closer to the solution of difficulties and, without jeopardizing the balances identified in the "rolling text", would allow us to make important progress.

Time is running out. Deadlines are approaching. In our view each of us should now examine the proposed solutions and, on that basis, instructions should be sent by capitals to their representatives. It goes without saying that the role of the Ad Hoc Committee Chairman is of the essence. We warmly encourage him to make use of this text and present the Committee with proposals making it possible to harness the Australian initiative in the most effective manner for the achievement of the final consensus on the convention. Hence we think that, while naturally taking into account the constraints arising from the forthcoming meetings on biological weapons and the environment, as well as the United Nations Disarmament Commission, our Chairman, Ambassador von Wagner, should take advantage of the six inter-sessional weeks to conduct consultations to this end, so that, when we resume our work on 11 May, we can have before us a document allowing us to finalize our negotiations.

The unanimous will of the international community, as expressed once again at the last session of the United Nations General Assembly, is that the convention banning chemical weapons should be finalized this year. The Australian text, drawing on years of work in our Conference, brings this goal within our reach. It is now up to each of us to shoulder our responsibilities, because I believe no one would understand it if, with all the conditions ripe for concluding these negotiations, we did not seize every opportunity to speed up the process leading to the compromises necessary for an agreement.

Mr. KAMAL (Pakistan):

... We have had the opportunity today of listening to a very weighty statement delivered by the distinguished Foreign Minister of Australia, Senator Gareth Evans, on a subject of great importance. I have no doubt that this initiative will be studied with the deep attention and care that it deserves. On our part, we too are deeply concerned at the relatively slow

(Mr. Kamal, Pakistan)

movement in this final phase of our negotiations to conclude a chemical weapons convention. It is now quite clear that the basic objective of this convention is fully shared by all, and that there is a general consensus to try and conclude its text within this year. By the end of last year already, the outstanding issues had been correctly and adequately identified, thus charting out the course for the further work to be done by us. Bold initiatives were then taken this year by the President of the Ad Hoc Committee, Ambassador von Wagner, initiatives which earned the respect of all. And yet, the management of the outstanding differences continues to elude us. From what we have seen so far during this first part of our 1992 session, the slender forward movement that took place was quickly ground to a standstill by backtracking to known earlier positions. This has caused disappointment to many, for compromises on the key outstanding elements will obviously have to be made by all sides if we are to work forward towards concluding a convention in the expected time-frame, and which will draw universal adherence.

Let me share our perception of what are some of these major outstanding issues where known differences exist, and where possible compromise solutions have not yet been identified. The verification package that we are developing for the convention has undergone numerous transformations since the negotiations started. In article VI, we have still not been able to agree on the extent to which we would like to monitor the civilian chemical industry. Perhaps this is because of an enthusiasm to create a perfect regime, which has resulted in expanding routine verification well beyond the limited financial and human resources likely to be available to the technical secretariat. Could we not perhaps settle here for a regime which concentrates on schedule I and schedule II facilities which pose the greatest risk to the convention? We must also resist the temptation to introduce new concepts which are alien to the routine nature of the envisaged inspection, or to attempt to use the provisions of this article as a disguised form of challenge inspection.

Article IX on challenge inspection has always been, and remains, the acid test of the convention. Its intrusiveness is crucial to the success of the convention. The acceptance of its intrusiveness will constitute a willing derogation from the national sovereignty provisions of existing international law. Great care has therefore to be exercised to ensure that its essential concepts amalgamate differing points of view and different perceptions of vital national interests. Even though we still have considerable ground to cover before we arrive at an acceptable solution, we have, in considering the four-nation proposal, broken away from the mind-set of the cold war years, and are now embarked on an approach which is realistic and practicable, and which has the potential to command the consensus of the negotiating partners. Nevertheless, three basic elements still have to be addressed before a fully acceptable solution is found. These are, respectively, the role of the executive council, the dangers of abuse, and the question of the observer.

As a geographically representative and permanent sitting organ, the executive council embodies the conscience of the international community's concern regarding chemical weapons. It cannot be bypassed, under any pretext of the need for speed and automaticity in challenge inspections, by a

(Mr. Kamal, Pakistan)

technical secretariat, which must remain essentially a servicing organ. We all stand for a quick launching of challenge inspections, with minimal realistic time-frames to ensure the maximum degree of effectiveness. What would not be acceptable is the effort to deliberately bypass the sole representative body which can truly have the authority for launching as important an action as a challenge inspection. The legitimate executive authority delegated by the international community of States parties will lie with this executive council, and those who are inclined to see this essential authority as a "filter" can only be trivializing the basic underlying concept of democratic rule of law.

Obviously, this executive conscience of the international community must continue to be seized of the challenge inspection that it has launched, throughout the conduct of the inspection, so that it remains empowered to take whatever action it might decide upon at any time after the launch. Once the inspection has been completed, it is the executive council again which has to close the circle by reviewing the inspection report, and by determining whether any non-compliance has occurred, as well as whether there has been any abuse of the right to request a challenge inspection.

The intrusive nature of the challenge inspection procedure is such that it carries within it the germs of much misuse and abuse. Care has therefore to be taken to ensure that this does not happen. This can be done partly by putting in a clear reference right in the beginning of the article to the need for avoiding abuse, and partly by a provision at the end of the challenge inspection process for the executive council to attempt to determine whether abuse might have occurred. In case of a clear determination of abuse, one might, as has already been suggested, even consider penalties.

The best safeguard against abuse lies however in compelling the State which initiates the challenge to table the evidence, or the supporting documents and information, on the basis of which its suspicions were originally aroused and its concern founded. The purpose of the challenge inspection is obviously to allay this specific concern only. It is certainly not to use the tabled evidence or supporting information regarding a specific and limited suspicion as an open justification for omnibus intrusive actions. We must recall that one of the essential objectives of the proposed convention remains universal adherence. Unless proved to the contrary, potential challenged States have to be treated with the respect that is due to sovereign parties who have willingly accepted the intrusive provisions of the convention, and not as vanquished adversaries or criminals.

Challenge inspection will obviously be carried out by a multilaterally representative international inspection team. The role of the individual State which requested the challenge diminishes once the executive council assumes charge, and the international inspectors begin their task. It is for this reason that we have failed to understand the continued insistence on the obligatory presence of an observer from the initiating State during the entire duration of a challenge inspection. Technically qualified and competent inspectors, proceeding along a mandate defined to address a specific concern, do not need to be observed or supervised by an inspector of inspectors. While



(Mr. Kamal, Pakistan)

we, therefore, see no necessity for such an observer, we see no objection either to his presence, provided this is with the permission of the inspected State, and on agreed terms relating to access.

A formula for the composition of the executive council has evaded our collective endeavours. We would like to record here our appreciation for the efforts that Ambassador Tóth has expended in elaborating various elements and in identifying possible solutions. As the convention is a security treaty, the executive council has to be constituted in such a manner as to safeguard the interests of all States parties through an equitable and proportional system of representation. In overall size, the temptation to expand the number of its members to unwieldy proportions would impact adversely on its efficiency, and therefore has to be firmly resisted. We feel that the membership should be based essentially on the standard United Nations geographical criterion, with some weighting for States which have special economic or political and security interests in the implementation of the convention. This formulation is more than adequate to ensure the representation of those countries with highly developed chemical industries, as well as those with a pronounced regional interest in the implementation of the convention. In deciding about the composition of this executive council, we would prefer the existing United Nations groupings, but at the same time we are prepared to consider any new ideas which faithfully reflect existing realities.

Given the comprehensive nature of the intrusive aspects of the verification regime which we are trying to create for the convention, the developing countries should obviously not be subjected to the double jeopardy of additional measures outside the convention, such as the existing export controls practised by the "Australia Group". The latter can easily be dismantled when the convention comes into force, and this linkage can be clearly specified in an adequate formulation in article XI, along the lines of the proposal tabled by nineteen Group of 21 delegations and China in the Ad Hoc Committee last year. We also repeat our suggestion of August 1991 urging those countries which presently apply export controls and restrictions on transfers of certain chemicals to publicly declare their intention to dismantle such measures for the States who become parties to the convention. Such a measure would contribute much to the universality which we all seek for the convention.

Last year we were successful in including an article on assistance and protection against chemical weapons in the "rolling text". This was achieved at the end of lengthy and at times frustrating negotiations, but with a happy outcome. However, there is still room for further improvement in so far as the article does not clearly address situations where adequate resources may not be available to the technical secretariat to provide the necessary assistance. A provision to plug this loophole is necessary, and my delegation would be prepared to present its ideas in the Ad Hoc Committee at the appropriate time.

(Mr. Kamal, Pakistan)

Before concluding, I would like to express my delegation's appreciation for the initiatives taken by the Government of Finland to train technical personnel from developing countries, who could eventually serve as inspectors in the technical secretariat. We have benefited from this programme and fully realize its utility. We would also like to welcome the similar initiatives announced by Germany and the Netherlands recently, and hope that the many other developed States who have significant chemical industries, and who are in a position to share technical expertise with developing countries, will follow suit. Such efforts would no doubt contribute to creating an equitable proportionality in the future technical secretariat, and particularly among its inspectors. Without such balance, the technical secretariat would remain open to constant criticism, and its impartiality in constant doubt.

The issues that we have highlighted are not problems and difficulties, but opportunities for creating a truly universal disarmament treaty. The procedures employed until now to conclude the convention have produced some positive results, but much more still needs to be done. Given the political commitment exhibited by everyone around this table there is no reason why we should not be able to meet the deadline we have set for ourselves. We should, above all, not exclude the possibility of pursuing the fresh process initiated by Ambassador von Wagner earlier this year in attempting to achieve our objective. It is in this context that the important Australian initiative that has been tabled today has to be read. The convention, once it is concluded, will symbolize the will of the international community to banish a truly abhorrent weapon of warfare for all time. This is our Holy Grail, and we are convinced that we are nearing the end of our search for it.

(Mr. Rasaputram, Sri Lanka)

Today I take the floor to make my country statement, in which reference will be made to the Australian initiative. Disarmament is not an end itself. Nor is it neutral to ends. It should be linked to the achievement of universal peace and security, development goals, preservation of the environment and the protection of human rights, the most fundamental of which is the right to life. Today human rights issues have come back to centre stage. Destruction of human and other resources and the violation of human rights, together with the diversion of resources for military build-up away from development needs, have had disastrous consequences and long-term effects on the human race in general. At the same time we are living in hope that we are entering a period of greater security and peace. In order to enhance international trust and confidence and to benefit from the conjunction of unprecedented changes in the political and economic fields, at least a part of these hopes must be realized in the immediate future thus sustaining the momentum generated. Transitional difficulties will have to be overcome individually and through international cooperation. These changes can also have such repercussions particularly on developing countries so as to cause international concerns due to inherent inequalities in the system. However, it is imperative that we build a new system structured to withstand adverse developments, by strict adherence to the Charter of the United Nations. There is a great promise that the differences can be narrowed down through diplomatic efforts to achieve the ultimate objective of common security, political stability and economic progress.

The recent world events demonstrated that a stockpile of arms could not act as a deterrent and, equally, that a new world order cannot function effectively unless nations remove the causes that lead to instability, by working as partners. In other words any new world order, to be universally acceptable and effective, should ensure a greater dynamic role for the United Nations. Comprehensive security arrangements that have the widest acceptance will have to be given legitimacy by a process of democratization of actions taken to ensure universal adherence. In the past initial negotiations on a bilateral basis ended up in multilateral treaties to give them a semblance of multilateral acceptance and legitimacy. If decisions are taken outside the multilateral agencies there will be a tendency to use the United Nations as an instrument to carry out those decisions of a selected few. Since the establishment of the CD it has yet to take stock of its achievements in the field of disarmament. We cannot be complacent with the progress made so far by this multilateral negotiating body, particularly compared to the deliberations made. My delegation therefore reiterates the urgent need for the CD to be used as the main forum in carrying out negotiations on all aspects of disarmament. The climate is ripe and advantageous for this and we should not fritter away this opportunity. Nothing is more beneficial to multilateral disarmament than the momentous changes that have taken place in Eastern Europe that have improved the relationships between the two nuclear giants.

We are concerned that since time is running out, the negotiations on a global convention banning chemical weapons which have now reached a peak must be concluded without delay. We are hopeful that the convention will be effective from the beginning of 1993. We are glad to note that all members consider the completion of the draft convention as a matter of urgency.

(Mr. Rasaputram, Sri Lanka)

We are no doubt closer to agreement on major issues. Nevertheless there are gaps in thinking among groups of countries which can be narrowed down and the different views harmonized through consultation and compromise. The composition of the executive council on an accepted formula will give credibility and strength to the convention as a universal treaty instrument. Frivolous challenge inspections can perhaps be overcome by making the challenger pay for the costly exercise as suggested by Egypt in a recent paper that was circulated. We may even consider that the victim of such frivolous challenge be compensated for the expenditure incurred by opening up its country for total inspection.

The transfer and adoption of technology for peaceful purposes should not pose any problems. Sri Lanka has always taken the view that exports and imports of chemicals for peaceful purposes should not be obstructed. Consideration should also be given to the avoidance of heavy costs in any reporting system that may be adopted. Most importantly civilian industrial activity in developing countries should not be placed in a disadvantageous position by placing heavy burdens of a discriminatory nature. Since non-conformity with the convention will carry heavy penalties it is important to provide those safeguards to developing countries.

The verifications and inspections that have been conducted on an experimental basis at national levels have given us valuable data to verify that substances produced or exported will not be diverted for purposes prohibited by the convention. The practical experience thus gained would be valuable to speed up further work.

Despite the initiatives that have been taken to increase confidence and policy statements made by members as well as the openness of the discussions, we observe that the Ad Hoc Committee is still facing an uphill task particularly to keep a delicate balance between confidence-building and the concern for security. We are however encouraged by the acceleration in the pace of negotiations, and the efforts continued under the able guidance of Ambassador von Wagner to narrow down the divergences in positions and views relating to many important issues in the "rolling text" of the proposed CWC. My delegation wishes to reassure the CD of its fullest cooperation towards the successful conclusion of a non-discriminatory convention embodying a comprehensive ban on chemical weapons.

My delegation is very thankful to the Honourable Minister for Foreign Affairs and Trade of Australia, Senator Gareth Evans, for his important presentation today, which will no doubt enhance the quality and the pace of the negotiations on the proposed chemical weapons convention. The document that has been circulated on the Australian initiative is a timely and a constructive contribution to expedite the terminal phase of the negotiations. We note with satisfaction that the Australian text will not be an alternative or run parallel to the "rolling text" which has been evolved after several years of painstaking consultation and compromise. We are confident that it will find a way forward on outstanding issues by building upon a sound basis provided for in the "rolling text". My delegation agrees that this

(Mr. Rasaputram, Sri Lanka)

comprehensive and well-thought-out document can provide the necessary impetus and make a catalytic contribution to our collective efforts to conclude the chemical weapons convention this year.

(Mr. Králik, Czechoslovakia)

(continued in English)

I should like to begin by applauding the statement that we have heard this morning from the Minister for Foreign Affairs and Trade of Australia, His Excellency Senator Gareth Evans. His presence here is a further clear testimony of the great responsibility which the Conference on Disarmament bears today. The initiative which he has proposed has been heard with great interest and is winning wide support among many delegations and I am glad to say that my delegation is one of them. I believe the Ad Hoc Committee on Chemical Weapons will take due note of the proposed draft language.

Today I am going to address the item which is at the top of our agenda. In the lengthy negotiations directed towards a comprehensive and total ban on chemical weapons, it has become increasingly apparent, especially during the last year, that time is running out and the unresolved questions must be solved. Therefore we welcome the approach taken by the Chairman of the Ad Hoc Committee on CW, Ambassador von Wagner, who has our full support. However that was just one part of our work here in Geneva. If we look at the present "rolling text" or at other documents elaborated, past or present, and if we apply these documents to real situations in our own countries, then we must seriously consider what concrete impact these documents have on each and every one of the States we represent. Now it is not enough to simply intend to be an original signatory of the future convention. It is time to prepare and adapt national measures for CWC implementation. For this, the final stage of negotiations, we need clever minds, a fresh look and a spirit of mutual understanding. We need more openness, more transparency and clarity of national positions.

In this connection, the Czech and Slovak Federal Republic sees the need for facilitating the work of the subsidiary body which will be established under the future convention. From this point of view, it should be underlined that one of the important questions concerning the future convention is protection against the use of chemical weapons. The "rolling text" in article X envisaged for the use of any requesting State party that, after entry into force of the convention, the technical secretariat shall establish an available data bank covering various means of protection against chemical weapons. The early establishment of such a data bank will be a significant step towards the fulfilment of the spirit and letter of the convention. As an expression of our support for the chemical weapons convention, my Government volunteers in advance to provide this data bank with means and equipment for protection against chemical warfare. These means are specified in document CD/1136 which has been distributed and which you have before you.

Let me say a few words about this document. The protective means are of two types, medical and chemical, depending on their basic properties. Many are clearly valuable for peaceful, civilian purposes. For example, the first is an antidote against psychomimetic drugs like BZ. BZ is part of a broad spectrum of medical drugs called parasympatholytics which all work in a similar way. It contains compounds like atropine, scopolamine, benactyzine and others. Therefore this antidote, 7-MEOTA, is useful in treating intoxications with this group of medicaments and it is important for medicine

(Mr. Králík, Czechoslovakia)

in general. Encouraging results have been reported when this compound was administered to patients with tardive dyskinesias. Other results suggest that this compound may be considered as a long-term treatment in cholinergic deficits, especially in the case of Alzheimer's disease.

Another means, selected at random, is RENOL, which is a very effective antidote not only against nerve agents, but also against poisoning from organophosphorus insecticides which are widely used for civilian purposes, especially in agriculture. Another product is PANPAL, which can be used as a prophylactic drug in the event of increased risk of exposure to nerve agents and other organophosphates.

Our two protective masks, both M-10 and the innovative variant, M-10M, are suitable for defence against different chemical agents. Our protective clothing, OPCH 90, has proven to be very effective, especially the kind with an active airflow mechanism, and has been used successfully by our Czech and Slovak chemical specialists in practical conditions, for instance in the Gulf conflict.

All these examples show how the results of military research can be transformed for exclusively civilian purposes.

As I noted at the beginning of my statement, the Czech and Slovak Federal Republic has had broad experience in research and development on anti-chemical protection. We welcome broad cooperation in this field because the exchange of views and information among all countries is the most reasonable course to follow. We welcome this cooperation because the national security of all States will be affected by the success or failure of our joint efforts to achieve a global, comprehensive ban on chemical weapons. We believe that the steps we take today will contribute to such a success.

The negotiations on the text of a chemical weapons convention are, I believe, drawing to a successful conclusion. I would like to make a few brief comments on the questions that still remain open. We support the efforts of Ambassador Tóth in seeking a composition of the executive council which will be generally acceptable. We are of the opinion that the executive body of the future organization must have the highest degree of effectiveness and it must be flexible in taking decisions. Hence, it should not be too large. But it should at the same time give each country the right to participate in its activities. Specific criteria should be considered, among which the industrial factor plays a major role, that would be appropriate when selecting members from existing regions, according to the United Nations groupings. We also appreciate efforts for compromise in the field of challenge inspection. We are of the opinion that too much politicization and excessive publicity during the initial phases of this kind of inspection may not contribute to their positive functioning. We are in favour of enlisting the executive council in the beginning of this process, but it is particularly needed at the conclusion for evaluating the inspection itself and seeing whether there has not been an infraction of the convention. We do not think that the executive council will issue some kind of carte blanche, but that it will submit to the States parties an objective and correct view based on all available

(Mr. Králik, Czechoslovakia)

information. It will not be an omnipotent, stern judge distributing sanctions right and left, but rather a wise counsellor, keeping a careful eye on law and order.

Since the chemical weapons convention will put great emphasis on trust and transparency in many instances, we feel that the presence of an observer can be a proof of this. The effectiveness of inspections, however, also depends on prompt implementation. We hope that in the forthcoming future consultations of the Chairman of the Ad Hoc Committee, the time-frame for inspection will be appropriately adapted. We also welcome steps for balanced control of the civilian chemical industry. However, expanding the number of subjects dealt with should not lead to an enormous load on the budget of the future organization. The recent suggestions by Mr. Morris, Chairman of the Working Group, are very encouraging in this respect. During an inspection of chemical plants in Basel last January, many of us were able to see for ourselves that any system of controls on the chemical industry must be based on realistic foundations. I would like to take this opportunity to thank once again the Swiss delegation, and Ambassador von Arx especially, for the outstanding organization of this undertaking.

From this forum we have recently heard a lot of talk around the question of so-called old and abandoned chemical weapons. My delegation's standpoint is well known. Responsibility for abandoned chemicals is borne by the State which has left them on foreign territory. But at the same time the argument has its place which points to the need for ascertaining the degree of risk of such chemicals for the CWC. Resolving problems which arise out of the text of the CWC is within the capacity of the Conference in the very near future. Therefore, as a realist, I welcomed the proposal of the French President, François Mitterrand, to convene a conference in Paris before the end of the year for the signature of the convention.



Mr. AMORIM (Brazil):

... I am pleased to read this statement, on behalf of Brazil and Argentina, to welcome Minister Gareth Evans, of Australia, who gives us the honour of addressing this plenary.

Both our countries had the honour and the pleasure of receiving Minister Evans in our capitals for fruitful discussions on these as well as on other matters, which once again showed a wide array of common perceptions between our countries. I understand our honoured guest today, Minister Evans, is interested in listening to as many reactions as possible to his proposals, so we will be very brief. I hope this is not to the detriment of the substance.

The Government of Australia presented us with a revised draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. Argentina and Brazil take the Australian initiative as an important and positive step towards the conclusion of a chemical weapons convention before the end of this year. Our Governments

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Finally, I am inform the Conference that the United States is ready, if there is a consensus text on which we can agree, to support Australia's call for a meeting of foreign ministers late this summer to endorse that text.

(Mr. Amorim, Brazil)

are in fact committed to do so and have pledged to become original signatories of such an instrument; reference to the Mendoza Declaration has already been made by Minister Evans himself.

One month ago, Ambassador Roberto García Moritán, of Argentina, addressed the plenary of the Conference on Disarmament to express the views of Brazil and Argentina with regard to the ongoing negotiations on the chemical weapons convention. I don't want to repeat his words. Let me only say that on that occasion he said that the time has come for us to gather all the elements we have been negotiating upon, to conclude the final draft without delay and to put it up for decision by plenipotentiaries. I must say I do agree with what was said by Minister Evans that the convention is within our grasp.

We welcome the draft presented by Australia with this sense of urgency in mind. We are prepared to support all those parts of the text proposed that can be taken up as acceptable compromises for the conclusion of our work.

Argentina and Brazil think that there is no alternative to negotiated solutions for the delicate problems we have encountered in about eight years of work in the Ad Hoc Committee on Chemical Weapons. In this spirit, we welcome Senator Evans' indication that this initiative is not presented as the final word regarding the various complex issues still open, nor as a "take it or leave it" text. Important issues will require common understanding, such as "challenge inspections", export control and related methods such as economic and technological development, the verification of the chemical industry and the financing of the future organization for the prohibition of chemical weapons. We are confident that a good sense of compromise will prevail. With this in mind our delegations have been participating actively in the Ad Hoc Committee. Its Chairman, Ambassador Adolf Ritter von Wagner, of Germany, was reassured of our full support for the skilful job he is doing. Ambassador von Wagner's tireless efforts will certainly guide us towards the production of an acceptable draft convention.

I would like to conclude by reiterating the thanks expressed in Brasilia and Buenos Aires to Minister Gareth Evans for the initiative of the Government of Australia in presenting this draft convention. The Australian initiative shows us a way to reach understanding and one that could very well lead us to the long-awaited solutions.

(Mr. Ledogar, United States)

The United States warmly welcomes the initiative made today by Senator Evans on behalf of the Government of Australia. We share the belief that a chemical weapons convention can - and must - be completed this year. The United States will work closely with Australia, with Ambassador von Wagner, our Ad Hoc Committee Chairman, and with like-minded countries to make this objective a reality.

The United States believes that the Australian initiative represents a great challenge to which we must all respond. It is an opportunity to break the negotiating patterns of the past, and to shift to more productive ways of thinking and working, and to achieve a text that all of us can subscribe to. Continuing "business as usual" will not produce a chemical weapons convention this year, or next year, or perhaps ever.

All of us must focus now on the issues that affect our countries' basic interests, rather than continuing to argue endlessly about refinements and footnotes. Each country must ask itself, "What is there in the draft convention that we absolutely cannot live with?" - and, "What is missing from the draft convention that we absolutely must have?". All of us must now look for compromise solutions rather than continuing to argue for our own preferred approaches. The question for all of us must be, "What can we accept?" - not, "What would we prefer?".

In this respect, the United States recognizes the text presented by Australia as a proposed compromise. We appreciate this Australian effort to facilitate completing the chemical weapons convention. The United States, however, has substantive differences with the content in several elements of the text. Some of these are of serious import and must be resolved through further discussion.

We appreciate that Senator Evans has described the text as a possible compromise package, but has also made clear that his Government does not consider it immutable.

We urge the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, to present a Chairman's proposed compromise text to the CD at the opening of the second 1992 session on 11 May. In our view, the new Chairman's text should be based on intensive consultations during the six weeks of the inter-sessional period, and should represent a synthesis of the present "rolling text" and of the new Australian text. The United States delegation will cooperate fully with Ambassador von Wagner in his effort to produce a Chairman's text that will command broad support in the CD. We call on each delegation here to join in this effort.

Finally, I can inform the Conference that the United States is ready, if there is a consensus text on which we can agree, to support Australia's call for a meeting of foreign ministers late this summer to endorse that text.

Mr. SIAHAAN (Indonesia):

... Today I wish to touch upon matters pertinent to the negotiations for the conclusion of a global chemical weapons convention, aimed at totally banning the existence of such appalling weapons. The new negotiating mandate agreed by the Conference last year and adopted in January this year emphasized the responsibility of all the delegations taking part in the work of the Ad Hoc Committee on Chemical Weapons to make every effort to conclude the convention this year. If this ambitious target is to be realized, it is imperative that all negotiating parties demonstrate flexibility, based on a spirit of compromise so as to be able to establish a conducive and harmonious climate leading to the successful conclusion of the chemical weapons convention.

Genuine optimism was expressed, on a great number of occasions, to the effect that the goal of concluding the convention is within our grasp. A number of issues, however, remain to be resolved, such as verification, definition, economic and technological development, as well as the crucial issue of the destruction of chemical weapons arsenals and of their production facilities.

As one of the countries which cherish the goal of a total ban on chemical weapons, Indonesia fully shares Australia's concern that the negotiations in the Conference on Disarmament produce a chemical weapons convention within its time-frame. My delegation indeed appreciates the bold and courageous initiative taken by the Government of Australia which takes into account the work undertaken in this Conference in the past as well as all the outstanding issues still before us. My delegation therefore welcomes such an initiative as one of the important endeavours towards accelerating the conclusion of the chemical weapons convention this year.

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(Mr. Siahaan, Indonesia)

It is encouraging to note that the text was not seen as an alternative or as a substitute for the basic negotiating document on the chemical weapons convention, the present "rolling text". Together with the "rolling text", the draft text, as presented to this Conference by His Excellency Senator Gareth Evans, the Australian Minister for Foreign Affairs and Trade, could therefore be used as a basis to search for balance and a compromise resolution of the remaining unresolved issues and to reach final agreement. In this connection, my delegation believes that the draft text merits serious consideration by the Conference on Disarmament with a view to reconciling any divergences of position which still hamper the finalization of the convention. We also noted the procedural suggestions put forward by His Excellency Mr. Gareth Evans in his statement and are prepared to be open-minded on this question.

Let me conclude by taking the opportunity of extending our Government's congratulations and appreciation to the Government of Australia for the convening of the Regional Workshop for Government Chemists which took place in Melbourne, Australia, in August 1991. The workshop, attended by participants from 16 countries from South-East Asia and the Pacific area, including Indonesia, proved very successful to the Government chemists, who had the opportunity to familiarize themselves with the possible forms of routine qualitative inspections of schedule 3 or "other relevant" chemical facilities.

Mr. SERVAIS (Belgium) (translated from French):

... Senator Evans paid us the honour of coming to introduce to us the draft chemical weapons convention drawn up by his country. It is to the credit of the Australian authorities that they sought to rethink the problem entirely, without neglecting the elements already agreed upon in our work hitherto. As Senator Evans said himself, this proposal is submitted as a non-definitive contribution prepared with the aim of accelerating the negotiations, and based very largely on the current "rolling text". On behalf of the Belgian Government, and subject to a number of points of concern on specific items, including, *inter alia*, verification and the definition of old chemical weapons, I wish to welcome the Australian initiative and place on record my country's appreciation in that regard. My authorities particularly valued the Australian Government's concern to keep those involved at all levels informed of the content and scope of its proposal, to which Belgium lends its full support.

Miss SOLESBY (United Kingdom of Great Britain and Northern Ireland):

... I have asked for the floor to welcome the important statement made this morning by Senator the Honourable Gareth Evans. The fact that he came personally to table a revised draft text for a chemical weapons convention shows the significance the Australian Government attaches to this initiative. I would like to say straight away that my own authorities see the text as a milestone in the final phases of our negotiations.

There is agreement within the Conference that a successful outcome to the negotiations must be achieved this year. The negotiations are at an advanced stage. Many issues are virtually solved. For those issues still outstanding - some of them crucial ones - the outline of eventual compromise is already visible. What we need is a final push to get us to our goal.

I believe the Australian text is a major contribution to that final push. Of course it does not solve all our problems. But it does give us for the first time a readable text and a logical structure. It cleans up many pages of non-controversial text. It gives us an overall picture of elements for final bargaining.

The important thing now is that the Conference puts the Australian text to maximum practical use. We have here a first-class piece of work which can help us accelerate the pace of the negotiations. Let us have the ingenuity to exploit it to the full. I look forward to proposals from the able Chairman of the Ad Hoc Committee, Ambassador von Wagner, on how to ensure this.

Mr. BATSANOV (Russian Federation) (translated from Russian):

... Today a very important event took place at the Conference. We listened very attentively to the statement by His Excellency Senator G. Evans, Minister for Foreign Affairs and Trade of Australia, who introduced a draft convention on the prohibition of chemical weapons prepared by Australia. While welcoming this important initiative by Australia, which is intended to accelerate the talks on chemical weapons, I would like to reaffirm the desire of Russia to complete the elaboration of the convention on this matter before the end of this year and our readiness to take all necessary steps to that end. We value highly the efforts made by Australia and Mr. Evans personally over many years with the aim of achieving this noble goal. Suffice it to recall the well-known regional initiative by Australia, the Canberra Conference, and the extensive and fruitful work being done by the Australian delegation here at the Conference on Disarmament in Geneva.

The document introduced today by Minister Evans reflects the enormous amount of work carried out by the Australian side in preparing this draft convention, work which undoubtedly required a deep expert analysis of the situation at the negotiations, political courage and far-sightedness and readiness to shoulder a leadership role, in other words hard work, which we view very positively indeed. We are sure that the draft introduced by Australia will play an important political role in the early successful completion of the negotiations. In particular we consider it necessary to note the well-presented format of the draft and the fact that it contains well-balanced compromises on a number of major elements of the future convention. At the same time, we do note in the Australian draft several provisions which, on the one hand, do not fully take into account the legitimate interests and concerns of Russia, and on the other have somewhat failed to keep pace, in our view, with the developments at the negotiations over the past few weeks. I am not saying this as a reproach, but rather to stress the need to redouble our efforts at the negotiations now in order to work out a final draft acceptable to all.

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(Mr. Batsanov, Russian Federation)

In this connection I propose that the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner - under whose able guidance we have already achieved new successes at the negotiations in the few weeks that have elapsed since the opening of this session of the Conference on Disarmament - should immediately start consultations in order to determine how to make most efficient use of the great positive potential offered by the draft convention which has just been introduced by the Australian side. Obviously the greatest possible use should be made of the forthcoming official recess in the work of the Conference on Disarmament for that purpose. In conclusion I should like to reiterate our appreciation to Senator Evans and the Australian Government for the important contribution they have made today to the negotiations on chemical weapons, and also to thank Senator Evans for his kind words addressed to myself.

Mr. ZAHRAN (Egypt) (translated from Arabic):

... My delegation would also like to seize this occasion to welcome the presence in our Conference of the Honourable Senator Gareth Evans, Minister for Foreign Affairs and Trade of Australia and to express our appreciation for his important speech that he has just delivered in this session. The draft convention which he has presented to us in this Conference will be carefully studied by my delegation. Indeed Egypt has appreciated the good will behind it and all initiatives designed to contribute to the promotion of international and regional stability and security and is committed to engage in a constructive dialogue regarding that initiative. We hope that this initiative would contribute, among others to attain the ultimate goal of concluding successfully during 1992 the negotiations on the CWC. We will carefully study that initiative and reflect our views concerning it in due

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(Mr. Zahran, Egypt)

course. We also believe that the Australian proposal is a significant effort that lies within the scope of President Mubarak's initiative of April 1990 that called for declaring the Middle East a region free of all weapons of mass destruction under effective international control. A process that should definitely involve all States in the region and all weapons of mass destruction without exception i.e. nuclear, chemical and biological weapons. In this regard I would like to make reference to the letter addressed by the Minister for Foreign Affairs of Egypt Mr. Amre Moussa to the Secretary-General on 21 July 1991 in which he enumerated basic elements which Egypt believes all disarmament proposals must ensure (CD/1098). These proposals seek to rid our region of weapons of mass destruction - namely nuclear, chemical and biological weapons.

The Egyptian delegation is encouraged by the progress made in the ongoing negotiations in the framework of the Ad Hoc Committee on the convention to ban chemical weapons which have now entered their final phase. In this regard, I wish to commend Ambassador von Wagner on his invaluable efforts and wish him all success in the negotiations he is efficiently conducting. It is opportune to state that some issues remain to be settled before we can meet the deadline set this year to conclude negotiations on the draft convention. Further consideration is required concerning the question of verification of non-compliance with the provisions of the future convention. On the question of challenge inspection I think that there is general agreement that it entails high political value. Consequently, the verification mechanism provided for in article IX should be equivalent to the legal context of that article.

With regard to the executive council I wish to reiterate my delegation's position that the composition and decision-making mechanism should be determined on the basis of its functional requirement, namely, the rapidity to convene meetings and the ability to take timely decisions. It is also our conviction that all States parties to the convention should have an opportunity to participate in the membership of this council thereby excluding the possibility to create permanent seats. We therefore advocate the application of the United Nations equitable geographical distribution of seats in this regard. This criterion may be supplemented by other parameters which should then be left for every region to decide upon, thus creating an adequate internal decision-making mechanism within each regional group.

In elaborating a watertight verification regime, imperative as it is, the convention should not impede peaceful civil chemical industries and production not banned by the convention. We wish at this stage to emphasize the legitimate interests of all States to ensure that the economic and technological development of their civil chemical industries is not hampered. On the contrary, the flow of chemical technology, instruments and materials for the civil chemical industry of various developing countries should be enhanced. In brief, the verification mechanism should not place unnecessary burdens on the civilian industries particularly of the developing countries.

(Mr. Zahran, Egypt)

Egypt is participating actively in the negotiations on the CWC and hopes that it will achieve universal adherence. In this spirit, Egypt has called upon all States in the Middle East, which have not yet acceded to the NPT and the BWC, to do so before the termination and opening for signature of the CWC, thus ensuring universal adherence to all international instruments relating to all weapons of mass destruction, thus contributing to a new world free from any threat to its international peace and security.

Ms. SINEGIORGIS (Ethiopia): Mr. President, I am happy to congratulate you on your assumption of the presidency. Please be assured of my delegation's full cooperation in the successful discharge of your high responsibilities. An expression of gratitude is also in order to your predecessors, the Ambassadors of Zaire and Yugoslavia, for work well done. I also extend my warm felicitations to Ambassador Berasategui on his well-deserved appointment as Secretary-General and Personal Representative of the United Nations Secretary-General to the Conference on Disarmament. I wish him all the best. It gives me particular pleasure to join the speakers who preceded me this morning in thanking most profoundly the Australian Minister for Foreign Affairs, the distinguished Senator Evans, for presenting the draft text for the chemical weapons convention and for his thorough explanation. We thank him for honouring us with his presence. I should like to reiterate that Ethiopia strongly supports the earliest conclusion of the CWC and acknowledges that 1992 is the critical year for the fulfilment of this objective. It is in this context that Ethiopia welcomes the Australian initiative as providing the necessary impetus for the conclusion of the CWC in 1992. The Ethiopian delegation therefore would like to express its thanks and appreciation for the tremendous effort made by Australia and by Senator Evans personally in preparing this text and for the trouble they have taken to explain the initiative in capitals as well as in Geneva. We pay tribute to Senator Evans and his colleagues for this highly important contribution. We welcome Senator Evans' assurances that the text "is not an alternative to or a substitute for the 'rolling text'".

(continued)

(Ms. Sinegiorgis, Ethiopia)

My delegation has also taken note with appreciation that the purpose of the Australian text is to accelerate negotiations in the Conference on Disarmament towards an agreed CWC and that the text represents a progressive refinement of the "rolling text". We appreciate and recognize that it is now up to the CD to make the best use of the text and the proposed process by Senator Evans for taking it forward. In this regard we are attracted to the idea that Ambassador von Wagner, as Chairman of the Ad Hoc Committee on Chemical Weapons should use the inter-sessional period to consult with delegations with a view to producing a final consensus text for presentation to the CD at the earliest possible opportunity. Finally, in the view of the Ethiopian delegation, after almost 20 years of work on this instrument the time has come for all of us to make the necessary compromises and seize the opportunity to conclude the long-awaited convention. We all seem to agree that the conclusion of the CWC is within our grasp. Consequently, I believe that we all have the responsibility to do everything in our power not to delay it. For I am afraid to leave it any longer, could lead to further delays and indeed could have serious consequences for our common security.

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Mr. ROTH (Sweden):

... It is with great interest my delegation has listened to the presentation by His Excellency Senator Evans, the Minister for Foreign Affairs and Trade of Australia, of the Australian draft text for a chemical weapons convention. My delegation welcomes this initiative as a very valuable input in the ongoing negotiating process. We highly appreciate Australia's untiring efforts to produce this text, aiming at facilitating the early conclusion of a chemical weapons convention. The effort is characterized by great professional skill and dedication. We do not regard the Australian document as a new text but as an effort to consolidate the existing "rolling text". We believe it could serve as one basis for necessary future compromises and thus enhance the possibilities to achieve the conclusion of a convention on the prohibition of chemical weapons this year, an aim to which we all are committed. It is not my intention at this moment to go into details. Even if, in general terms, the main thrust of the draft text is acceptable to my delegation, there are some elements that in our view require further deliberation. As to the handling of the text just introduced this morning by His Excellency the Foreign Minister of Australia, my delegation would welcome it if the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, were to conduct consultations during the inter-sessional period about the appropriate way to use this very valuable contribution in the continued negotiations on the chemical weapons convention during the next part of the present CD session starting in May. I should like to express our full support for and confidence in Ambassador von Wagner's efforts in this context.

Mr. PRZYGODZKI (Poland):

... We are greatly honoured to have with us today His Excellency the Minister for Foreign Affairs and Trade of Australia, Senator Gareth Evans. I have listened with great interest to the important statement he has made in this hall. My delegation will study it very carefully. We highly appreciate the contribution of Australia as well as the personal involvement and dedicated efforts of Senator Evans aimed at eradicating chemical weapons from the Earth and finalizing the chemical weapons convention. My Government fully shares this goal and is ready to work actively towards its early attainment.

Endeavours to get rid of chemical weapons have a long history. But never before have we been so close to achieving this objective. It is indeed an imperative to make every possible effort now to reach agreement this year in accordance with the will so firmly expressed at this forum by the representatives of practically all participating Governments, including my own. Needless to say, it would not only make the world more secure, but would also add to the credibility of the Conference. On the other hand, my delegation fully shares the view expressed today by Minister Evans on the possible grave consequences if the convention is not achieved quickly. For these reasons, like preceding speakers, my delegation welcomes the draft text of the chemical weapons convention tabled today by Australia. In our view it is a timely and useful initiative, bringing additional impetus to our negotiations, making possible their further acceleration and quicker fruition. We have noted with satisfaction that the proposed text is not intended to be an alternative to or a substitute for the basic negotiating document known as the "rolling text". We see in the Australian draft a number of interesting ideas like, for example, the new structure of the convention, which makes it, in our opinion, more readable and clear. First of all, however, we sincerely appreciate the spirit of compromise in searching for practical solutions that would facilitate a final agreement. The suggested compromises to bridge still existing differences in most instances are acceptable to our delegation. At the same time there are parts of the proposed text which need further refinement and we do not hide that in certain areas - there is the question of old or abandoned chemical weapons, or the composition of the executive council - our approach differs from that

(Mr. Przygodzki, Poland)

contained in the Australian draft. We are ready to contribute to the process of finding as soon as possible mutually acceptable solutions and to make the best use of available time, including the inter-sessional period, to enable fulfilment of the mandate of the Ad Hoc Committee on Chemical Weapons we have all agreed upon, that is, completion of the negotiations on the chemical weapons convention this year, and we would like to have it not later than by summer this year. We can assure the Chairman of the Committee, Ambassador von Wagner, that his dedication and unrelenting efforts in this direction will continue to have our unreserved support.

Mr. CALDERON (Peru) (translated from Spanish):

... My delegation is pleased this morning to welcome the Minister for Foreign Affairs of Australia, Mr. Gareth Evans, and values highly the noble aim that motivated his journey to this city. We listened with particular attention to his major statement and we welcome his country's initiative in providing us with a refined version of the draft convention on the complete prohibition of chemical weapons in document CD/1143. By definition, any contribution is always welcome, particularly when the aim is to complete a major undertaking without further delay. However, when a contribution seeks in addition to settle outstanding issues on the basis of what is probably acceptable to the participating States, then that contribution takes on a different dimension that it behoves us to assess with the greatest deliberation bearing in mind the historic importance that a complete chemical weapons ban will have. My delegation therefore, in addition to viewing with sympathy the proposal that the Minister for Foreign Affairs of Australia presented to us this morning, attaches the greatest importance to making maximum use of it in every way that can help us to resolve outstanding issues. This is the reason why my delegation regards as most thought-provoking the possibility of entrusting the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador Adolf von Wagner, who deserves the full support and esteem of my delegation, with the preparation of a final draft convention which, taking into account the structure of the Australian document, could condense the following achievements. First, to transcribe all the sections of the "rolling text" already agreed on by the Ad Hoc Committee which have no square brackets or footnotes and which could be improved on from a linguistic standpoint using the text in document CD/1143. In addition to that, we could also include in this final draft convention all those achievements reached by

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(Mr. Calderón, Peru)

the Ad Hoc Committee in this first part of the 1992 session of the Conference on Disarmament. And then it would be most appropriate also to include in those issues where there are still a series of square brackets and footnotes the clear proposals suggested by the distinguished delegation of Australia, and even those proposals which, for reasons which are easy to explain, have not been considered in the "rolling text", for example article XIII on privileges and immunities, which appears in the Australian text and which it would be useful for us to consider in the main text of the final draft convention. My delegation therefore believes that this final draft convention that results from the merging of efforts on the basis of what has already been done in the "rolling text" could be put before the member States for consideration starting from 11 May, so that delegations would be in a position to embark this time on the final drafting of the convention. All in all we already have all the ingredients and the only possible compromise is to find an overall package solution, not a paragraph-by-paragraph one. We also believe that a ministerial meeting of the Conference would be necessary to resolve those politically sensitive issues which have not yet been finalized. However, we would be talking about final details, and on the basis of possible solutions so as to avoid passing to foreign ministers a major part of the substantive issues that require technical treatment.

Considerable efforts have been made and continue to be made unilaterally and multilaterally towards a total ban on chemical weapons, and in that respect I would like to stress the scope and nature of the Cartagena Declaration signed on 4 December last year by the heads of State of the five Andean countries, which addresses not only the complete prohibition of chemical and biological weapons in Latin America and the Caribbean, but also the need to ensure the total absence of nuclear weapons in the region, within the spirit and letter of the Treaty of Tlatelolco. Peru has expressed its determination to be an original signatory of the convention on the total prohibition of chemical weapons, and my delegation will spare no effort to bring to fruition the aspiration we all share here of signing this historic multilateral instrument this year.

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Mr. AZIKIWE (Nigeria):

... My delegation welcomes the presence of the Foreign Minister of Australia, Senator Gareth Evans in our midst. We have listened to his very important statement which no doubt is a useful contribution to our work in the CD.

(continued)

(Mr. Azikiwe, Nigeria)

My delegation has noted the fact that the Australian text is not an alternative to the "rolling text", but should be seen as forming the basis for further refinement in the near future into a final text. Chemical weapons have become an inescapable part of the human heritage. Indeed, the chemicals and technology which are used for the manufacture of these weapons of mass destruction are also in use for the manufacture of industrial, pharmaceutical and chemical agricultural products. Hence, chemical development and chemical disarmament are a hydra-headed problem. Wisely controlled, CW will remain unused in war and can prevent the reoccurrence of a large-scale conventional conflict. Unattended to, they will break forth at some unpredictable time and consume much of mankind.

The Australian initiative offers us a window of opportunity in lending much-needed impetus to the work of the Ad Hoc Committee towards early conclusion of the negotiation of the "rolling text". Mindful of our obligation to the international community, our task is not to make a choice between the "rolling text" and the Australian initiative. We are not being called upon to replace the "rolling text" with the Australian text. In short, there will be no parallel negotiations. We trust the good judgement of the Chairman of the Ad Hoc Committee in ensuring that the useful elements in the Australian paper are reflected in the "rolling text". I hasten to add that the Australian text could serve as a useful reference document.

Honourable Minister, as you leave Geneva, I wish to assure you that your proposals this morning will be carefully considered by my delegation in a positive manner.

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Mr. SHAH (India): Mr. President, I should first of all like to extend my congratulations to you on your assumption of the presidency, and I fully share the sentiments which the previous speakers have expressed about you and your stewardship of the CD over the next few weeks. I would also like to join with all other colleagues and you, Mr. President, in welcoming the Honourable Minister for Foreign Affairs and Trade of Australia, the Honourable Senator Gareth Evans.

My delegation has listened with great interest to the Foreign Minister of Australia this morning. Many tributes have been paid to the Senator for his bold approach intended to speed up the negotiations for the early conclusion of a chemical weapons convention this year. Knowing Senator Evans, I would not have expected anything less than such boldness. My delegation fully shares with Australia the belief that a chemical weapons convention should be concluded early and in this year. Apart from its intrinsic need, such a convention will be a major shot in the arm for multilateral disarmament.

I take the floor to express my great appreciation for the serious and sincere Australian effort to speed up the process of the conclusion of the convention. For these efforts, we owe a debt of gratitude to Foreign Minister Evans and his team in compiling a draft text for the CW negotiations

(Mr. Shah, India)

which has been officially presented today. It is our hope that the urgency which the CD is already showing under the able stewardship of Ambassador von Wagner for concluding the convention will be reinforced by the Australian Foreign Minister's outstanding contribution today. We have noted with interest Senator Evans' explanation that the Australian text is not an alternative to nor a substitute for the "rolling text", and that the purpose of the text is to accelerate the negotiations in the CD towards an agreed CWC. India believes that all efforts and initiatives including the proposal for the CD to meet at foreign minister level should be welcomed and serious consideration should be given to them in the interests of our common objective of concluding a convention this year.

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Mr. NEGROTTO CAMBIASO (Italy) (translated from French):

... The Minister for Foreign Affairs of Australia presented to us today, in language which was both flexible and firm, the intentions that guided his country in the endeavour to make available to the Conference the text which is now before us. The usefulness of that effort is quite evident to us today, if only because of the unusually extensive debate that ensued. Italy has looked favourably on the Australian initiative from the outset as a potential stimulus to these negotiations that we are all committed to conclude in the months or even weeks ahead. Anything that can facilitate the speedy accomplishment of our priority task is welcome. This is no longer the time for time-consuming exercises or for brainstorming, for divergences still exist, but they are not insurmountable, in the broader context of the Committee as well as within the groups. The document which has been submitted to us and which Minister Evans himself introduced today, contains very useful elements for what he himself described as the "accelerated refinement" of the basic text of the convention, which is one of the most difficult tasks in the final phase of the negotiation of any international treaty as complex and innovative as our own. As we had occasion to explain in the highly appreciated bilateral contacts organized by Australia, some substantive differences still exist between Italy's position and the solutions outlined in



(Mr. Negrotto Cambiaso, Italy)

the Australian proposal on certain issues that remain to be resolved. Indeed, we have been working on these issues every day, relentlessly and with a sense of urgency which we have all felt this year. It is Italy's wish, forcefully and hopefully, that this effort will be pursued unrelentingly, until we complete the task entrusted to us by the international community, that of freeing the world of chemical weapons once and for all. A task to which Australia has now made an invaluable contribution, both for the difficult work that will fall to the Chairman of the Committee, Ambassador von Wagner, during the inter-sessional period of six weeks, and for the equally difficult work of the Chairman of the Drafting Group, Ambassador Batsanov.

Italy fully subscribes to Minister Evans' efficient and comprehensive analysis of the potential risks to the international community and to the very credibility of the multilateral dimension of disarmament should we prove incapable of completing the convention by the end of this year. We remain convinced that the idea of a meeting at foreign minister level, which Minister Evans has revived today, could at the appropriate time be given positive consideration so as to formalize the conclusion of our negotiations or even, if necessary, to overcome the last remaining difficulties - or rather difficulty - to which we might not yet have been able ourselves to supply a fully agreed response.

Through you, Mr. President, I would like to extend Italy's gratitude once again to the Minister of Foreign Affairs of Australia and his staff.

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Mr. BOZI (Hungary):

... This morning the distinguished Senator Evans, Minister for Foreign Affairs and Trade of Australia, in his statement referred among others to the dangers of proliferation. I do not intend to proliferate the interventions made at this plenary meeting, but I cannot refrain from making some very brief remarks on behalf of the delegation of Hungary. There remains little to add to the words of appraisal expressed in this hall today in connection with the statement of the Foreign Minister. We believe that the welcome initiative of Australia is being put forward at an appropriate time in our negotiations. Hungary very much appreciates the energy, expertise and political courage displayed by Australia in embarking on such an undertaking. The approach and commitment to the cause of the CW ban of Australia and that of its Foreign Minister in particular is an inspiring and commendable example for us all. In resolving outstanding issues the major Australian input will certainly play a

(Mr. Bozi, Hungary)

significant, complementary role. The Chairman of the Ad Hoc Committee on Chemical Weapons will have additional material to consider in moving negotiating parties closer to final solutions. The outstanding diplomatic skills and perseverance of Ambassador von Wagner will be a valuable and indispensable asset in the concluding phase of our negotiations. I wish to pledge to him the fullest support and cooperation of the Hungarian delegation in fulfilling his task.

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Mr. CALOVSKI (Yugoslavia):

... We welcome Senator Gareth Evans, Minister for Foreign Affairs and Trade of Australia, and we thank him for the initiative and proposals put forward by Australia today. We see them as an important and comprehensive contribution in the final stage of our negotiations on the conclusion of the CWC. We do hope that the process of negotiations will gain by this a new momentum. It is to be expected that the delegations will have suggestions, proposals and clarifications to put forward, but at this stage one can say that an important contribution is seen as a new encouragement to our endeavours which should hopefully bear results this year under the chairmanship of Ambassador von Wagner of Germany. We are committed to do so, since Yugoslavia has already pledged to become an original signatory of such an international instrument within the context of the summit of CSCE countries in Paris almost two years ago.

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Mr. MASHHADI (Islamic Republic of Iran): Mr. President, it is a great pleasure to see you presiding over the work of the Conference at this highly important juncture. I pledge the full support of my delegation for the successful discharge of your highly valuable and weighty responsibilities. My thanks also go to your predecessor, the Ambassador of Zaire, for his efficient conduct of the work of the Conference in the previous month. I would also like to join others in welcoming His Excellency Senator Gareth Evans, the Minister for Foreign Affairs and Trade of Australia, who addressed the

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(Mr. Mashhadi, Islamic Republic of Iran)

Conference on Disarmament today at the end of his long journey to a number of countries. He is not only a man of great resolve but also an energetic and untiring Minister. We today listened to an important speech by His Excellency which is the reflection of Australia's long-standing commitment for universal chemical weapons disarmament. Australians have been among the first who were victims of these horrendous weapons and we have been so far the last, and hopefully we remain the last. This reality contributes to mutual understanding on the horrible effects of the use of chemical weapons and shared sense of need and urgency to conclude a CWC at the earliest time. We have for the first time a mandate to conclude a negotiation and have the convention ready during 1992. We are all morally committed to do our best to achieve this goal.

In this context we highly value the Australian resolve and efforts to arrive at a global convention banning chemical weapons. An approach that has been presented by Australia which perhaps attempts to present a package for the CWC is an important initiative indeed and deserves to be studied carefully. For my delegation it would be very difficult to present formally our views at this stage since the initiative has been first presented at our capital. I am aware, however, that in Tehran it has been looked at with much care and interest. What I can say in general, however, at this juncture is that the negotiations here shall eventually lead to the conclusion of the chemical weapons convention. In this connection, I wish to express our great appreciation to Ambassador von Wagner of Germany for the way he is pursuing the negotiations. The time required for us to participate in discussions are even extended to the late hour in the evening. During these discussions, we witnessed the time that an agreement on the issues seemed so much at hand, whereas the next moment an agreement would seem to be out of reach. With some reflection on the nature of these negotiations and the sensitivity and significance attached to the remaining issues, one should not have over-expectations that a package can be drawn up and be accepted at once. It is in that light that we believe by accelerating the negotiations here and pursuing what has been done so far, we are able to finalize the convention this year and this is our earnest hope. Alongside the negotiations here, important steps are to be taken to pave the way for the early conclusion and entering into force of the convention. We should bear in mind that the use of CW has not yet been delegitimized. Chemical weapons still play a role in the military planning of certain countries and even of a significant military alliance. In a war, CW has an effective and offensive posture in this regard and an escalation ladder in the military planning of certain countries. Therefore, a significant step to delegitimize CW use will be waiving of all reservations to the Geneva Protocol of 1925 to help it become a part of customary international law. We note with satisfaction that Australia has done so. It is high time that others follow suit. Another important measure is to address the security concerns of States in various regions of the world so that the regions will be ready to join the convention as soon as it is ready for signature. Each region has its own security problems and our region is a case in point. The security concerns and views of regional States should be taken into account in order to arrive at a reasonable and cost-effective condition. Once again my delegation sincerely welcomes His Excellency the Minister for Foreign Affairs and Trade of Australia and wishes him all the best.

Mr. von WAGNER (Germany):

... The two plenary meetings today demonstrate again the very high political priority of our negotiations and the expressed will of all CD members to contribute to our common objective: to reach a CWC in 1992. In particular I should like to avail myself of this opportunity to express my deep satisfaction at the visit of and the statement by Senator Evans, Minister for Foreign Affairs and Trade of Australia, to the Conference on Disarmament. I do this with particular pleasure since I know that the Australian model compromise convention as presented to the Conference on Disarmament by Senator Evans enjoys high esteem and admiration by many Governments around the world. In addition I should like to express my gratitude for his encouraging words addressed to me personally. At the same time I should like to thank all colleagues around the table for their kind words. I do hope that constructive deeds will follow these words. Until now - but this will change, I assume - flexibility was often perceived to be behaviour mainly to be expected from others, and the search for compromise was rarely felt as a task for oneself.

In my capacity as Chairman of the Ad Hoc Committee, Mr. President, and with your kind permission, I would like to address Senator Evans directly in my following remarks. As all delegations of the Ad Hoc Committee are committed to a positive outcome of these negotiations I venture - although I do not have a mandate to that effect - to thank you, Senator Evans, for this important initiative on behalf of all delegations of the Ad Hoc Committee, and I might add that we shall take the utmost care that the Australian text shall have the most positive and constructive effect upon our negotiations.

I have taken careful note that in your view the Australian text should not be taken as an alternative to or substitute for the basic negotiating document on the CWC, that is the "rolling text", and that no parallel negotiating process should be established. This - in my view - is a fundamental clarification in the context of our further negotiations. Like you, I look upon your text as a possible accelerated refinement of, and in conjunction with the "rolling text", and - I should add - with the negotiating results as they flow from our common endeavour.

(Mr. von Wagner, Germany)

These two general considerations on how to put your admirable work into the context of our negotiations may be supplemented by the following more specific thoughts. Like you, I understand the text to serve as a model for possible compromises which will be necessary for all parties to make in the Ad Hoc Committee, if agreement is to be reached. Like you, I understand your text not as a final package but as an example to demonstrate a balance of possible compromises. In other words, it demonstrates how we could achieve a CWC and what a CWC could look like, without regarding your text as immutable.

You, Sir, have proposed that I should hold consultations with delegations during the inter-sessional period. I welcome this request very much and I do hope that delegations will see themselves in a position to be available for this purpose. As for me personally, I may underline that I shall hold consultations and, to the extent possible, conduct negotiations on open issues at any time during the inter-sessional period, and the same is true for my delegation. Like you, we hope that in doing so a consensus text can be achieved soon. It might well be that you overestimate my diplomatic abilities as a negotiator if you assume that my consultations during the inter-sessional period could suffice to produce a common basis on which a consensus text could be drafted so that I might present it as early as at the opening of the next session in May. Some more time might be needed.

Your text, Sir, will constitute a precious and exemplary element in our endeavours. I should very much welcome detailed and considered reactions and proposals of all delegations as to your procedural proposals as early as possible. In addressing these questions in my consultations in the coming days and weeks, it might be useful to make a basic distinction as regards the contents of Australia's model convention. Distinctions between (a) the proposals on reordering, restructuring and cleaning existing consensus language and (b) the proposals on how to achieve compromises on the remaining open issues. These are the questions which I shall address in my consultations.

It is my view that the Conference on Disarmament in its negotiations on chemical weapons is on good track to produce a convention on chemical weapons this year. Your contribution, Senator Evans, will enter into that as a valuable asset of great impact for the result of these negotiations. Once again, I thank you for it.

Mr. EVANS (Australia): Since I don't have the pleasure of your company, Ambassadors, very often here in Geneva, I have sought the indulgence of the Chair and the Conference to speak to you very briefly again. I thank you for that indulgence and I assure you that I will not abuse it on this occasion. I want to take the floor for just a minute or so to thank very warmly indeed all of you who have spoken today for the very kind words that you've uttered

(Mr. Evans, Australia)

about the Australian initiative and about my address to you this morning. It really has been quite a remarkable experience for me to sit here and listen to the representatives of 23 countries - which I understand is something of a record for this assembly for the number of speakers in any one day's session - to listen to those representatives responding to an effort that one's own country has made, and I assure you all that I feel very privileged indeed to be here and to have had that experience. It has also been a remarkably encouraging experience to hear so much constructive and positive understanding of what we have been trying to do, and so many positive and constructive suggestions for taking the process forward. I welcome very much both the general encouragement that has flowed through so many of the interventions here today, and also the number of quite specific points that have been made, and I and my delegation will certainly be taking into account everything that has been said today in our own further thinking. One very specific thing that I want to take into account right now is a very serious omission I made in the course of my speech this morning in not referring to the Cartagena Declaration, in addition to the Mendoza Declaration, as part of the important recent history of commitment to chemical weapons reform. I am indebted to the representative of Peru for raising the issue. I seek his apology for my omission, and I seek the understanding of this Conference if I were to make a small parliamentary-style correction to fix the omission in my speech this morning.

The message that I want to leave with you is a very simple one. It's that a chemical weapons convention is within our grasp this year if we want it badly enough and if we believe that the task is possible. If I were to be asked to describe in a single phrase what it is that Australia has been trying to do, I would say "change the psychological climate". The negative dimension to changing the psychological climate is to face up starkly to the consequences of failure, to recognize that the consequences of not achieving a convention during the present obvious window of opportunity are very grave indeed. The positive dimension of our exercise is simply to demonstrate that with a little bit of will, a little bit of creative imagination and a little bit of stamina, the job can, in fact, be done - it is within our grasp. If the job is to be done, it depends now more than anyone else, on one man, and that's H.E. the Ambassador of Germany, Adolf von Wagner. I spoke this morning in terms of a mechanical analogy, of adding an accelerator to a vehicle and fuel that we already had. I omitted to make the rather obvious point that no vehicle gets very far without a driver. Adolf von Wagner is in the driver's seat now, and I want to say again as so many of you have said, so justly and so properly during the course of the day, that I and my delegation have the utmost confidence in his skill. I don't think that I overestimated his diplomatic negotiating abilities at all. On behalf of Australia, I pledge him and you all our utmost support in assisting you in any way we possibly can that you find helpful in the period ahead. I wish Ambassador von Wagner and you all good speed and good luck in the deliberations ahead, and I thank you all again very sincerely for the immense courtesy and kindness with which you received me here in Geneva today.

Mr. MEERBURG (Netherlands):

... This year, a review conference of the ENMOD Convention will be held. We will undoubtedly review the scope of the Convention in the light of recent methods of environmental warfare - like oil spills and fires - which we did not envisage at the time the Convention came into being. In this context, I would like to mention another point. In the draft chemical weapons convention we still have some footnotes on herbicides in which a view is expressed that a prohibition on the use of herbicides "as a method of warfare" should be included in the chemical weapons convention in some way or other. Others have argued that herbicides are not included in the definition of chemical weapons and therefore should not be considered in the CW context at all.

In our opinion, we should dispose of the matter now. The use of herbicides for military or any other hostile purposes is already prohibited by the ENMOD Convention. This is clear from an uncontested interpretative statement made by the United States delegation on 20 April 1976 in the plenary of the then CCD, saying:

"One question .... is whether the use of herbicides as an instrument for upsetting the ecological balance of a region would be prohibited. In our view, the convention would prohibit such use of herbicides as the means of destruction, damage, or injury if the effects were widespread, long-lasting, or severe. An upset of the ecological balance of a region through the use of such techniques would be, at a minimum, a widespread effect. The convention would not, of course, affect the use of herbicides for control of vegetation within military bases and installations around their immediate defensive perimeters".

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(Mr. Meerburg, Netherlands)

The Netherlands fully supports this interpretation, which in our view forms part of the negotiating history of the Convention. In case that was not made sufficiently clear at the time, we could clarify this once and for all during the ENMOD review conference in September. It may be noted again that there exists an adequate complaints and investigation procedure in the ENMOD Convention to tackle possible hostile uses of herbicides. Thus, there is really no need to incorporate this matter in the CW convention.

Last Thursday the Minister for Foreign Affairs and Trade of Australia, Senator Evans, introduced a draft chemical weapons convention, and a record number of delegations reacted immediately to this laudable initiative. The Netherlands wholeheartedly supports the Australian approach designed to speed up our complex negotiations by cutting through a lot of dead wood from our long negotiating past. We are particularly happy with a better structure of the annexes, the application of the two amendment procedures and the solution of a number of difficult problems.

Of course, we all know that some issues are not solved as yet. We certainly must continue our negotiations on the major outstanding problems connected with challenge inspections, the verification of non-production in the chemical industry, export controls, the definition of chemical weapons, old and abandoned chemical weapons and the composition of the executive council. But the Australian draft gives us at least an opportunity to move much faster on the outstanding nitty-gritty, and, moreover, will greatly inspire us in our search for solutions to the few remaining major problems. We are fully confident that, during the coming weeks, our dynamic Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, will grasp this opportunity to prepare the ground for the final round of negotiations this summer.

We need a Convention which improves security. There can be no security without confidence in the implementation of the convention. Such confidence will be enhanced by an adequate and cost-effective verification regime. Confidence will be enhanced by avoiding important loopholes in the definition of chemical weapons. Confidence will be enhanced when we are all certain that the CW destruction obligations will be fulfilled. That same confidence stimulates wide and, ideally, universal adherence to the convention.

Wide adherence in itself will, in turn, generate confidence that the ban on chemical weapons will be considered as a universal norm of behaviour. It should be recognized, of course, that States will feel all the more inclined to adhere to the convention if they are given a reasonable chance to sit on the executive council of the convention at regular intervals, and if the executive council is not filled up to a great extent by permanent members. In trying to create mutually reinforcing elements of confidence and universality, all these factors need to be taken into account when we finalize the convention this summer.

Let's do it, Mr. President!



Mr. NEAGU (Romania):

... May I join the other speakers who expressed their appreciation for the important initiative of Australia on the draft convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and their destruction? The document, formally presented in this forum a few days ago by the Honourable Senator Gareth Evans, Minister for Foreign Affairs and Trade of Australia, is indeed comprehensive and well structured.

It comes as a logical move after other important steps undertaken by Australia in the last years, both on regional and on larger international frameworks. I have in view the regional initiative on chemical weapons issues in South-East Asia and the South Pacific taken almost four years ago, with the objective of developing a greater regional understanding of the future chemical weapons convention and its requirements for national implementation. Also, one could mention the two seminars held in Canberra and Brisbane and the workshop held in Melbourne as part of this initiative. On a broader scale and higher level, reference can be made to the Government-Industry Conference against Chemical Weapons held in Canberra in September 1989 and the active and fruitful contribution of the Australian delegation in the Ad Hoc Committee on Chemical Weapons where, exempli gratia, only a month ago two important and useful working papers on trial inspections and survey methodology for the implementation of the convention were introduced.

Romania fully shares Australia's and other countries' concern that continuing "business as usual" will not produce on schedule a chemical weapons convention and that in order to have our work finished this year we need a real impetus. Meantime, we share the view that we have reached a point where we have to see what is acceptable - and not preferable - for our national interests in solving the outstanding issues still before us, like the

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(Mr. Neagu, Romania)

verification package, economic and technological development, the destruction of chemical weapons arsenals, the role and composition of the executive council, the financial aspects.

It is encouraging to note the realistic approach that prefaced the description of the Australian text which was not seen as an alternative or as a substitute for the present "rolling text", but rather as "an accelerated refinement" of the basic negotiating document, "a model for the kind of compromises which it will be necessary for all parties to make if agreement is to be reached".

The drawing up and compiling of this draft convention on chemical weapons required a huge amount of work which we appreciate very much. At the same time, the complexity of such a document implies careful consideration by the Romanian competent authorities. Our position with respect to different formulations contained in the document will be presented in due course in the Ad Hoc Committee.

In this connection I would like to support the proposal that the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador Adolf Ritter von Wagner, should hold consultations with delegations during the forthcoming inter-sessional period with a view to his producing a final consensus text to be presented at the opening of our next session in May this year. At the same time, my delegation favours the idea of convening late this summer a ministerial meeting to endorse the work done by then and to resolve any outstanding issues.

As we previously announced, Romania will be among the initial signatories of the future convention on chemical weapons.

Concluding my statement, I would like to reassure Ambassador von Wagner, whose invaluable efforts and efficiency in conducting our negotiations are well known, of my delegation's full support for the skilful job he is doing for the conclusion, before the end of this year, of the draft convention on chemical weapons.

(Mr. Ri, Democratic People's Republic of Korea)

... It is one of the greatest successes of our Conference to have opened up prospects for wiping chemical weapons from the face of the Earth. The Korean people, who were the first victims of such weapons during the post-Second-World-War period, fervently seek the adoption of the chemical weapons convention. We think that there will be a need for further information on the negotiations in order to allow all countries to follow the drafting of the convention for the total abolition of chemical weapons; that in the negotiations it will be necessary to eliminate the factors which prevent the conclusion of the convention as rapidly as possible, and in particular to solve, on the basis of trust rather than verification, irrational problems which are not in keeping with the interests and demand of many developing countries.

(Mr. Felber, Switzerland)

... The end of the cold war and progress in peace have unfortunately not eliminated all sources of instability, nor all potential for conflict. We are living in a world which remains complex and faced with a host of threats. The risks engendered by the spread of weapons of mass destruction are not the least among them. More than ever, my country is concerned about nuclear proliferation. The example of Iraq and the disturbing rumours concerning illegal sales of nuclear materials show just how real the danger is. My Government is ready, in agreement with other States, to make an active contribution to efforts undertaken in order to put an end to the brain drain from the former Soviet Union. The Treaty on the Non-Proliferation of Nuclear Weapons is the main pillar of the present non-proliferation system. We welcome the fact that a number of States - including nuclear Powers - have recently acceded to it or have announced their intention to do so in the near future. The NPT has thus become an almost universal instrument, which seems to us to auger well for its future. This universality, as well as the achievement of new advances in the field of the reduction of nuclear weapons over the last three years or the three years to come, should, we feel, make it easier to extend the Treaty substantially beyond 1995. However, the case of Iraq has highlighted the urgent need for a review of the procedures attached to the safeguards applied by the International Atomic Energy Agency under the NPT, in order to restore their credibility. My country possesses no chemical weapons, nor any other weapons of mass destruction, and has no intention of acquiring such weapons. My Government is impatiently awaiting the rapid conclusion of the chemical weapons convention. It is true that the problem of verification is a difficult one, and for my part I would not wish to play down its complexity. I am, however, aware that thanks to your tenacious efforts all the elements of the problem have been clearly identified. The compromise which you are now elaborating will certainly have a great impact on verification of future disarmament agreements. My Government attaches very special importance to this aspect. The present trend rightly favours the strengthening of challenge inspections. It would therefore be desirable for us to be able to draw on the precedent supplied by the chemical weapons convention for this sort of inspection in future treaties. As for verification in industrial facilities, we organized a symposium at the end of January in Basel, which I hope was useful. The chemical industry in my country, of whose importance you are aware, realizes that verification is necessary. It has reason to believe that a strengthening of confidence will certainly have beneficial impacts on its own activities and on freedom of

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(Mr. Felber, Switzerland)

trade. Routine inspections will have a place in the convention. Here too we are expecting you to come up with innovative solutions. Too costly a system, entailing a massive bureaucracy, which moreover would not be totally reliable, is in nobody's interest. So I would encourage you to look for simple solutions combining flexibility with maximum deterrence.

A week ago my Austrian colleague preceded me as a speaker on this podium. His very important statement, I believe, is a valuable contribution to the work of the Ad Hoc Committee on Chemical Weapons. I know that the members of the Committee, under the expert guidance of its Chairman, Ambassador von Wagner, are sparing no effort to iron out the final difficulties.

Allow me here to express my Government's gratitude for your work. Switzerland long ago abandoned any policy based on power, and its military resources are solely intended to defend the country. That is why disarmament, provided it is balanced and verifiable, has always enjoyed our support. With the same consistency, we have never abandoned our commitment to international law and the peaceful settlement of disputes. More than a century ago, in this city, eminent citizens brought humanitarian law into the world. Sixty years ago, these very premises hosted the great disarmament conference in which Switzerland, like many of your countries, participated with the hope that appeared to be founded on reason - the hope of general and complete disarmament. Unfortunately our faith soon turned into dark bitterness. For several years now we have been following the work of your Conference very closely. Although we were unable to take part in the negotiations, we have ratified all the agreements that have emerged from your Conference. The gradual improvement in the status of observers has allowed us to make more concrete contributions. We were thus able to make use of the experience acquired by our military laboratory in Spiez and the expertise available in our chemical industry.

The concern for effectiveness, and the history of the Conference too, explain why there are currently only a limited number of member States in this body. However, we believe that, since a new international security system is emerging and since the United Nations is now making efforts to establish a register on arms transfers - in which Switzerland will participate - the question of the composition of the Conference on Disarmament and its agenda ought to be raised again. You will undoubtedly recall that my country has applied to become a full member. Today it is no longer possible to consider that disarmament is something to be dealt with between blocs, since the blocs have disappeared. Since all States are concerned, each one should have the opportunity to express its views and participate on an equal footing. Hence it seems to me inevitable that after the chemical weapons convention is concluded, the future role of the Conference on Disarmament should be the subject of in-depth discussion with all interested States.

All this will make clear to you my country's wish to be more closely involved in worldwide disarmament efforts. At the same time I would like to assure you that we wish to maintain our traditional policy of hosting organizations and international conferences. In so doing, we also intend to

(Mr. Felber, Switzerland)

support negotiating processes as much as we possibly can. We are proud of this tradition. We wish to maintain it and to ensure that such meetings and conferences can take place smoothly and that diplomats and experts enjoy the best possible conditions to carry out their tasks. On the basis of this traditional openness, Switzerland has put forward Geneva as a candidate for the headquarters of the future organization for chemical weapons control. We would be pleased to host that institution here. It would be offered the same conditions we have given to the other organizations which have successively established themselves in Geneva. Given the special importance which my country attaches to the elimination of chemical weapons throughout the world once and for all, the Swiss Government would be prepared to make a special contribution of 2.5 million francs to the preparatory commission towards financing infrastructure costs in Geneva during the transitory phase. Furthermore, my country would be prepared to commit an equivalent amount for the training of inspectors for the future organization. A training programme could be drawn up by the AC laboratory in Spiez, which, because of its experience, has been entrusted with various expert missions, notably in the context of Security Council resolution 687. The Swiss Chemical industry would also be prepared to cooperate in this programme, in order to allow trainee inspectors to become familiar with the verification of industrial facilities. If our offer meets with your approval, its implementation will of course be carried out in close cooperation with the preparatory commission. In offering this training programme, Switzerland wishes to underscore the importance it attaches to verification. We believe that it is through verification that an effective contribution can be made to the establishment of trust, which is so important for maintaining peace in international relations. My country knows that trust is not a gift in itself but that, on the contrary, it has to be gained and kept. It is this trust that will allow us, in the final analysis, to dedicate our efforts and resources to a greater extent to the progress and well-being of our peoples.

(Miss Solesby, United Kingdom)

... Logic would suggest that in this multi-polar world global arms control and disarmament would have a still greater contribution to make. And I believe this to be the case. East/West confrontation called for East/West solutions: fragmented risks lend themselves more to global action. In the changed circumstances, non-proliferation of armaments has become as much a matter of international concern as arms reductions. And it is above all in non-proliferation that global measures can make a real impact. Faced with these new opportunities what should be the priorities of the Conference on Disarmament?

The top priority is obvious: to complete the negotiations for a chemical weapons convention as quickly as possible. I personally came to the Conference with this aim - a ban, a total ban, on chemical weapons, as my main goal and one close to my own heart. I am sorry to leave the Conference before this goal has been achieved. But at least last Thursday we may have seen the beginning of the breakthrough we have all been waiting for for so long. The initiative of the Australian Foreign Minister and the very positive reception to it by so many delegates gives me much hope. I am confident the convention will happen this year. The negotiations only need a final big push and we are there. I cannot believe this Conference will fail to seize such a wide open opportunity.

There are two aspects of the chemical weapons negotiations which need to be solved quickly. The first is verification, and I shall return to that in a few minutes. The second is destruction. A credible programme to destroy existing chemical weapons within a limited time-frame is one of the most important features of the convention. It is a vital element for the national security of each State party. Unfortunately it has become clear that serious problems remain for a major chemical weapons possessor. These problems will have to be resolved in the next very few months, if a convention is to be concluded this year. A first step in that direction has been taken in putting the issue squarely on the table. A full solution is now a matter of urgency.

Before I turn to the other major outstanding issue, verification, I should like to mention a question which normally only emerges in the technical side of the negotiations. I am referring to the use of experiments on animals as part of the implementation of the convention. At one stage of the negotiations it seemed that successful implementation might require large

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(Miss Solesby, United Kingdom)

numbers of experiments on animals. Happily the situation has improved. The present structure of the chemical schedules shows that toxicity no longer bears directly upon the verification regime to which individual chemicals will be subject. To the extent that toxicity might be included in guidelines for risk appraisal in routine inspections, precise toxicity measurement will not be important. When the convention enters into force the schedules will be in place, and toxicity levels of the scheduled chemicals are in very many cases already common knowledge. Further determination is unlikely to be required exclusively for the purpose of the convention. Even in the case of new substances proposed for inclusion it is likely that they will be appraised on the basis of toxicity data submitted by the proposing State.

If there are cases - and it seems they should be few, if any - when the convention's technical secretariat or an individual State party considers it essential to undertake toxicity determinations for the purpose of the convention, I think there is widespread agreement that this should whenever possible be conducted through non-animal alternative methods such as cell culture or organ culture; and if this is not practical, with the least number of animals compatible with demonstrating the toxic features of a substance - but I would hope the use of animals would rarely or never have to be resorted to. I suggest that this minimalistic approach be recommended to the preparatory committee and technical secretariat of the convention.

I would argue that the most important conceptual advance in arms control and disarmament in recent times has been the recognition of the vital role of verification. Important advances have been made on a regional and bilateral basis - in the case of Europe through the CSCE process and East/West arms agreements - most recently the "open skies" agreement, which allows States parties to conduct aerial surveillance over each other's territory. But much has been achieved also at the global level. An early breakthrough came with the establishment of the safeguards system of IAEA. The United Nations Secretary-General's powers of investigation of use of chemical and biological weapons broke further ground. The United Nations Special Commission on Iraq has taken verification on behalf of the world community to a new dimension of intrusiveness and effectiveness. Agreement has been reached recently in IAEA on strengthening the implementation of its safeguard arrangements by encouraging the Director General to use his powers of challenge inspection in certain categories of undeclared facilities. Work is underway which I hope will give the biological weapons Convention the verification provisions it badly lacks, technically difficult though this will be. It is a story of incremental progress, of a growing acceptance that verification to be effective has to be rigorous and intrusive.

The negotiations for a chemical weapons convention are part of that incremental process. The most rewarding aspect of my own work in the Conference on Disarmament has been the search for a strong system of verification for the convention, in particular through challenge inspection. My authorities, after a dozen or so practical trials, concluded that there was no site so sensitive that we could not allow some form of access within it and that it was possible to reconcile the degree of intrusiveness necessary for effective verification with the protection of legitimate security interests.



(Miss Solesby, United Kingdom)

We have had to recognize that not all our negotiating partners could at this stage accept as open a regime as we favoured. I cannot hide my personal disappointment that this is so. Nevertheless the prospects are good for consensus on verification procedures more extensive than in any other global agreement, procedures which will give the convention a significant degree of deterrence against violation, even if not all I and many others had hoped for.

Nor will that be the end of the story. Verification and monitoring are one of the most promising growth areas in global disarmament. I believe the hard decisions will increasingly be taken in the years ahead to give international verification the teeth needed if it is to bite.

Attitudes are changing. At the most recent General Assembly a step was taken which had proved impossible at earlier attempts, namely the establishment by the United Nations of a register of arms transfers. In many parts of the world the dividing line is not easy to identify between a level of armaments sufficient to enable a State to defend itself against threats to its security and the excessive levels which become a threat to the security of neighbouring States. In making such judgements the world community needs a basis of accurate and reliable information. In the aftermath of the Gulf war the British Prime Minister, Mr. Major, and others proposed that, as a first step towards providing such accurate and reliable information, the United Nations should operate a register of transfers between States of the most destabilizing types of armaments. This proposal met with a very high degree of support in the General Assembly: the register has been established and is now open for data from Governments.

In setting up the register the General Assembly called for consideration of further practical measures to increase transparency in armaments. The Conference on Disarmament has been asked to make its contribution. With its unparalleled experience of global disarmament and arms control this Conference should be able to provide a major input. Unfortunately it is still unclear whether the Conference will be able to seize this opportunity. Caution is right. But it would be wrong to let our response be dictated by fear of what is new.

The Conference has to adapt to the changing circumstances of the world which it exists to serve. Imagination and flexibility are needed, and even a dash of daring would not be out of place. Once the chemical weapons convention has been concluded, the time will have come to make a thorough reappraisal of the agenda of the Conference, to ask whether the Conference has a worthwhile role as the world moves into the twenty-first century and if so what that role is.

Perhaps surprisingly part of the answer can be found in a list dating back to 1979, namely the "decatalogue" of issues inspired by the first special session of the General Assembly on disarmament. Nuclear weapons in all aspects; chemical weapons; other weapons of mass destruction; conventional weapons; reduction of military budgets; reduction of armed forces; collateral measures; confidence-building measures; effective

(Miss Solesby, United Kingdom)

verification methods - these figured largely in the minds of our predecessors in 1979: they would not make a bad beginning for a new agenda for the future work of the Conference.

Looking forward over the next few years, I would expect the Conference work to widen its focus from weapons of mass destruction to other weaponry, and from disarmament and bans to a wide range of non-proliferation issues. I would see its role changing from negotiating large-scale agreements, of which perhaps the chemical weapons convention might prove the last, to negotiating agreements of narrower scope and maybe in some cases of a less binding character - guidelines, declarations. And more flexibility might be introduced in the Conference's agenda, so that work might rotate between items, depending on prospects of progress.

Mr. DONOWAKI (Japan):

... There is no doubt that the most important task entrusted to us this year is the conclusion of the chemical weapons convention. Indeed, most of us here felt much obliged to the brave initiative taken by President Bush of the United States last May, because it enabled us to resolve some of the long-standing political issues of our negotiations. Thereafter, the question of challenge inspection became our major focus of attention. It soon became an open secret that even among some of the Western group of nations there existed strong reservations as to the wisdom of tabling a proposal that contained a somewhat less intrusive regime of challenge inspection. However, together with the United States, my country, the United Kingdom and Australia decided to go ahead with the tabling of a draft proposal out of our sincere desire to expedite the negotiations rather than keep other delegations waiting any longer.

Fortunately, our previous Chairman of the CW Ad Hoc Committee, Ambassador Batsanov of the Russian Federation, wasted no time in making the best of the situation. He took on the enormously difficult task of pushing ahead the negotiations utilizing the four-nation proposal together with other material contained in the "rolling text". Thanks to his untiring efforts, we were able to complete one round of deliberations on the full extent of a possible regime of challenge inspection.

My delegation wishes to take this opportunity to express its sincere congratulations to our Chairman of the CW Ad Hoc Committee, Ambassador von Wagner, for assuming the very important task of completing the negotiations this year. Also, my delegation shares with him the view that our common goal should be attainable, although he may complain at this stage that he does not see what he hears.

As we are all aware, our Chairman could start this year's work with the least of delays, proving that he has behind him blessings from all of us. Furthermore, the appointment of his bureau members, again with the blessing of all of us, proved to be so well considered that the Working Group Chairman, Mr. Morris of Australia, and the other Friends of the Chair are already making all-out efforts in clearing up remaining issues of our negotiations.

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(Mr. Donowaki, Japan)

Of course, it is only natural that our Chairman took upon himself the most difficult task of leading us out of the impasse on the question of challenge inspection. My delegation was fully in support of his efforts to find room for any possible trade-offs within the text of the paragraphs of article IX, putting aside for the moment provisions of the protocol on inspection. His energetic and well-intended attempt came close to success but for the last-minute, understandable reservations made by a few of our colleagues. I should like to state that this was a worthwhile exercise, because in this way we were able to ascertain more clearly where the problem areas lay, preparing ourselves for the final wrapping-up stage of our negotiations.

The latest and most important contribution in expediting our negotiations came, as we all know, from Australia. The draft text of the convention tabled by the Honourable Senator Evans is, although mostly based on our "rolling text", a product of intensive preparation and consultation. Australia is known for its long-standing commitment and the active roles it played in promoting the cause of prohibiting chemical weapons. As Ambassador O'Sullivan advocated in his plenary statement one year ago, the new text tabled is free from all the brackets and footnotes, which is a great advantage because we know that even a single debracketing, out of hundreds existing in the "rolling text", sometimes requires hours of discussions. We are no longer allowed to indulge in such a luxury. Of course, the Australian draft contains some useful suggestions on some of the unsettled problems, as well as on some aspects of textual arrangements. Also, the draft text will have to be updated in order to reflect the latest progress made in our negotiations. The visit of Senator Evans was like the encounter of our planet called the CD with a powerful meteor called Evans. We were all reminded that our days were numbered unless we came to ourselves. My delegation strongly wishes that our Chairman, Ambassador von Wagner will undertake the task of expediting our negotiations making full use of the valuable Australian contribution..

Apart from the question of challenge inspection, I should like to say a few words on another knotty remaining issue in the chemical weapons negotiations, namely the question of old and abandoned chemical weapons. My delegation is of the view that there must be a way to formulate appropriate language in the convention that would be satisfactory to all the parties concerned in the negotiations, while at the same time ensuring complete destruction of such weapons. My delegation will spare no effort in cooperating with the Friend of the Chair, Ambassador Brotodiningrat, and with all other delegations in finding a solution in such a way.

As for the question of the future seat of the organization, it is my delegation's pleasure to announce, at this juncture, perhaps ahead of some of our colleagues, that my Government has come to the conclusion that The Hague should serve as the ideal site of the future organization for the prohibition of chemical weapons. My delegation will cooperate with Ambassador Kamal of Pakistan, the Friend of the Chair on this question, from this standpoint.

(Mr. Donowaki, Japan)

... The collapse of the former Soviet Union had the effect of deepening our concerns about the problem of proliferation of weapons, including weapons of mass destruction. This is why Ambassador Marín Bosch's initiative to hold informal discussions on this subject deserves appreciation. Even our work for the conclusion of the CW convention is nothing other than a testimony to the new era of the globalization of disarmament. The Mendoza Agreement and the Cartagena Declaration are other good examples of the new era. The same may be said of the problem of the United Nations Register and the issue of transparency in armaments. Today, arms control and disarmament problems have to be tackled globally by all nations, rather than, as was the case until

(Mr. Donowaki, Japan)

recently, by super-Powers only or in the European continent only. Whether the Conference on Disarmament will be able to adapt itself to the new era, and seize its opportunities, will depend on whether, after the conclusion of the CW convention, a new thinking on the questions of our agenda items, our way of functioning and so forth will be allowed to prevail among us, and I am confident that it will.

(Mr. Park, Republic of Korea)

... The chemical weapons convention is one of the most crucial and urgent items on the Conference's agenda, and all of us are expecting the conclusion of the convention before the end of this year. My delegation is pleased to see that the international community shares the political will to achieve this goal, and that the Ad Hoc Committee on Chemical Weapons achieved remarkable progress during the last year. I would like to take this opportunity to express my appreciation to Russian Ambassador Serguei Batsanov for the progress made under his able leadership, and to assure the final-stage Chairman, German Ambassador von Wagner, of the full support of my delegation in his endeavour to reach compromises on the essential unresolved issues. In the same context, I wish to extend my warm congratulations and respect to Senator Evans, Minister for Foreign Affairs and Trade of Australia for the initiative he took last week. The timing and the manner in which the initiative was taken represents the ardent desire and readiness of the Australian Government to conclude the negotiations within this year. I sincerely hope that the Australian proposal will serve as a catalyst in accelerating the final-phase compromise.

Please allow me to briefly touch upon a couple of the essential pending issues of the CWC. First of all, the verification issue, which is considered the essence of the convention, still faces serious obstacles. As far as challenge inspections are concerned, my delegation shares with most other delegations the opinion that the warning time for the inspections should be kept as short as possible and that challenge proceedings should be kept simple to avoid undesirable delays during inspections. The reason is clear. A would-be violator should by no means be allowed time to destroy or hide evidence of non-compliance with the convention. Unless this could be guaranteed, the challenge proceeding would not become instrumental in achieving the purposes of the convention.

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(Mr. Park, Republic of Korea)

It is true that there is apprehension about the possibility of abuse. We certainly do not ignore the possibility of industrial or military espionage. My delegation, therefore, has no objection to minimizing the possibility of abuse, but we have a firm belief that fears about abuse should not lead to a verification regime that is not conducive to effective deterrence. In this connection, my delegation has no difficulty in supporting the idea of "observer" participation in the inspection team, regardless of the observer's status, mandatory or not.

Important sectors of the chemical industry, including "relevant" ones, will be affected by implementation of the convention, since the convention's task is to deter, by its verification measures, all attempts to misuse the civilian chemical industry for the production of chemical weapons. In this regard, my delegation wishes to remind the negotiators of the chemical industry's concerns about obtaining a realistic balance between the management of available resources and satisfactory deterrence, without being overburdened with declarations and inspections.

As for the issue of the composition of the executive council, my delegation has no objection to the proposal that geographical equity and industrial development of a region be taken into consideration, and hopes that this issue will soon be settled so that it will not stand in the way of the final conclusion of the convention.

As declared on several occasions in the past, the Republic of Korea will join the forthcoming chemical weapons convention as soon as it is adopted. Our Government shares the view that acquiring universality in the membership of the convention is another important task to be fulfilled. To this end, the final stage of CWC negotiations should proceed in such a manner so as to attract as many States parties as possible. The collapse of the cold war does not by itself guarantee world peace. This is why we are convinced of the new potential of the Conference on Disarmament as a contributor to the emerging security order, and attach great importance to arms control and disarmament. The increasing number of aspirants to full CD membership is a clear reflection of concerns about disarmament. In this regard, I would like to avail myself of this opportunity to call upon you to address the long-pending issue of the extension of CD membership, as soon as possible after the conclusion of the negotiations on the CWC, reminding you that at the end of last year the Republic of Korea presented its candidature for membership in the CD.

(Mr. Shah, India)

... The recommendations regarding priorities in the field of disarmament endorsed by the international community at SSOD-I have never been translated into universally accepted norms, principles and processes to deal with the dangers and to eliminate the threat of nuclear weapons. The adoption of an "arms control" approach, as distinct and different from the "disarmament" framework, has failed to arrest proliferation and is unlikely to provide a viable paradigm for the future. Closed-door "clubs", "groups" and "regimes" created to impose unilateral restrictions on trade in technology, equipment and material on a discriminatory basis will not prevent proliferation. Non-proliferation, whether of nuclear weapons, chemical weapons or biological weapons, cannot be achieved by proposals aimed only at arms reduction, though they are welcome. Nor can initiatives which in reality only preserve the monopoly of a few States over weapons of mass destruction, missile technology and export markets for conventional weapons contribute to prevention of proliferation. To justify preservation of such monopolies by hypothesizing potential threats from developing countries not only smacks of pandering to the vested interests of the scientific-military-industrial complexes but introduces a dangerous North-South dimension in nuclear disarmament which is, and should be addressed as, a global issue which does not need such confrontation.

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(Mr. Shah, India)

... In the field of chemical weapons, in anticipation of the early conclusion of a multilateral global convention on their prohibition now being negotiated here in the CD, India proposed a bilateral arrangement with Pakistan last year. We are happy to inform that at the last round of Foreign-Secretary-level talks between India and Pakistan, it was agreed to consider issuing a joint declaration on chemical weapons and to convene a meeting of experts of the two sides to exchange views on a bilateral agreement to ban the development, production, deployment and use of chemical weapons.



(Mr. Shah, India)

... India is fully committed to the conclusion of a universal and non-discriminatory chemical weapons convention, which is being negotiated at the CD, by the end of 1992. While it is essential that the convention does not have any loophole for developing chemical weapons, it is equally essential to ensure that States parties to this convention are not subjected to a dual regime of controls. It is necessary that all existing discriminatory restrictions on trade relating to scheduled chemicals as well as equipment are removed immediately upon entry into force of the convention. Given the fact that the convention will contain effective measures to control any form of proliferation of chemical weapons and would also have the force of effective sanctions against potential violators, there is no reason why States parties to the convention should continue to be subjected to any unilaterally imposed punitive control regime outside the convention, which is essentially discriminatory in nature. We believe that a successful resolution of this issue in the chemical weapons negotiations will ensure a healthy universality for the convention. The ideal way to ensure universality to this convention is to make it attractive for countries to join it. To this end, the interest of those who possess chemical weapons must be matched by the interests of those who do not, and yet are prepared to accept curbs on their chemical industry, which plays an important role in their development, in the hope of achieving enhanced security.

The routine verification system under the convention must ensure that the need for compliance is centred only around the relevant chemical industry, is focused, is easily implementable and is affordable. It is important that the selection process for inspection is non-discriminatory and is designed for equal application in all regions of the world.

The proposed CWC envisages challenge inspection procedures as a unique measure in global disarmament arrangements. Once the request for a challenge inspection is received, the area of interest is enlarged and becomes the concern of all States parties, who are then legitimately involved in seeking reassurances that the convention is not being violated. The multilateral character of the challenge inspection, therefore, needs to be ensured. All States should be concerned with minimizing the possible misuse of the challenge provisions through unfounded and frivolous requests, which would not only damage the international reputation of the challenged State, but also result in a waste of resources of the organization. This requires a very definite role for the organization, and also requires that the challenge provisions are practical, with equal rights for the challenged and requesting State party. It is for this reason that India has supported the provisions of

(Mr. Shah, India)

"managed access" and other practical measures envisaged in CD/CW/WP.352, put forward by the delegations of the United States of America, the United Kingdom, Japan and Australia.

All States parties have the right to be represented on the executive council, taking into account the need for representation based on geographical spread. However, within the regions, it is essential that due weight is given to those with a developed chemical industry since they will clearly be affected much more than those who do not have it. The industrial weighting could be calculated on the basis of the total production, range of chemicals produced as well as number of facilities in a given State party.

The development of schedules and guidelines under the convention has taken place under presently existing conditions. The convention should be able to take into account future scientific and technological developments, and should not be fossilized. Accordingly, it is necessary to have a fairly simple amendment procedure at least for the technical aspects of the convention. At the same time, attempts should not be made to include chemicals which are used in legitimate peaceful activities, such as herbicides and riot control agents.

Concern has been expressed about the ability of CD to negotiate a CWC by the autumn of this year. In my delegation's view, it is possible for us in the CD to have such a convention in place this year provided we resist the temptation to overload it with excessive details and provided the concerns of the countries working towards economic growth and development are not ignored.

I had occasion to commend the initiative of the Australian Foreign Minister presented to the CD last week, to speed up the process of negotiation of the CWC. We are ready to cooperate fully with Ambassador von Wagner, Chairman of the Ad Hoc Committee, regardless of the procedure that he decides to adopt as a basis for our future work. We would, of course, be indicating to him further our views and concerns on the major unresolved issues during the consultations he proposes to hold in the inter-sessional period.

Apprehensions have often been expressed about the role of the Conference on Disarmament after the CWC. My delegation does not share these apprehensions. We have a number of items of the agenda which are as important as the CWC and the CD will be contributing greatly to the disarmament process by taking them up seriously for negotiations. If the Conference on Disarmament, for some reason, does become irrelevant after CWC, as some countries seem to fear, it will surely not be due to lack of subjects to be discussed or issues to be negotiated. The danger lies in the lack of political will to do so, fear perhaps of transparency and deliberate downgrading of the multilateral process in priority areas of disarmament.

Mr. SHANNON (Canada):

... I will be brief and I will limit my comments to the chemical weapons convention. Last Thursday, we witnessed a highly important development in our efforts to finalize a convention, and that, of course, was the presentation by the Minister for Foreign Affairs and Trade of Australia, of a draft of a model compromise text for the convention. In our view, this text represents an extraordinary achievement, both in terms of its substance and in terms of the remarkable amount of effort involved. My authorities are deeply appreciative of the Australian Government's initiative, and welcome this document as a very valuable contribution to finalizing the convention in the next four months.

My authorities also welcome and applaud the strong, positive response given to this initiative by so many delegations at last Thursday's meeting. In view of this support, we believe that this document will provide many valuable bases for resolving the outstanding issues still before us. We therefore join the Australian and other delegations in urging the Ad Hoc Committee and its Chairman to begin immediately to give the fullest possible consideration to its various proposals in their future work.

In this respect, my authorities are pleased to note the programme of action proposed by Ambassador von Wagner, in particular his intention to use the Australian text in conjunction with the "rolling text" and other documents as the basis for further private and open-ended consultations over the next six weeks, with a view to producing an overall Chairman's text as soon as possible. We therefore fully endorse his intention to make the maximum use of the inter-sessional period, and hope that it will be possible to produce this final compromise text by the beginning of our spring session on 11 May, or very soon thereafter.

(continued)

(Mr. Shannon, Canada)

It should be needless to say that my delegation and I offer Ambassador von Wagner our full cooperation and assistance in these final months to find the necessary compromises to produce a final draft convention. In so doing, however, my delegation will continue to strive to achieve a convention that is truly global, comprehensive, and - above all - effectively verifiable. As other speakers today have noted, effective verification is the key to ensuring the success of the proposed convention - the essential element that will take us beyond existing agreements and establish a new bench-mark. And effective verification depends on the interdependence of all phases in the proposed verification process, both routine and challenge, which we see as inextricably linked and mutually reinforcing.

Accordingly, my delegation will continue to seek a routine inspection regime that covers all facilities, including "capable" facilities, that might be engaged in activities that are relevant to the goals of the convention. And we will continue to seek a challenge inspection regime that provides the fullest possible degree of access to the challenged site consistent with the intent of article IX, using managed access as necessary; a regime that requires the shortest possible time-frames, to forestall concealment of evidence; and a regime that contains sufficiently strong provisions on "perimeters" and "securing the site" to enable the inspection team to discharge their functions.

On the basis, we would be concerned if the proposals in the Australian text covering these matters were to be weakened, or to be compromised by changes in the relevant articles or annexes. In our view, the text as it now stands still falls short of the requisite level of intrusiveness consistent with credible verification, and can be improved. But it would be an acceptable bottom line for finalizing our negotiations.

The presentation of the Australian text opens a window of opportunity that we must take maximum advantage of if we are to achieve our common goal of finalizing the convention this year. It is in this spirit that Canada supports this very substantial work which Australia has placed at our disposal.

(Mr. Dichev, Bulgaria)

... At its 19 March plenary meeting the Conference on Disarmament heard His Excellency the Australian Minister for Foreign Affairs and Trade, Senator Evans. He introduced a paper which my delegation, just like many other delegations, assesses highly. We see it as appearing at the right time just as the need was felt for an accelerator of the negotiations on the prohibition of chemical weapons on the few remaining outstanding problems. The Australian paper is a feasible compromise effort which, together with the "rolling text", could bring our debate to a successful outcome. It is a matter of fact that our Australian colleagues in Canberra and here, in Geneva, have done a great job to put together such a text, something I should like to thank them for.

In this connection I might also recall to the distinguished colleagues that the current "rolling text" has been created after lots of sweat throughout the lengthy negotiating process, therefore it is logical that it serves as basis for the future convention. Consequently, in the view of my delegation successive versions of the "rolling text" should be titled "Revision 1", "Revision 2", etc., in accordance with existing United Nations practice.

As to the Australian idea to hold a ministerial-level conference late this summer, my delegation is ready to assist for a mutually acceptable settlement of all outstanding issues of the future chemical weapons convention by that time.

Challenge inspection is a key element in the monitoring system of the future convention. As to its universality we think that this unique international treaty should reliably guarantee the balance between monitoring

(continued)

(Mr. Dichev, Bulgaria)

efficiency and protection of incoming confidential information. Non-resolved issues like the role of the executive council, the dangers of abuse and the question of the observer should be subordinated to the goal of guaranteeing to the highest degree the efficiency and objectives of the convention. Such objectives could hardly be fostered by politicizing the issue of inspections at any stage of their implementation. My delegation is in favour also of the new approach to integrate a major and relevant part of international chemical industry in a more comprehensive system of verification. We should not lose sight of the fact, however, that extending the scope of verification in the civil chemical industry should be in tune with the limited human and financial resources of the envisaged international organization. Therefore, normative financial provisions ought to be sufficiently precise, they should take into account also the legitimate interests of States parties.

The Bulgarian delegation welcomes the encouraging results of the efforts to coordinate the texts on the criteria and composition of the executive council. The conceptual approach has brought the different variants down to just two, where the common elements can be reached by specific text formulations. In this connection may I commend Ambassador Tibor Tóth and wish him a successful conclusion to the responsible task he has taken upon himself, a task to which he devotes so much time and energy? In this regard I wish to raise a point of a more general nature. This particular problem as well as all other provisions of the future convention should be resolved by the 39 CD member States and the 40 or so observers. A prime objective, however, should be to arrive at balanced decisions capable of satisfying not only those 79 or so States, but also many other United Nations Member States which ought to join the convention. This is why the Conference on Disarmament should take into account also the legitimate interests of countries that are not among its members but are, nevertheless, active participants in the international community. For instance, to the difference of other geographic regions the only region to have increased its member States is Eastern Europe. This region may yet increase in member States. It could be that some of those newly formed States would not necessarily belong to the Eastern European Group, rather to some other one. Be it as it may, it is a matter of fact that the European process started with 35 States. Today it numbers 51 States, with the new countries having found a deserving place in it. To my delegation this is an indication that such developments speak in favour of the existing United Nations regional groups. Furthermore, it is obvious that the composition of the executive council should reflect in a just and equitable manner the membership of the future convention. In light of these considerations my delegation submits that there is room for further clarification of the ways and means to allocate seats on the executive council for the various regional groups. My delegation holds the view also that the regional groups furnish the framework for coordinating the degree of implementation of industrial and other criteria, including the well-known principle of rotation.

To conclude my statement may I be allowed to appeal to the delegations in this chamber not to miss the opportunity to concentrate their efforts to conclude the final text of the future convention, so that the CD may continue to function as a reliable and unique international forum in the field of

(Mr. Dichev, Bulgaria)

global disarmament? The Bulgarian delegation is optimistic and has faith in the successful finalization of the convention by the end of this year. May I assure you, Mr. President, you the representative of a country having traditional excellent relations with Bulgaria, and through you all my distinguished colleagues, that my delegation would spare no effort in the accomplishment of this lofty goal? I submit that it is most important for the CD at this stage not to lose momentum!

(Mrs. Clauwaert, Venezuela)

Now I wish to refer briefly at this plenary meeting to the subject of the prohibition of chemical weapons. The Government of Venezuela attaches very high priority to the early conclusion of the convention whereby chemical weapons will be completely and generally banned, and supports all efforts that are made to that end. It is for this reason that as members of the Conference on Disarmament we have been participating actively in the negotiations on the convention, and we are committed to its conclusion this year. This commitment is set forth explicitly in the recent declaration signed by the heads of State of the member countries of the Andean Group in Cartagena de Indias, Colombia on 4 December 1991 on renunciation of weapons of mass destruction. In that declaration Venezuela announced its intention to be an original signatory of the convention. We have expectations of an early conclusion of the negotiations, but in order to finally attain the desired and agreed goal, additional and constant efforts will be required as well as an extraordinary display of political will to solve the problems that are still awaiting solution in order to arrive at agreed formulas on challenge inspection, verification, membership of the executive council, economic and technological development, old chemical weapons and financial aspects of the organization. In this context we welcome with great pleasure and interest the proposal introduced by the Minister for Foreign Affairs of Australia, Senator Gareth Evans, in the Conference on Disarmament, on 19 March last, concerning the draft convention for a complete ban on chemical weapons. We consider that the initiative submitted by the Australian Government can serve as an important element in the ongoing negotiations, in view of their urgent nature. This proposal contains a series of constructive suggestions that should be taken into consideration in the negotiating process - for example, the structure it suggests for the convention; and concrete recommendations in order to try to resolve the outstanding issues that require a decision. It is to be hoped that these suggestions will help us to achieve a balanced agreement, and to facilitate the convening of a ministerial meeting designed to give a last push to the negotiations. It is our understanding that the intention of this proposal, as the Minister for Foreign Affairs of Australia stressed in his statement, is not to replace in any way the work and the achievements so far of the Ad Hoc Committee on Chemical Weapons on the draft convention, or to establish a parallel track. This is work which has taken up a great deal of time and effort on our part, and which should not be sidestepped, but there is a need for concrete contributions from our countries in order to give impetus to the negotiations.

We would like to express appreciation to the Chairman of the Ad Hoc Committee, Ambassador Adolf Ritter von Wagner, for the persistent efforts that he has been making to solve certain delicate aspects. These efforts certainly call for cooperation from the members of the Conference. Ambassador von Wagner can count on the full support of our delegation in the pursuit of this process. In this context we endorse the suggestion that the Chairman of the Ad Hoc Committee on Chemical Weapons should carry out consultations in the inter-sessional period of the Conference on Disarmament so that, in so far as he is able, he can submit a specific text at the beginning of the second part of the session of the Conference on Disarmament, in May 1992.



(Mr. Petrovsky, United Nations  
Under-Secretary-General for  
Political Affairs)

... Chemical and biological disarmament are also vital components of our global efforts. I need not dwell on the particulars or the unique importance of the chemical weapons convention. I echo the sentiments of the Secretary-General in expressing my fervent hope that you will face the challenges and successfully overcome the remaining obstacles during this session. For this Conference not to find agreement on an issue of such significance would be a major setback to the progress in international security achieved in the past few years. You have overcome too many obstacles in this long race to fail now.

CD/PV.620

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Mr. OGADA (Kenya):

... Upon instructions from my Government I would like to state that the Kenya delegation would like to join all those delegations that support the appropriately named Australian initiative that was formally presented to the Conference by Senator Gareth Evans, the Minister for Foreign Affairs and Trade of Australia, during the plenary meeting of the Conference held on Thursday, 19 March 1992 when the Senator presented the draft convention on the prohibition of chemical weapons prepared by the Australian Government. This initiative once again underlines the commitment of the Australian Government in efforts to ban chemical weapons.

My delegation would like to commend the Australian Government for having single-handedly undertaken the monumental task of preparing a draft convention prohibiting chemical weapons which will undoubtedly enrich and accelerate the multilateral negotiations currently in progress in the Ad Hoc Committee on Chemical Weapons.

One of the stated objectives of the Australian initiative is to enable the Conference to conclude a convention prohibiting chemical weapons by 1992 as reflected in the mandate of the Ad Hoc Committee on Chemical Weapons. My delegation, like all other delegations in the Conference, is bound by this limitation in which to conclude the negotiations on a chemical weapons convention which have been going on for a long time.

While the urgency to conclude the negotiations this year underlines the need to speed up the pace of negotiations, my delegation would like to state that speed should be coupled with caution to avoid stalling in the negotiations, as some of the remaining issues require clear and well-considered solutions. Some of the remaining problems which require careful attention are for example on routine verification of the chemical industry, challenge inspections, article XI on economic and technological development, the executive council and old and abandoned chemical weapons.

(Mr. Ogada, Kenya)

Over the many years of negotiations we have come to be well aware of the positions of many delegations on the remaining issues. This year should not be the year in which to repeat positions which cannot contribute to compromise solutions. All delegations should work for a convention that protects the interests of all developed and developing countries, be they small, medium or large.

The Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador Adolf Ritter von Wagner, has a difficult task in guiding the negotiations on a chemical weapons convention towards the desired conclusion. He has appointed a committed and experienced team to assist him in his work, and my delegation supports all his endeavours, as well as those of the Chairman on the Working Group on Verification and the Friends of the Chair on the various issues under negotiation.

In conclusion I would like to thank the Australian Government for having presented this timely initiative which is an important contribution to the negotiations to achieve a convention banning chemical weapons, and I would also like to thank Ambassador Paul O'Sullivan for having personally visited Nairobi to discuss the Australian initiative with officials of the Kenya Government who assured him of the Government's support for this initiative which is compatible with Kenya's commitment to participate in all efforts to eliminate weapons of mass destruction and specifically chemical weapons.

CD/PV.620

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The PRESIDENT (translated from French): Today we were supposed to hold an informal meeting on the substance of item 3 of the agenda, entitled "Prevention of nuclear war, including all related matters". However, since the members of the Conference have accepted the kind invitation extended by the Government of Austria to consider the proposal that Vienna should be the seat of the future organization for the prohibition of chemical weapons, I feel it appropriate to postpone our work on this agenda item to Thursday, 21 May. I see no objections.

It was so decided.

(Mr. Brahimi, Algeria)

... The negotiations on the convention to ban chemical weapons provide a source of great satisfaction which contrasts all the more with the frustration which we rightly feel as we look at the results of work on the other items on the agenda. We would like to express the wish that these negotiations will be completed this year and that, as a result, nuclear matters will be able to regain their place among the urgent priority tasks which the Conference on Disarmament must tackle. Despite the repeated appeals of the General Assembly calling on the Conference to embark without delay on structured negotiations on nuclear questions, with a view to concluding one or more international agreements on nuclear weapons, it has not been possible for the commitments entered into at the very moment when the Conference was created to be honoured. Our concern is all the greater since, by a strange paradox, the Conference seems to be agreeing to abandon the fundamental theme of disarmament policy and relinquish its original mission of warding off the nuclear peril. This concern takes on its full relevance as we approach the deadline of 1995 for the holding of a review conference of decisive importance for the future of the Treaty on the Non-proliferation of Nuclear Weapons. The failure of the fourth NPT review conference, and in particular the reasons behind that failure, should be borne in mind during the period running from now to that important date.

(Mr. Brahimi, Algeria)

... Mention of the reinstatement of the Conference on Disarmament in its original calling brings me to what we keenly hope will become the first concrete and long-awaited achievement in the history of this Conference. I am referring to the future convention on the prohibition of chemical weapons, which will be the first truly multilateral disarmament instrument, putting an end to a whole category of particularly devastating and murderous weapons under international control. It is essential for the convention on chemical weapons to be added to the Conference on Disarmament's list of achievements this year. This will be a harbinger of the solutions of the other issues on the agenda of the Conference, in particular those relating to nuclear and space issues.

(Mr. Brahimi, Algeria)

Algeria has always been, and remains, in favour of a total ban on chemical weapons and their use. Algeria is not developing and does not produce chemical weapons, and it is not seeking to acquire them. My country remains profoundly convinced that the best way to curb the threat of these weapons is to banish them once and for all, by means of this international convention. In this regard, it will be Algeria's honour and duty to be among the original signatories.

We see this convention as global in scope, universal in membership and non-discriminatory in application. It should in no way be a non-proliferation-type treaty, nor should it constitute an obstacle of any kind to the development of the chemical industry, the transfer of technology or international cooperation for peaceful purposes in the field of chemistry. In order for it to be universal and truly acceptable for those States which, like mine, do not possess chemical weapons, the future convention must contain clear and explicit provisions on assistance to be provided to States parties that fall victim to the use or threat of use of chemical weapons. Assistance must be automatic and not linked to considerations which would make it selective. It is true that this instrument is, first and foremost, a disarmament agreement relevant to the security of all States. However, nobody can deny that as stocks of chemical weapons are destroyed under international control, and as the civilian chemical industry has to be subjected to close and continuous surveillance, cooperation in this area has become a vital necessity, in particular for developing countries. And it was the very lack of an international instrument prohibiting chemical weapons and controlling their proliferation which, in the view of some people, justified in the past the institution of an unofficial regime to control the export of certain chemicals known to be toxic. It would be impossible today, and even less tomorrow, as the future convention enters into force, to accept the existence of a dual control regime for States parties. To this end, all existing discriminatory restrictions in the field of the chemical industry will have to be removed. It also seems to us that the verification regime provided for under the convention in its twin dimension of routine verification and challenge verification will be effective in deterring any use for purposes not permitted by the convention.

We appreciate the importance of the outstanding problems; we also appreciate, and in the same way, how much work has already been done. At the present stage of negotiations, only real political will, which is in fact essential, based on a spirit of mutual compromise, will allow us to overcome the actually rather limited number of difficulties which still remain on the most controversial political questions. Although it may carry with it many implications for the chemical industry, in the view of this delegation the future convention fundamentally remains a security treaty for the whole of the international community. Because of this, it is essential for its multilateral dimension to predominate and, consequently, to take equal account of all legitimately expressed concerns.

We believe that the executive body of the future convention should represent the international community as a whole. To achieve this, only equitable geographical distribution as between the various regions of the

(Mr. Brahimi, Algeria)

world will be able to secure acceptance by one and all. Clearly, each region will have to take due account of the industrial criterion as it selects its own representatives. Bearing in mind the multilateral dimension of the future convention, the executive council must be given a prime role in the implementation and application of the convention where article IX is concerned. This role is all the more essential and important since this area will involve concerns related to non-compliance. Because although they may be unilateral at the outset, these concerns will certainly come to be concerns for the States parties as a whole, mainly because of the stakes involved in non-compliance with the convention as regards the security of all States.

Allow me to reiterate once again our hope that this phase of the negotiations on the chemical weapons convention will be completed successfully, to allow the Conference to be proud of its success in this area and to seize the opportunities provided by the major changes which have occurred in the world in order to continue its work. The Algerian delegation, I need hardly add, will spare no effort to continue making its own modest contribution to the common endeavour.

CD/PV.621

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Mr. HOLIK (Germany):

... Let me thank you, Sir, on behalf of the German Government, for the efforts you and your delegation have invested during your term of presidency. The German delegation highly appreciates what you have done in support of the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner. In addition, your delegation, as coordinator for chemical weapons during this year has greatly contributed to the smooth and harmonized cooperation between the groups and between the Group of 21 and the bureau of the Chairman. We also appreciate your efforts to promote progress on other important topics on the CD agenda which you dealt with in your speech.

Being in Geneva at the beginning of the second session of this year's Conference on Disarmament gives me great satisfaction. I think we are all aware this is a crucial moment in the history of the CD. The next few months

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(Mr. Holik, Germany)

will show whether the intense and fruitful work which you, Mr. President, and your predecessors have invested for many years in these negotiations will make it possible to fulfil finally the task given to the CD by the General Assembly of the United Nations: to achieve an agreement on a CW convention by 1992 and to report this result to the forty-seventh session of the General Assembly.

Our political leaders have committed themselves to this aim. The responsibility for achieving it is mainly on the shoulders of those around this table. This responsibility goes beyond negotiating an international agreement that meets specific security interests of the participating States. The members of this Conference have been entrusted by the United Nations with the task of finding a common solution to a fundamental challenge: the spread of weapons of mass destruction. A lasting solution for this task requires cooperation between all members of the community of nations, based upon a global and reliably verifiable ban on chemical weapons.

The CW convention under negotiation in this Conference is indispensable not only as an instrument for suppressing a particularly inhumane category of weapons of mass destruction, but also as a model of cooperative security - a pattern of international behaviour - to which the future belongs. The successful conclusion of a CW convention will therefore be a breakthrough for global disarmament and for international diplomacy. It will disprove those who have doubted the qualification of the CD as the only multilateral disarmament negotiating forum, comprising representation from all geographical regions.

Before we conclude our common task, we still have to go through an intensive final phase of the negotiations. Let me deal with some of the issues we still have to tackle. I am pleased to hear that intensive open-ended consultations by the Chairman have prepared the ground for answers to the open questions of challenge inspections. A "vision" by the Chairman as now contained in WP.400 is meant to contribute to this process even further. I am glad that this vision seems to find broad support, as the challenge inspection regime constitutes a central pillar of the CW convention.

Industry verification must give a reasonable assurance that chemical industries in all States parties to the future CW convention are used only for purposes not prohibited. The chemical industry, as we all know, is an important factor in the economy of many countries, including my own. Thus, industry verification must neither inhibit nor hamper normal activities contributing to the well-being and development of the economy of a particular State. Germany fully supports this philosophy while, at the same time, asking for the broadest coverage of chemical industry possible under the CW convention. This appears to be the best way of protecting the chemical industry against charges of non-compliance. The position is not only supported by our own chemical industry but by many chemical industry associations throughout the world.

(Mr. Holik, Germany)

The industry verification regime will be unique of its kind. It will contribute to openness and transparency on a global scale unprecedented before. The regime may be complex in its implications but it should remain easy to implement. Particularly in the latter regard, additional efforts might be necessary.

Another issue of particular importance is that the CW convention does not leave any loopholes for circumvention. Therefore, we are particularly pleased that the prohibition of the use of chemical weapons under any circumstances has been established under article 1 of the draft convention. However, additional questions emerged in the context of the definition of chemical weapons. Germany remains committed to a comprehensive ban on chemical weapons, while, at the same time, acknowledging that certain disabling chemicals might have to be used under specific circumstances. We urge all delegations to find a solution which would not endanger the credibility of the most important element of the CW convention, the total ban on chemical weapons.

Another major goal is to rid the world of all existing stocks of chemical weapons. Declared stocks have to be destroyed within a limited time frame. These provisions must be feasible in particular for the major stock holders. We recognize the difficulties linked with such provisions, but we insist that solutions must be readily available in order not to delay the conclusion of the CW convention this year. In this context, we support the idea to involve the executive council, should the order of destruction for exceptional reasons need to be reconsidered.

In our view, the overall objective of the CW convention is to strengthen international security. Destroying existing CW stocks, closing down former CW production facilities and verifying non-production of chemical weapons are its essential elements. However, in the context of old and abandoned chemical weapons additional problems arise. Old stocks which can no longer be used for military purposes do not pose a security risk. They must be considered as toxic waste. Of course, we are all interested to liberate this planet from all kinds of ecological burdens. But the CW convention as a security agreement cannot fulfil this task. On balance, the solution proposed by Ambassador Brotodiningrat for old chemical weapons produced before 1925 as well as for those produced before 1946 represents in our view a reasonable compromise on this issue.

With regard to abandoned chemical weapons a delicate balance has to be struck between the obligations of the territorial and the abandoning State. The convention must provide for language that is sufficiently clear to ensure destruction of the abandoned chemical weapons in the interest of all States parties and that includes the necessary flexibility given the differing historical background of specific cases. It remains our view that specific cases can best be solved bilaterally. This should be reflected in the text of the convention.

I have already stressed the importance of the civilian chemical industry. For many nations its contribution to economic and technological development is very important. Many countries have expressed their interest

(Mr. Holik, Germany)

that national export control measures designed to stem the proliferation of chemical weapons should be removed following the institution of the CW convention. I recognize the logic of this position. We are convinced that a cooperative approach to fight proliferation of chemical weapons worldwide is the only effective long-term strategy to achieve this goal. However, nobody can expect the CW convention to function smoothly and perfectly right from the first day after entering into force. The degree to which verification measures of the convention can be implemented and the confidence this creates will, in my mind, be the criterion against which the necessity of auxiliary national non-proliferation measures has to be judged. No country will continue national measures when it feels that international cooperation through the CW convention does the job already. So the success of our common endeavours will determine when this point will be reached. In my view, the provisions proposed by the Friend of the Chair charged with this question provide a sound basis for agreement.

There might have been some doubts still in February whether the CD would be able to conclude its work on the CW convention this year. These doubts, it seems to me, have disappeared. Thanks to the joint efforts of all delegations, the CW convention is really within reach.

Two months ago, the CD experienced an important moment when Foreign Minister Evans of Australia and other speakers addressed the future of these negotiations. The resolution and the momentum which one could witness then have led to broad agreement between CD delegations and to the intensification of the CW negotiations. Representing the country of the Chairman of the Ad Hoc Committee on Chemical Weapons, I am grateful for the support for the proposals which Ambassador von Wagner, at the request of the CD, has laid out in WP.394.

The "draft convention" presented by the Chairman and his bureau in WP.400 opens the way to the timely conclusion of the CW negotiations. A number of issues still have to be settled before an un-bracketed "Chairman's draft" can be presented around mid-June, as indicated in WP.394. This "Chairman's draft" will aspire to take all views into account and try to be as fair to the positions of all partners as is possible. Naturally, compromises must also have the best interests of the convention in mind. It would help none of us to agree to provisions which turn out to be unable to fulfil their purpose.

I am prepared, if necessary, to face personally the views and the judgement of your Governments and to explain the "Chairman's draft". Of course, changes and amendments will not be impossible at this point. However, given the balanced nature the text will aspire to, this then will have to be on a "give and take" basis, not attempts to shift the balance in one's own favour.

The German Government is committed to the goal of a CW convention which will secure universal acceptance, but I am convinced that States represented here share this commitment. The major prerequisite for universality is consensus on the draft convention here in the CD. One of the very few instructions which Ambassador von Wagner has received from Bonn is to try his



(Mr. Holik, Germany)

utmost to achieve a CW convention supported by all member States of the CD. I am giving you this confidential piece of information because Ambassador von Wagner will need your support; and I am confident he will receive it. However, we have obligated ourselves in the CD mandate to reach a result this year. We could not afford to be held hostage in this effort by a theoretically possible minute minority of determined objectors.

The result we strive for is the broadest possible adherence to the CW convention. This could be achieved by a consensus of the Conference on Disarmament and the transmittal of the text to New York, where it will then draw hopefully unanimous support by the General Assembly. Only the General Assembly of the United Nations representing all peoples of the world can provide the political endorsement which this most comprehensive and politically important arms control treaty deserves. Following endorsement of our common text at the United Nations General Assembly, a signing conference in Paris towards the end of the year should enable as many nations as possible to give the convention the universality it needs and deserves. This will lead us then to the start of the work of the preparatory commission in early 1993.

This of course is a glimpse beyond our immediate work. I feel, however, that it is important not to lose sight of the objectives we want to see transferred into binding international standards.

I am convinced: together we can achieve what we have been working for for so long.

(Mr. Sene, Senegal)

... Moreover, Mr. President, in your first statement as President of this Conference, you broached this question brilliantly by stating that whereas efforts were made in the past to attribute the lack of progress in multilateral disarmament to an often unfavourable international climate, today there are grounds to hope that, given the new circumstances, multilateral bodies will recover their proper place and at last take up their universal mission in the service of disarmament. 1992 could then see the establishment of the first genuinely multilateral disarmament instrument which will put an end to the existence of an entire category of particularly devastating and murderous weapons, namely chemical weapons. Thanks to such a fine achievement, we hope that the United Nations, through our Conference, the only organ responsible for disarmament negotiations, would be seeing its original purpose reinstated. Its responsibility, in this field, would then no longer be reduced to the passive role which, for decades, has confined it to the simple function of recording agreements concluded outside it. But, as the entire international community has recognized, progress on these disarmament issues can be made only if a minimum level of confidence and transparency can be guaranteed in the mastery of arms control. Whether these be weapons of mass destruction or conventional weapons.

(Mr. Sene, Senegal)

... Another subject that I would like to address is that of chemical weapons. I have already had occasion to say before this Conference how much my country, Senegal, is in favour of a ban that would make chemical weapons illegal and prohibit their use. The position of the Government of the Republic of Senegal remains unchanged and is based on the principle that the future convention, while protecting civil chemical industry and encouraging international cooperation in the area of the peaceful uses of chemical products, should, first and foremost, provide for the total destruction of present stockpiles and ban the use of these weapons. In order to do this, it must be universal and non-discriminatory. My delegation fully appreciates the extent of the work already accomplished by the Conference in this area. This is why I would particularly like to pay tribute to the dedication and competence with which Ambassador Adolf von Wagner of Germany, Chairman of the Ad Hoc Committee on Chemical Weapons, has been discharging his mission, and to assure him of the full cooperation and the constant readiness of my delegation to help him in his difficult task.

For all that, the Senegalese delegation is aware of the problems that have yet to be solved. But it remains convinced that we will achieve the aim of finalizing a convention this year if all those involved in the negotiations abide by this commitment by carrying out meaningful and pragmatic talks and demonstrating fully their political will. It goes without saying, as was stated by my colleague from Kenya in his statement on 14 May, that this desire to conclude a convention come what may before the end of 1992 should go hand in hand with a degree of caution because the outstanding questions deserve clear and well-thought-out solutions, especially in the area of verification of the chemical industry, inspections, the executive council and article XI on economic and technological development. Most certainly, with the necessary political will we shall of course be able to overcome these difficulties. This is what the entire international community expects from our Conference. We must not disappoint it.

(Mr. Sene, Senegal)

... Hence the importance conferred on the United Nations by its efforts to set up a new equilibrium in security matters through specific negotiations and agreements on arms control and disarmament. Of course, these negotiations

(Mr. Sene, Senegal)

cannot be separated from the other part of the international agenda devoted to dialogue on cooperation for development and the environment with a view to reducing the disparities in economic wealth and the structural imbalances between North and South in order to respond to the political and legal imperatives of a changing world. However extensive the role of the United Nations Security Council and General Assembly in the building of the new world order, the Conference on Disarmament, as a multilateral negotiating body, has a major contribution to make, as its agenda attests, to reduce the nuclear threat, prevent an arms race in space, eliminate radiological weapons and promote work on the comprehensive programme of disarmament. Especially as the Conference stands on the threshold of an unprecedented event, as you emphasized yourself just now, Sir, with the convention on chemical weapons which will doubtless mark the establishment of the most comprehensive system for security and cooperation in the history of disarmament.

... My Government commends the CD for the progress made in the negotiations for an international convention on chemical weapons.

Mr. EKSTEEN (South Africa):

... Foremost in the minds of everybody here is surely the finalization of a convention that will eliminate the scourge of chemical weapons. The South African Minister for Foreign Affairs confirmed on 9 January 1989 at the conference on chemical weapons in Paris the South African Government's commitment to the principle of complete and effective prohibition of the development, production, stockpiling and use of chemical weapons. On that occasion he declared:

"We are very much aware of the devastating effects of chemical warfare and my country quite rightly acceded at an early date to the 1925 Geneva Protocol.

"Chemical technology and the art of warfare have both been transformed since the adoption of the Geneva Protocol. A truly international convention banning the use of chemical weapons is sorely needed.

"South Africa stands ready to participate in any ... conference convened to elaborate such a convention."

That remains South Africa's commitment. You can rely on our fullest cooperation.

(continued)

(Mr. Eksteen, South Africa)

In this regard I want to convey my delegation's appreciation to the Chairman of the Ad Hoc Committee on Chemical Weapons, the bureau and the secretariat for the effort they have put into producing CD working paper 400. It is a well-structured document that could form a strong basis for item-transcending compromises in order to meet our deadline of finalizing the convention this summer.

... The quest for the complete elimination of the threat of nuclear war must be addressed soon and with conviction. With this in mind, it is of great concern that, with the obvious exception of the proposed chemical weapons convention, the Conference on Disarmament has not - at least during the time that South Africa has been an observer - achieved substantial progress on most of the other topics on its agenda. Targeted and real progress on well-focused issues of disarmament is in the best interest of all States, regardless of size and stature in the international community. The scope of progress always relates directly to the political will with which a problem is approached. The time has come, also here in Geneva, for some hard and creative rethinking on the approach to disarmament in the global as well as the regional context. An opportunity for the international community exists now. Let us grasp it with both hands.

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Mr. MANGACHI (United Republic of Tanzania):

... My Government commends the CD for the progress made in the negotiations for an international convention on chemical weapons.

The PRESIDENT (translated from Spanish):

... The first matter of importance to note is that which indicates to us that, after many years, this body is engaged in the finalization of an agreement on security and disarmament. The convention on chemical weapons is an instrument that will mark a watershed for many reasons. First of all, and I think this is obvious, owing to its intrinsic importance, because it will ban a whole category of weapons of mass destruction which were used in armed conflicts a very short time ago, and whose continued presence would be a latent threat. Secondly, the convention on chemical weapons will constitute an interesting example of diplomatic negotiations that are almost unique of their kind, given the interaction between defence, politics, science, industry

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(The President)

and trade that the convention brings together in a manner that I would venture to describe as unprecedented in the history of multilateral negotiations. To serve as President in one of the final months of negotiation on this convention is a privilege in itself and bears out the capability of multilateral forums to address issues of immense complexity and find proper responses to interests and perceptions that are as divergent and as numerous as there are delegations around this table. I think that is in itself a positive element which should give political decision makers food for thought at the moment when they are to decide whether to open up to multilateral consideration through the Conference on Disarmament the many issues that are still pending on the overall security agenda. The chemical convention will be an excellent example of what can be achieved.

Another line of thought that I should like to mention this morning relates to the membership of this organ. If we raise our eyes and look around us, we will be able to note the paradox that the number of observer delegations meeting this morning in this Council chamber exceeds that of the full members of the Conference. Many of those delegations are observers only in name, since their contributions to the negotiations are well known and I think most appreciated by all. I do not think it would be incorrect to say that the chemical convention includes a great many contributions from delegations that in theory are observers. This should help us to shake off the weight of decades that the Conference has allowed itself to accumulate concerning its enlargement. Our presence in this small group of permanent members should not cause us to forget that around us there are many delegations that have much to contribute and justifiably claim the right to do so as full members of this Conference. The question of the enlargement and the membership of the CD cannot wait. The quest for a wide variety of imaginative, democratic and practical solutions to this problem must begin now so as to arrive at a positive decision in 1993.

Another practical fact that I should like to mention this morning is the state and content of our agenda. I will not seek here and now to enter into ad hoc considerations about merits or defects, or even the topicality or obsolete nature of the items on our agenda, including the "decatalogue" of subjects that were identified - this is worth remembering - more than 15 years ago. The point of my mentioning this is simply to ask myself in your presence which are the items that increasingly feature in delegations' statements. Simple statistical observation based on a reading of the verbatim records will show - above and beyond the value of judgement we are required to make on each issue - that items such as transparency in armaments, the regional dimension of disarmament, confidence-building measures and non-proliferation in a broad and non-discriminatory sense are the items which are now perceived as real and pressing ones that offer a common denominator of concern to our capitals. This would seem to indicate that they should feature on the new operational agenda of disarmament sooner or later if this multilateral forum is to avoid becoming irrelevant. Perhaps the process may not be easy. Old habits are always hard to root out. But the effort has to be made. In our case, an impracticable agenda is the best guarantee of inaction. A great politician of our century, Jawaharlal Nehru, once said something that I think should be borne in mind when we are thinking about these matters: "A moment comes which

(The President)

comes but very rarely in history when we step out from the old to the new, when an age ends". To my mind, the finalization of the convention on chemical weapons marks one such moment for the Conference on Disarmament when change is not a frivolity but the act of imposing reality. This process will mark the end of one Conference on Disarmament and at the same time signal the beginning of another, one in tune with its times, the accurate reflection of the real security dilemmas at the end of this century. In any event, I hope that when, with the passage of time and the alphabet, a new representative of Argentina occupies this Chair, he or she will be presiding over a vigorous and active body, one that has been able to read the signs of the times instead of being overtaken by them. For the rest, I intend to give this term as President the tone of discretion and effectiveness that the times demand.

Another thing I thought that I should like to mention this morning relates to the membership of the Conference. It is a fact that the number of delegations will be the same as in the previous session. This is a very important fact for the Conference, since it shows that the Conference is still a body of 100 members, a body that is able to represent the interests of all the States of the world. I think that this is a very important fact for the Conference, since it shows that the Conference is still a body of 100 members, a body that is able to represent the interests of all the States of the world.

Another question that I would like to mention this morning is the work of the Conference. I think that the work of the Conference is very important, since it is the only body that is able to bring about a change in the international situation. I think that the work of the Conference is very important, since it is the only body that is able to bring about a change in the international situation.



(Mr. Villarroel, Philippines)

... We also welcome the great strides made in this Conference in the areas of chemical, biological, radiological and other new weapons. The Conference indeed plays a constructive role in providing a forum for the negotiation of comprehensive international agreements for the elimination of these weapons of mass destruction.

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Mr. VALENTINO (Malta):

... From statements heard by delegations during the first and second part of the session of the Conference on Disarmament, there is complete unanimity about the need to conclude a chemical weapons convention in the shortest possible time-frame. Malta welcomes the contribution by the Government of Australia in presenting the draft text for the chemical weapons convention, which is seen as a very valuable input in the ongoing negotiating process. The Australian initiative has certainly facilitated delegations in their work and efforts in speeding up the process for the early conclusion of the convention this year. Malta would like to see such efforts being further pursued by all delegations, especially those which are deeply involved in the present negotiations. Serious efforts on the part of the negotiators and an enhanced spirit of compromise should be given top priority during all discussions on the pending issues on the draft chemical weapons convention. We cannot proceed further unless such efforts are pursued in such a direction.

Despite the initiatives that have been taken by various delegations and policy statements of support by members of the Conference and distinguished personalities, we note that there are still important issues to be resolved, and this indicates on the part of certain delegations a lack of confidence in the discussions and negotiations on this important international security treaty.

Malta, which is unequivocally committed to the achievement of a total ban on chemical weapons, possesses no such weapons, nor has the means of producing them, nor the intention of acquiring them. Malta's stand in international forums has always been that of the total banning of all kinds of chemical weapons. We stress our complete opposition to all forms of chemical weapons, their manufacture, their stockpiling and their use. We reject without any reservation the justification that this is the poor nations' answer to nuclear weapons. Malta joined the Conference on Disarmament as a non-member in August 1991 due to the important negotiations on the chemical weapons convention banning the development, production and use of chemical weapons. Unlike other delegations which are well equipped to follow such negotiations, Malta feels that its participation was important in view of the fact that the treaty under negotiation touches upon one of the most sensitive areas -

(Mr. Valentino, Malta)

security of States - but at the same time its objective is to improve both international security and the security of each State party. Another important factor is that regarding the security aspect of the Mediterranean region, to which Malta attaches great importance.

Universal adherence to the chemical weapons convention is imperative, and Malta will be among the original signatories to the chemical weapons convention. Malta as a defenceless country looks to those countries which are involved in intensive consultations on a chemical weapons convention to spare no efforts to iron out the final difficulties, particularly those linked to the verification and destruction of chemical weapons. In conclusion, my delegation would like to support all the efforts of the Chairman of the Ad Hoc Committee as well as those of the chairmen of the working groups and the Friends of the Chair on the various issues being negotiated and that such affairs be aimed primarily at concluding the chemical weapons convention well in time this year in the interests of all developed and developing countries.

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Mr. KRALIK (Czechoslovakia):

... Today I am going to start with the item which is at the top of our agenda. In our lengthy negotiations directed towards a comprehensive and total ban of chemical weapons, it has become increasingly apparent, especially during the last year, that time is moving fast and there are unresolved questions still to be dealt with. I should like to begin by saying that we are coming close to the completion of many years of effort toward achieving a global ban on chemical weapons. We must not let such an opportunity pass us by. World public opinion is watching us with great interest. Accommodating moves in the area of verification, the crystallization of legal and technical aspects of the convention, as well as attractive, far-reaching offers of a site for the future international organization for the ban on chemical weapons, have had a wide response and support among the delegations, including my own. Working paper WP.400 is not only a basis for further negotiations; it is also a model for possible final compromise. Therefore the approach of the Chairman of the Ad Hoc Committee on Chemical Weapons and his team is welcomed and enjoys our full support. There is no longer much time left for reiterating well-known national positions. The political willingness expressed by practically all the participants in these negotiations should take shape in an acceptable compromise. Certainly nobody expects to be 100 per cent satisfied with everything and so a logical modus operandi should do away with any insistence on details which is often quite unnecessary. I know that some of them are extremely important, but perhaps we should be more

(Mr. Králik, Czechoslovakia)

concerned with creating the whole mosaic and not just with the sum of its parts, even if they may be perfect little stones. Sometimes I wonder if this enormous effort does not grow out of a fear that something has been forgotten or that one aspect has been overlooked in the text of the convention. What then? Will it be possible to correct it in the future? Will annual or other conferences of the States parties be able to reach an appropriate solution? I do hope that any kind of parallel with some review conferences which did not come up to expectations will not apply. In this case, the appropriately worded article XV in WP.400 on amendments and changes would have no sense. I have not the slightest doubt that in cases of need and given vigorous developments in the field of chemistry, the member States will certainly be able to make adequate general adjustments according to need and in the spirit and letter of the convention.

I would like to make a few brief remarks on some of the unresolved questions. Efforts to find an acceptable composition of the executive council must be crowned by a pragmatic formulation. Equitable geographical distribution certainly does not mean an equal number of seats, as in option 1. This is not at all in keeping with the understanding of geographical distribution which has traditionally operated within the United Nations framework. I am of the opinion that the executive body of the future organization can be most effective and flexible in decision-making and in finding correct solutions only if it is not of a discriminatory nature. The right of every country to take part in its activities with due respect to specific criteria, including that of industrial development, is appropriately reflected in option 2, that is, the distribution of seats within the framework of the traditional five United Nations groups. Variability, or rather, supplementation, is possible, but the basic framework according to United Nations structures, should be maintained. I have also welcomed the suggestion that the executive council would to some degree be involved in resolving such delicate questions like the timetable for the destruction of chemical weapons arsenals and the possible conversion of CW production facilities. This problem should be considered from every aspect with full awareness not only of the existing difficulties, but also of the capacities and experiences which future States parties to the chemical weapons convention have at their disposal and which they are willing to make available in order to find a comprehensive solution. Article XI is an indivisible part of the convention and therefore harmonizing it with the rest of the text as a whole must be based on an acceptable compromise. The unrestricted transfer of controlled chemical substances would be in conflict with the priority aims of the convention, with the banning and elimination of chemical weapons. Free access to chemical substances, while maintaining the basic rule of controlling the proliferation of means for the production or development of chemical agents, should be in the form of an enticement and as a logical reward for adhering to the convention. The financial application with the realization of the CWC should be at least partially balanced in just this way. The last area which WP.400 does not deal with is the headquarters of the future organization. All three candidates have their advantages and disadvantages. Many of us recently had a chance to judge this. I would like to use this occasion to

(Mr. Králik, Czechoslovakia)

also thank the representatives of Austria and the Netherlands who were our hosts in Vienna and The Hague. No matter what the final decision will be, I believe that both these cities, along with Geneva, will remain always in favour of a ban on chemical weapons. As far as the seat of the future organization is concerned, I am honoured to declare that I have recently informed the newly elected President Klestil of Austria that unofficial support for Vienna has now become the official position of the Czech and Slovak Federal Republic.

I would like to use this opportunity to put forward one procedural suggestion. It cannot be ruled out that our Conference will not be able to decide on the headquarters site by consensus from the very beginning. In the event that there would be some kind of a decision-making process (we could call it a vote), then I would urge that the winner of the secret balloting - and I leave the detailed procedure up to Ambassador Kamal - would be accepted as the compromise solution by consensus. But this is just an idea which I submit for your consideration. The other CWC problems are in the negotiation stage and so I will not reiterate our national standpoint.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland):

... Until August 1990, I had, frankly, given little thought to chemical weapons, beyond entertaining a half-baked idea that knock-out drops might one day be developed as the ultimate, humane weapon. Then Iraqi forces invaded Kuwait, some of them wearing protective masks. Many of us there recalled the horrifying pictures we had seen of Iranian victims of Saddam Hussein's chemical weapons. Over the following months, as we listened to BBC reports of NBC suits being issued to the coalition forces and civilians in neighbouring countries, the thoughts of those of us stranded in Kuwait turned frequently to chemical weapons and the possibility that we would find ourselves the helpless victims of a chemical attack. Fortunately, such an attack never materialized.

When I was posted here to Geneva, it was, therefore, with all the zeal of the convert that I approached the subject of the chemical weapons convention. I have been greatly impressed, and I confess surprised, by the serious and hard-headed way in which the negotiations on the CWC are now being pursued. I should like to pay tribute to the Chairman of the Ad Hoc Committee, Ambassador von Wagner of Germany, for the way in which, with a combination of whip-cracking determination, skilful diplomacy and gentle humour, he is leading us towards the conclusion of the convention. There is now a genuine and widely shared desire to secure the best treaty we can this year, and a realization that this is preferable to continuing to strive for a probably unattainable ideal. My Government certainly shares this desire.

I take this opportunity to thank Ambassador von Wagner for his efforts to fulfil the mandate entrusted to him by numerous delegations who spoke in response to the "model" convention introduced by the Australian Foreign Minister, Senator Gareth Evans, on 19 March. The Australian draft, by showing

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(Sir Michael Weston, United Kingdom)

how close we were to a complete treaty text, provided a valuable spur to our work. Subsequently, working paper 400, presented by Ambassador von Wagner on 18 May, has taken us further down the final straight towards the conclusion of the negotiations.

There are, of course, still a number of points to be decided. Crucial to the success of the CWC will be the degree of confidence States parties have in the compliance of others with the obligations which will have been commonly assumed. For this, the effectiveness of the verification provisions will be of key importance. The right for any State party to request a challenge inspection will represent a vital means for providing assurance about compliance, avoiding potentially damaging mistrust, and thus helping to ensure that the convention works and continues to work in the future. But this will only happen if the requesting State party has a clear guarantee of a prompt response to its concerns, in the form of an inspection and, where necessary, follow-up action by the executive council and/or the conference of States parties. As everyone here knows well, my Government could have accepted, indeed would have welcomed, a more rapid and intrusive form of challenge inspection than that which is set out in working paper 400. But this was not to be. We also wanted the challenging State party to have the mandatory right to send an observer with the inspection team. We still hope that a way can be found to make this proposal acceptable to all other delegations. The challenge regime that is now on offer provides fully for the protection of all legitimate security concerns. Any weakening of its provisions could seriously undermine a central pillar of the CWC as a security instrument.

The routine monitoring and inspection of chemical industry will also be an important element of the treaty to deter misuse of civilian plants and of industrially important chemicals. For deterrence to be effective, inspections must be widespread. To be cost-effective, they must also be well targeted. I believe that the compromise proposal put forward by Western Group delegations in working paper 398 offers a way of combining these two objectives in a simple, straightforward and non-discriminatory regime. I hope it will be given serious and positive consideration by other delegations and provide a way out of the current dilemma on the issue of "capability".

Effective verification will provide a solid foundation for the convention. In time, it is to be hoped, it will reduce and perhaps even render unnecessary other security measures such as export controls.

When we are taking such pains to create this solid foundation, we must also make sure that the edifice is sound. The definition of a chemical weapon must be clear and unambiguous; any exceptions must be clearly defined and spelt out to avoid circumvention of the treaty. Uses not prohibited under the convention include those relating to law enforcement and riot control. But if chemicals used for these purposes were entirely outside the purview of the convention, it would in the view of my Government be seriously weakened. It

(Sir Michael Weston, United Kingdom)

would not be known whether such chemicals were of a type consistent with these purposes. We believe that the wisest course is to limit the type of chemicals permitted, preferably by a list, or if that cannot be agreed, by specifying the types of chemicals that may be used. A requirement for declarations of chemicals to be used for law enforcement and riot control purposes would provide for the necessary transparency and confidence-building.

Another outstanding problem concerns old and abandoned CW. In the view of my Government, it is sensible to envisage some relaxation of the more stringent destruction requirements in the case of very old CW which the technical secretariat deems have deteriorated to the extent of being of no military use. But there must be a clear obligation for destruction of abandoned CW which may still have military potential.

The destruction of all CW within a prescribed period has always been a basic tenet of the convention. We are keen to retain this. If, as now appears to be the case, one major possessor foresees difficulty in meeting the 10-year destruction timetable which is set out in the draft convention, this problem will need to be tackled on the basis of specific proposals. But the obligation for destruction must remain.

One of the other major unresolved issues concerns the composition of the executive council. My Government attaches great weight to having an efficient and fully representative body to oversee the operation of this important convention. On the basis of the consultations which have been conducted by Ambassador Tóth in recent days, we believe that a solution to this problem can be found. It will also be important, in recruiting the staff of the technical secretariat, which will be responsible for the day-to-day operation of the convention, that the primary consideration should be the efficiency and effectiveness of the technical secretariat, with of course due regard being paid also to the importance of recruiting staff on as wide a geographical basis as possible.

Before turning to other aspects of the work of this Conference, I should like formally to announce that, having studied the various offers put forward by countries willing to host the seat of the organization, my Government has decided to support the Dutch bid. We were helped in arriving at our decision by the excellent paper presented by Ambassador Kamal. We were also helped by the visits to The Hague and Vienna, generously arranged by the Dutch and Austrian Governments respectively. We are confident that The Hague will be an efficient host for the organization. We hope that an early decision will now be reached, by consensus, on this issue, so that work can start on preparing for the implementation of the convention as soon as enough States have signed it, as I hope they will before the end of this year. I would note here the generous offer of the French Government to host a signing ceremony.

(Sir Michael Weston, United Kingdom)

My main objective today has been to put forward some thoughts on the chemical weapons negotiations. For the present, as we are all agreed, these must be the major preoccupation of the Conference. However, as a newcomer, I cannot let this opportunity pass without also casting a brief eye over the rest of our agenda. I find a striking contrast. In the case of chemical weapons, we are working hard and, in terms of the complexities of the subject and the broad composition of this Conference, effectively. We have a clear objective and a clear time-scale which we are collectively determined to meet. On other subjects, however, we seem to be totally stalled and to have no real common objective beyond lecturing each other.

The Conference has as its primary document the so-called "decatalogue", bequeathed to us by the first special session on disarmament in 1978. This is a reasonably comprehensive list of matters requiring attention if arms control and disarmament are to be pursued on all fronts. However, although the decatalogue has pride of place at the beginning of our report, every year we adopt a working agenda which seems to be perversely selected from those areas of the decatalogue where no consensus for multilateral action has proved possible - apart, of course, from chemical weapons. This is due both to the nature of the subjects themselves and to the appropriateness of the Conference as a forum for taking them forward.

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(Sir Michael Weston, United Kingdom)

... But first we need to conclude the CWC. When, several weeks ago, I first thought about what I should say on the occasion of my first statement in plenary, I intended to say something about the dire consequences, both for this Conference and for the world, of our failure to conclude a convention this year. Happily, however, it has become clear during recent weeks that the possibility of failure no longer exists. The only question is how good a convention it will be. For our part, we are determined that it shall be the best that can be achieved in the remaining weeks available to us.



(Mr. Yumjav, Mongolia)

... The negotiations on a chemical weapons convention have entered a final and decisive stage. The successful conclusion of a convention this year will not only prove the efficacy of our Conference but will also be a landmark in the history of disarmament. Mongolia supports the convening of a ministerial meeting this fall with a view to resolving outstanding political problems in the draft convention. We welcome the offer made by France to hold a signature conference for the chemical weapons convention in Paris before the end of the year. Such a representative gathering of dignitaries, in our opinion, will undoubtedly contribute to ensuring the universality of the future convention. My delegation welcomes the decision of the Russian Federation to assume responsibility for the elimination of all chemical weapons of the former USSR.

The Government of Mongolia highly commends Australian efforts aimed at speeding up the process of negotiations on the chemical weapons convention. The compromise draft convention submitted by Australia no doubt gave impetus to expediting discussions on various aspects of the convention. My delegation deeply appreciates the excellent contribution made by Ambassador Adolf von Wagner, Chairman of the Ad Hoc Committee on Chemical Weapons, the bureau and the German delegation in preparing working paper CD/CW/WP.400. We are convinced that this well-structured document, serving as a good basis for further negotiations, will meet our common aspirations to finalize the convention this year.

It is encouraging to note that in recent weeks negotiations have intensified on such complicated and unresolved questions as verification, the executive council and old and abandoned chemical weapons. It is well known that in the future convention challenge inspection is the core of verification. My delegation, like most others, subscribes to the opinion that the warning time for inspections should be kept short and that challenge proceedings should be kept simple. In addition, these procedures should match the interests of the challenged and requesting States parties. We have no

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(Mr. Yumjav, Mongolia)

objection to supporting the idea of observer participation in the inspection team. It is for this reason that my delegation supported the concept of graduated, managed access to challenged sites, contained in document CD/CW/WP.352, submitted last year by the delegations of the United States of America, the United Kingdom, Japan and Australia.

We are of the opinion that verification in chemical industries should be balanced. In this connection, my delegation expresses its profound thanks to the Swiss delegation for organizing, at the end of January in Basel, with the participation of Swiss chemical industries, a most useful symposium on chemical industry and disarmament.

As far as the composition of the executive council is concerned, I appreciate very much the efforts of Ambassador Tóth to reach acceptable solutions. In our view, the executive council should be based essentially on equitable geographical criteria, while also taking into account industrial criteria. It is also advisable to bear in mind the experience of United Nations agencies for allocating the seats of their executive bodies, in particular of the International Atomic Energy Agency Board of Governors. My delegation is against the excessive expansion of the overall size of the executive council's numbers. We have no objection to the improvement of the last options of Ambassador Tóth, based on geographical criteria, giving due consideration to small States' interests as well.

In the opinion of our delegation, the question of personnel representation of the technical secretariat is also of importance. In this regard, I wish to express my delegation's gratitude to the Government of Finland for training prospective inspectors from developing countries. I would also like to welcome similar initiatives announced by the Netherlands, Germany and Norway. Such efforts will no doubt contribute to equitable representation in the inspectorate of the technical secretariat.

My delegation sincerely welcomes the offers by Austria, the Netherlands and Switzerland to host the future organization for the chemical weapons convention and appreciates the efforts that they have made to provide the most favourable conditions for the future organization's functioning. My special thanks also to the delegations of Austria and the Netherlands for the generous hospitality extended to us during our visit to Vienna and The Hague. Concerning the site of the future organization for the prohibition of chemical weapons, the Mongolian authorities have come to the conclusion that The Hague should serve as the most appropriate one.

Mongolia, which possesses no chemical weapons, shares the view that the future convention will become universal and effective so long as it contains clearly expressed provisions for automatic assistance to States parties endangered by the use of chemical weapons irrespective of all other considerations.

Before concluding, I would like to confirm again our wish that Mongolia will become an original signatory to the convention.

Mr. GIZOWSKI (Poland):

... I will be brief. As we are coming closer to the completion of our negotiations of the chemical weapons convention, a number of decisions should be made on the few remaining issues. One of them is the question of the future seat of the organization. My delegation greatly appreciates the efforts of Ambassador Kamal of Pakistan to facilitate the decision-making process. We are grateful to the candidates and would like to commend them on the detailed manner in which they have presented the advantages of their respective offers and for their fair and sincere competition for the seat of headquarters. It is appropriate also to express our gratitude for the opportunity provided to us to get acquainted with the proposed candidates on-site. I am taking the floor today to announce that after careful analysis my Government has decided to support The Hague for the seat of the future organization for the prohibition of chemical weapons.

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(Mr. O'Sullivan, Australia)

... Secondly, I want to comment on another matter that has also been raised by several other speakers this morning. The Australian Government, like others, has been looking closely at the question of the selection of the site for the organization for the prevention of chemical weapons. We have had the advantage of three excellent bids and all sites, in our view, would be very competent hosts and well able to deal with the requirements of the organization for the prevention of chemical weapons. In weighing up the factors to reach a preference, we have tried to take careful account of economic, political, infrastructural, industrial and scientific elements. Obviously, in such a complex equation, there is not an absolute choice but, on balance, our preference is for The Hague.

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Mrs. BAUTA SOLES (Cuba) (translated from Spanish):

... I have received instructions from the Government of Cuba to thank the respective Governments of the Netherlands, Switzerland and Austria formally on this occasion for the balanced and generous bids they have tendered to this Conference in connection with the headquarters of the future chemical weapons organization. My capital has devoted careful attention to this offer. We should also like to express our special gratitude for the generous hospitality

(Mrs. Bauta Solés, Cuba)

we enjoyed in the cities of The Hague and Vienna during our recent visits to the two cities. The Government of Cuba has decided to lend its support to the city of Vienna in its aspiration to host the future chemical weapons organization. It also hopes that a decision on this subject will be a consensus decision of the Conference on Disarmament.

I do not wish to conclude without joining those who have thanked Ambassador Kamal of Pakistan this morning for the work he has been doing in connection with the consultations being held on the subject.

Mr. ROBERTSON (Canada): Mr. President, since I am speaking to you for the first time, let me also join those in offering you our best wishes in your tasks during this important month. The Canadian delegation became aware of the likelihood of the Feast of the Holy Sacrifice falling next Thursday only as a result of the last CWC bureau meeting, but it has given us a little while to think about what that might imply, and I am speaking now in our capacity as a single delegation and not on behalf of the Western Group, which we happen to be also the Coordinator for this month, because I have not had a chance to consult my colleagues. I fully sympathize with the wish of our Muslim colleagues not to work on Thursday next week and I believe it would be the wish of the Western Group to go along with that wish and to accommodate it. Saying that, however, I am not so sure that we would also want to agree with Ambassador Azikiwe's proposal that we shift the plenary to Tuesday or that we try to fit in for next week a second meeting on "Transparency in armaments", and I say that simply because I believe that in our present circumstances it is important that we not, by rearranging our programme, defer substantive work on the chemical weapons convention Ad Hoc Committee negotiations. So that led me, before hearing from our Norwegian colleague in his last intervention, to recall the fact that we do have a tradition of holding special plenaries for distinguished visitors, and having looked at the timetable it seems to me that the place where a special plenary might most easily be fitted in would indeed be the afternoon of Wednesday, 10 June or possibly even a brief interruption of our normal consultations among groups on Wednesday morning. However, the afternoon would be easier because we all do normally meet in the morning, and the two discussions that are taking place in the chemical weapons field on Wednesday are discussions at which normally experts participate, so that that should make it possible to staff both the plenary that afternoon and to continue work on the two CW issues. I don't know if that proposal would meet with general approval here and, of course, it would depend on whether or not State Secretary Mrs. Helga Hernes can be here and we don't know that yet. But I think that my inclination as a delegation, even though we had, in fact, planned to deliver a statement next Thursday on our own behalf which we can't have ready sooner, would be not to substitute a regular plenary but rather just to drop the plenary on Thursday and go on to next week's regular schedule. In other words, stick to the programme except for the fact that either we would have a special plenary on Wednesday perhaps, or possibly Friday, but not to try to replace the two meetings we would lose. The only other thing I would like to comment on is that this will mean that there will be a lot of secretariat personnel available on Thursday who will not be working, and that is unfortunate given our budgetary constraints, but I don't know how we can get around that unless those of us who are not going to be on holiday can find other things to do with their time that might use those resources.

Mrs. HERNES (Norway): May I first of all say that my delegation is very pleased to see you, Ambassador Moritán, preside over the Conference? This is a critical moment for the CD's efforts to negotiate a CW treaty and your wise guidance will, I am sure, contribute greatly to the success of these efforts. I would also like to express respect for the excellent leadership of Algeria's Ambassador Semichi in his period as President of the Conference. Since I spoke here last time, Ambassador Berasategui has taken over as Secretary-General of the CD, and we are very pleased to see him in this important position. He has often given kind assistance to our delegation in the past.

Once again we are meeting against the backdrop of significant achievements in the field of arms control. The obstacles to ratification and entry into force of the START and CFE treaties have been removed. The entire world community benefits from these developments. The CFE Treaty is a cornerstone of the new European architecture. It epitomizes a qualitatively new stage in European security relations. At the same time, it provides insurance against another build-up of conventional armaments with offensive capabilities. In other words, the CFE Treaty codifies the declared intention of the States parties to live in peace with each other and to refrain from the use of armed force except in response to armed aggression. This is why we welcome the 15 May Tashkent agreement among the States of the former Soviet Union on rights and obligations under the CFE Treaty. As confirmed at the Oslo extraordinary conference of the parties to the Treaty, this agreement provides reassuring evidence of the firm intention of the States concerned to contribute actively and constructively to European security and stability. We welcome this accomplishment in view of the many complex military and political issues intertwined with the question of the redistribution of CFE rights and obligations. Those parties which have not already done so must now ratify the Treaty as soon as possible. Ratification and entry into force in time for

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(Mrs. Hernes, Norway)

for their achievements in producing a complete and balanced draft treaty. The Australian draft text, presented in March this year by Foreign Secretary Evans, has also served to bring the negotiations forward. On the basis of these efforts a final result is now within reach, and this unique opportunity for a CW convention that can gain universal acceptance should not be missed. Norway is strongly committed to early accession to the treaty. However, complicated issues remain to be resolved in the few weeks ahead. In particular, we need to find an acceptable compromise solution as regards the verification regime. All the parties involved must show flexibility on all the outstanding issues. We must not allow our vision of a perfect agreement to prevent us from adopting a good one. We must not waste an historic opportunity because of lack of consensus on a few minor details.

In connection with the preparation of a CW convention, Norway has for the last decade submitted technical studies to the Conference on Disarmament on verification of possible use of CW in the field. We are about to submit the eleventh report in this series, which deals with operating procedures for sampling and sample handling. A programme for training experts and scholars from developing countries in taking samples in the field is now also being offered by Norway. It is believed that the training programme will also be of benefit in the control of insecticides in developing countries.

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(Mrs. Hernes, Norway)

... In recent years major achievements have been made in the area of disarmament. The CFE and START treaties represent cornerstones in this development. The NPT regime has been strengthened. A CW treaty could be a fitting culmination of the arduous efforts of the Conference on Disarmament over many years. It would not, however, make the CD superfluous. There are many important challenges for the CD in the years ahead. Transparency in armaments and the questions of non-proliferation are important issues to

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(Mrs. Hernes, Norway)

consider in the future. There is clearly a need for the CD as a multilateral negotiating body. But we also see a need for this Conference to become more efficient. The agenda, which is largely inherited from the past, should be attuned to the most urgent security problems of the day.

Mr. AZIKIWE (Nigeria):

... The first part of my statement today will deal with our work in the Ad Hoc Committee on Chemical Weapons. The prospects of concluding an effective and verifiable chemical weapons convention are now far more promising. Despite minor differences, there are clear indications that the time is now ripe to get down to the final drafting of the convention. My delegation recalls that the Australian Minister for Foreign Affairs and Trade, Senator Gareth Evans, last March in a plenary statement introduced a text. Though not an alternative or substitute for the "rolling text", it offered a model for the acceleration of the ongoing negotiations.

Similarly, the consultations conducted by the Chairman of the Ad Hoc Committee during the inter-sessional period have borne out the importance that delegations attach to the early conclusion of a convention.

(continued)



(Mr. Azikiwe, Nigeria)

My delegation commends the efforts of Ambassador von Wagner in producing working paper 400 for the final phase of the negotiation. Although chemical weapons have become an inescapable part of the human heritage, Nigeria remains committed to the early conclusion of the convention.

We do not assume the pretentious posture that the remaining obstacles can be subjected to simplistic solutions. The international community, however, has the obligation to strive together in resolving the remaining problems. The convention is within reach and a spirit of mutual concession is required on the part of all delegations in ensuring a balanced agreement that would enjoy universal adherence.

The chemical weapons convention is of special significance to Nigeria's nascent chemical industry. The importance we attach to the convention stems from our desire to achieve an agreement consistent with global security concerns, but at the same time guarantees that the development of our chemical industry will not be unduly impeded. In other words, there should be a balance between the security concerns of the convention and the developmental needs of the States parties. States parties to the convention should be seen to be deriving benefits denied to non-States parties.

My delegation is still concerned that the proposed restriction of certain chemicals would adversely affect a wide range of industries in the chemical field, because of their heavy dependence on the importation of raw materials, including chemical agents. Indeed, it could result in supplies being hampered, creating protracted delays and the resultant escalation in their prices. We believe that the existing export control measures in the chemical industry should be abolished when the convention enters into force. Article XI of the convention should be credible and devoid of any loopholes that could be exploited to the disadvantage of States parties. We should avoid such measures that would weaken the provisions of this article, bearing in mind the potential benefits. The convention should not be seen as creating a split regime in any article, rather it should help to foster international cooperation in the field of chemical activities amongst States parties.

The success of any disarmament agreement depends on the level of confidence the States parties have that others are fulfilling their obligations. Verification primarily performs this function. Verification is not an end in itself, but an essential element in the process of achieving arms limitation and disarmament agreements. The verification arrangements and procedures for the future chemical weapons convention should be fair, equitable, non-discriminatory and must not be unduly intrusive. It must not jeopardize the economic, technological and social development of States parties.

We are, however, concerned at the current attempts to create a more stringent verification regime for schedule 3 production facilities than their schedule 2 counterparts. The schedule 2 chemicals pose a greater risk to the convention than the schedule 3 chemicals. Thus, it seems logical to maintain

(Mr. Azikiwe, Nigeria)

a tighter control on chemicals in terms of their recognized risk to the convention. This should subsequently be reflected in the required threshold for inspection.

While the conduct of routine inspection should be left to the technical secretariat, we believe that challenge inspection is, however, qualitatively different, since it is initiated by a State party, and intended to address some specific doubts and concerns. This gives it a political and sensitive character which has made the negotiation of article IX rather difficult. Obviously, the image of a State party, the challenged State, will be at stake. My delegation feels that the inspection procedure should be a collective exercise from the beginning to the end. Hence, the executive council should be involved in decision-making both before and after the inspection. Adequate measures, however, must be taken to discourage frivolous and abusive requests from States parties.

Nigeria believes that the executive council should play an important role in the implementation of the future chemical weapons convention. In this regard, we support the principle of equitable geographical distribution and the importance of chemical industry in allocating regional as well as global seats in this body. We note with satisfaction the current efforts of Friend of the Chair Ambassador Tóth of Hungary in finding a common formula. My delegation earlier indicated its preference for the first of the two options as contained in his non-paper of yesterday. Whatever criteria applicable should be universal.

The issue of financing the organization is equally important. Without adequate funds, the implementation of the convention will be in jeopardy. We believe that every State party should contribute to the running of the organization. However, any scale of assessment devised should reflect the specific nature of the convention, bearing in mind the chemical industry capacity of States parties.

Mr. ALMUSAWI (Iraq) (translated from Arabic):

... This year the work of the Conference on Disarmament is moving actively towards concluding a convention on a chemical weapons ban. While we appreciate most sincerely the efforts being carried out here to conclude the convention, we and many other peoples of the world hope to see a convention which will rid our planet of all chemical weapons without exception. The accession by all countries to this key convention, its objective and rigorous implementation and the non-inclusion of any measure that would impede scientific progress in developing countries or constitute a means of intervening in their domestic affairs are among the elements for its success. Furthermore, universal accession to the convention and its equal application to all countries, large or small, are exceptionally important to ensuring that no State party finds itself at the mercy of a State that is not party to the convention or another State party which fails to implement its terms.

Furthermore, despite the extreme importance attributed by the international community to a chemical weapons ban, this question should not be the sole focus of attention from this unique multilateral negotiating forum on disarmament. Progress should be made in other areas, particularly those falling within the competence of the ad hoc committees on nuclear weapons, given the maximum priority that the tenth special session of the United Nations General Assembly attributed to effective measures for nuclear disarmament and the prevention of nuclear war.

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(Mr. Almusawi, Iraq)

... Although the majority of the world's countries attach importance to international efforts on nuclear disarmament, this is a matter of exceptional importance to our Arab region due to its inherent instability, which stems from Israel's possession of nuclear, chemical and biological weapons, its occupation of the territories of more than one Arab State and its refusal to acknowledge the legitimate national rights of the Palestinian people, first and foremost among these being its right to self-determination and to establish an independent State on its national soil.

Because of its refusal to accept foreign domination and hegemony, my country has for some time been the target of an unjust campaign which assumes various pretexts. The campaign reached its height in the use by the United States and its allies of armed force against my country on the pretext of implementing Security Council resolution 678 (1990). However, many facts have revealed that the true goal of the aggression against my country was to destroy its life and economic infrastructure. In this respect, I must quote Mr. Martti Ahtisaari, the envoy of the Secretary-General of the United Nations, who said in his report on his visit to Iraq from 10 to 17 March 1991 that the recent conflict had wrought near-apocalyptic results on the economic infrastructure of Iraq. In this brutal military aggression, the bombs dropped on my country were equivalent to seven of the nuclear bombs dropped on Hiroshima. The United States and the United Kingdom also used various weapons which are banned internationally, including depleted-uranium (U-238) bombs containing toxic chemicals and radioactive materials which threaten to cause large-scale human and environmental disaster.

(continued)

(Mr. Almusawi, Iraq)

... The Special Commission and the International Atomic Energy Agency have carried out 37 inspection missions involving nuclear, chemical and biological weapons and ballistic missiles, and Iraq has cooperated with the team of inspectors in the context of their mission, as stated in detail in the letter from the Foreign Minister of the Republic of Iraq to the Secretary-General of the United Nations and the President of the Security Council dated 23 January 1992, yet despite this, certain influential States in the Security Council, particularly the United States and Great Britain, continue to cast doubt on the position of Iraq. Obviously, there are many reasons for maintaining this atmosphere of suspicion, including the wish to justify the criminal acts perpetrated during the military operations against Iraq outside the framework of resolution 678, and the wish to use the suspicion as a pretext to maintain the economic blockade imposed on the Iraqi people and to benefit from the powers and immunities extended to the inspection team with a view to interfering in the domestic affairs of my country. I regret that I must state most bitterly in this forum that measures for arms limitation and verification have come to be used as a tool in the hands of the influential States for perpetuating their suspect policies, without the slightest regard for the principles that should govern the action of the United Nations, such as objectivity, neutrality, integrity, professionalism and scrupulous commitment to the provisions of the Charter and international law.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland):

... At the beginning of the representative of Iraq's statement I was quite touched, almost moved to tears indeed, by the concern which he was showing for the people of the Middle East and for the stability of the area. And I agree with him that there are very special reasons why Iraq should be involved in any negotiations on chemical weapons. I might suggest to him that there are reasons other than the desire of the Western countries to perpetuate their hegemony over Iraq why it is that the Security Council has taken the measures it has taken against his country. The suggestion that the use of armed force against Iraq was on the pretext of anything is totally rejected by my delegation. It was to put an end to an unprovoked act of aggression against a small neighbouring State, and as far as my delegation is concerned we are proud of what we did.

I am also quite amazed to listen to what the Iraqi representative says about the effect on the environment of the actions of the coalition forces. I can only suggest that he should go to Kuwait and see the effect on the environment there of what has been done, which has been brought about by the action of the Iraqis, where they have turned the desert into sea, a sea of oil, and where for a while they turned day into night.

(Sir Michael Weston, United Kingdom)

I see absolutely no reason for the United Kingdom to have to cast doubt on the position of Iraq. It seems to me that there is no doubt and that the position of Iraq with regard to chemical and nuclear weapons is absolutely clear. It is a totally irresponsible attitude, and nothing which the Iraqi representative says will convince us otherwise. I would also reject the suggestion that the reason for the maintenance of the "blockade" against Iraq is anything but Iraq's failure to accept the United Nations Security Council resolutions.

I am sure we were all touched by his concern for the Iraqi people. It is surprising that there are any Iraqis left after the actions taken against them by his Government using any weapon to hand, including chemical weapons.

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Mr. ALMUSAWI (Iraq) (translated from Arabic): I will start with your remark, Mr. President, and say that I very much appreciate your view that we are in a negotiating forum where everyone expresses his or her opinion and leaves it to others to draw their own conclusions.

I regret the words used by the representative of the United Kingdom and find them inappropriate to this negotiating forum. I see no reason for his surfeit of anger unless he really believes that his country and the coalition forces exceeded the mandate specified under resolution 687 and began systematically to destroy Iraq under the veil of international legitimacy. My statement merely spoke of the fear that arms limitation and control measures would come to be used as a weapon by certain States to interfere in the

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(Mr. Almusawi, Iraq)

domestic affairs of other countries. I think this is one of the basic concerns preoccupying all delegations to the Conference on Disarmament and all those interested in the questions of international peace and security, transparency and so on. It was therefore logical for me to articulate our experience and he may articulate his own. However, I regret the words used and the allegations that Iraq used chemical weapons; I think this is a tune which is now well worn. He can tell me which forbidden weapons were used by the coalition forces against my country, against peace-lovers and against safe refugees. They include the depleted uranium to which I referred in my statement.

The PRESIDENT (translated from Spanish): I declare open the 623rd plenary meeting of the Conference on Disarmament.

First of all, I should like to extend a cordial welcome in the Conference to His Excellency the Minister for Foreign Affairs of the Islamic Republic of Iran, Doctor Ali Akbar Velayati, who will be our first speaker at this plenary meeting. The Minister has paid us frequent visits to set out his views on the items before the Conference. His presence today comes at a particularly important moment in our negotiations on the prohibition of all chemical weapons, an issue of top priority on our agenda on which he has specially focused in his statements at the Conference. We all know that he has had very good reasons to do so, as his country has been a victim of the use of those weapons of mass destruction. We are now very close to an agreement for which the Minister has worked since his first visit to the Conference on Disarmament on 16 February 1984. I am certain that we can count on his cooperation to successfully complete our negotiations, in which all the members of the Conference are playing a most active part.

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(Mr. Velayati, Islamic Republic of Iran)

... The successful conclusion of negotiations on a chemical weapons convention has emerged as a real possibility in 1992. The sense that this year will prove to be pivotal in the CWC negotiations has heightened global interest in the effort and stimulated anticipation of a positive result. We have been striving hard for a comprehensive ban on chemical weapons. There was, ironically, minimal international attention while our people were being victimized by these weapons and we had to endure severe military implications resulting from their use. Even under the most pressing circumstances we avoided any attempts to acquire these deadly weapons. There was hope that, at last, there would be concerted international action to stop the use of chemical weapons against us. That hope never became reality and the barbarous weapons were used right through the last stages of the war. It is sad, therefore, to see that the convention approaches its fruition only at the cost of tens of thousands of innocent people. We welcome, nevertheless, that the convention is within reach this year provided that a reasonable balance is struck between the legitimate concerns of all negotiating parties. After eight years of war which caused unimaginable ruin and destruction, we need to devote all our energy and resources to reconstruction. For this any discriminatory restrictions with no relevance to the CWC may cause irreparable adverse effects on our industry and economy.

(continued)

(Mr. Velayati, Islamic Republic of Iran)

But this is clearly not just our concern, as it has been evident that many developing countries share the same view. Article XI, in its final form should ensure access to technology while all restrictions parallel to the convention are removed. Developments in the field of industry should not be hampered, but rather promoted, for the betterment of mankind as the result of the convention. It should also be envisaged to compensate for any restrictions and intrusions imposed through verification procedures.

It is of paramount importance for any arms control and disarmament agreements to have a reliable verification system. There is going to be the first global international verification organization with direct and indirect implications for all aspects of the national life of States. The International Atomic Energy Agency was set up to regulate the peaceful use of nuclear power and does not verify nuclear disarmament in the sense of actual reduction of nuclear weapons. Moreover, no other disarmament treaty involves the control of a whole industry. Constraining widely available dual-use chemicals and technology with both civilian and military applications will be a daunting task. The provisions for verification under article VI should be aimed at confidence-building, while any suspicion of non-compliance should be dealt with under article IX, including challenge inspection. Efforts should be made to avoid a system of verification of chemical industry that may undermine confidence by creating an institutionalized level of suspicion. Excessive verification may possibly have counter-productive confidence-degrading results. There is no doubt, on the other hand, that the costs of verification of industry will be shifted onto prices and, therefore, affect the whole national economies of the developing countries which are the end-users of these chemicals. The indirect costs including security costs, regulation costs and red-tape costs will also be borne mainly by the developing countries. Another important factor is the implementation of the convention. One may tend to focus rather too much on the negotiating process in Geneva and too little on what might follow. The trouble-free implementation of the CWC should not be taken for granted. History includes many examples of negotiated measures not being implemented as planned, or at all. In this context, a viable, cost-effective and non-discriminatory verification system turns out to be a determining factor for the future implementation of the CWC. The proposals tabled by 11 developing countries and China are aimed at securing this objective. This, along with other proposals by the 12 indeed present a compromise solution for most important issues that had remained unresolved. I hope to see that this initiative will continue to be studied seriously and considered constructively. Through this, we maintain our hope for the early conclusion of the convention. Efforts should be aimed at arriving at a consensus convention whose universality is guaranteed. In the meantime, it is of the utmost importance to prepare the ground for the entry into force of the convention. Nobody here seeks to conclude the convention this year and await its implementation for many long years as in the case of the Convention on the Law of the Sea. To that end it is imperative, in parallel with intensified negotiations, to work out arrangements to address security concerns of regions. So far as the Middle East countries are concerned, the biggest obstacle in the way of adherence to the CWC is the intransigent aggressiveness of Israel. It is universally acknowledged that Israel possess undeclared nuclear weapons



(Mr. Velayati, Islamic Republic of Iran)

and thus has an effective nuclear monopoly in the area. It is also common knowledge that Israel has the capability to launch biological and chemical warfare. It is, at the same time, party to neither the non-proliferation Treaty nor the 1972 biological weapons Convention. There must be adherence to the NPT and putting all Israeli nuclear facilities under IAEA safeguards as well as adherence to the BWC. Steps may then be followed to materialize the idea of a Middle East free from nuclear and other weapons of mass destruction.

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Mr. PEREZ-VILLANUEVA (Spain) (translated from Spanish):

... Today, as I was saying, I will if I may briefly outline to this assembly a new experience carried out by Spain in an area that is still at the focus of interest in the negotiations on chemical weapons, and I will do so briefly because, I acknowledge, the Spanish experience is perhaps of greater interest at another time in the negotiations than it is today. However, I would like to stress that I am submitting it to this assembly on behalf of my Government with the conviction and in the belief that it might be useful at this point in time and properly demonstrate the interest of Spain, my country, in the convention on chemical weapons, firstly, and secondly might show that my country's commitment to the text of a future, and I hope immediate, convention on chemical weapons remains firm and resolute.

Almost a year ago, Spain had the honour of submitting to this Conference on Disarmament the results of a first trial inspection carried out in a chemical plant, following the procedure that was then taking shape for routine inspections. At the time I announced that, under the plan envisaged by my Government, a new trial inspection would be carried out in accordance with the terms and provisions laid down for challenge inspections. This inspection, moreover, would be carried out on an undeclared military facility. Accordingly, I now have pleasure, in keeping with the plan in force since then, in submitting to you, Sir, and the participants in this Conference the results of Spain's experience with a challenge inspection on an undeclared military facility, which are contained in a report that has been allocated the symbol CD/1152.

I should say from the outset that the task was not an easy one, and called for coordinated efforts on the part of various agencies, although for perhaps this very reason it has been very useful indeed as a source of enlightenment for my Government, the Spanish armed forces and my delegation. In order to make this as useful an exercise as possible, it was decided from the beginning not to spare any human or material resources, and to choose as complex a military facility as possible and one that would be appropriate for

(Mr. Pérez-Villanueva, Spain)

a credible mock challenge involving a member of the future treaty on chemical weapons. The choice fell on a large multipurpose military base with a wide variety of buildings and facilities ranging from the simple storage of munitions to research in that area and the safekeeping of sensitive weapons. The detailed analysis of the phases and the most salient features of this inspection produced, as I have said, a great deal of information that is directly applicable to our own experience in this area, and to analysis of the practicability of the provisions of the treaty, as we now know it and as it is now taking shape.

The following are some of the findings of the trial inspection. First of all, challenge inspection is both indispensable and also an instrument of last resort. No routine inspection by the permanent organization could ever resolve the well-founded and legitimate doubts that a member country of the treaty might have at a given point in time because of the attitude of another with regard to compliance with obligations entered into. But challenge inspection has to be an exercise of last resort, because of the inherent risks for the challenging country, which takes on a heavy responsibility vis-à-vis the international community in denouncing another State party which is already, in that capacity subject to other verification measures. In addition, the difficulties generated by an inspection of this type in practice confirm this status as a last resort.

Secondly, the time elapsing between notification of the challenge and the effective commencement of the inspection by a team sent by the organization must be as short as possible. Otherwise the inspection itself would become meaningless, a costly, gratuitously intrusive and ultimately futile exercise. It is difficult to accept, for example, at the end of the twentieth century, that for purely geographical reasons the time-frame for the transfer of inspectors from the point of entry to the actual facility to be inspected should have to be as long as we have heard proposed in our debates on occasion. The national security of the challenged State offers more justification for an extension of the time-frame, but even in that case there are instruments which in our experience make it possible to minimize the total amount of time that the inspectors would take to get down properly to their task.

Thirdly, the observer of the challenging State, who participated in this exercise raised definite difficulties. One observation at the outset: it is difficult to imagine an exceptional procedure like this one, triggered at the prompting of a member country, being carried out without the slightest participation of the latter. If the aim of the challenge inspection is to allay the legitimate fears of a country, logic dictates that it is essential for the observer to be present, as the representative of that country, who has to carry out a very strictly circumscribed function. This is precisely where the difficulty lies, in precisely defining those limits. The observer is indispensable, but if he is present to an "excessive" extent during the inspection this could distort its very purpose and could lead the inspected State to refuse to accept the team of inspectors.

(Mr. Pérez-Villanueva, Spain)

In the Spanish experience the observer encouraged the activities of the team of inspectors, and observed their work, but did not control the conduct of the inspection. He was kept constantly informed, but his opinion was not decisive, nor, of course, did he cast a veto on any concrete action by the team of inspectors. A witness, yes, but not an inspector.

Fourthly, the system of managed access to the inspected facility proved particularly useful. Specifically, it helped greatly to alleviate the difficulties involved in determining the final perimeter - difficulties that seemed serious at first sight. In particular, and as an example, the random access for the team of inspectors to a number of large tunnels that have been dug out of the mountainside for storing gunpowder and sensitive material, which are equipped with "suspicious" systems of forced-draught and filtered ventilation, enabled them in this case to ascertain that the tunnels did not conceal anything that was contrary to the treaty. And this would also be possible in a real inspection. Even so, it is especially important to limit access to information obtained by the inspectors to a strict minimum number of persons and grades in the permanent organization. Important or unimportant information, on the staff or equipment of the inspected facility, maps, the exact geographical location, communications and so on. All this is the exclusive property of the inspected State and there seems to be no reason for this type of data to be publicized improperly.

Fifthly, challenge inspections are expensive. Spain easily quantified the direct costs of this type of exercise. The indirect costs are obviously more difficult to pin down, such as the man-hours of civil servants and military personnel which are therefore difficult to put into figures, but are undoubtedly worked, and must be taken into account. But these costs are part of the price that Spain is prepared to pay for the security provided by this type of inspection in the framework of an effective verification system under the provisions of the convention.

Spain rounded off this exercise with the conclusion that the pros far outweigh the cons, but it also had the opportunity to note something that I have already pointed out in the past, which has proved to be of particular importance: that challenge inspections must as far as possible be carried out with the active and wholly willing cooperation of the inspected State, which must have an interest in demonstrating full compliance with the provisions of the treaty.

Mr. RASAPUTRAM (Sri Lanka): Mr. President, thank you for your kind words. First of all, let me congratulate you on your assumption of the presidency for this month. Having done such excellent work on outer space, you have shown professional abilities in conducting these sessions in the most able manner, and I am very pleased that you are presiding over the session on the last day I am in the CD. I have been here for three years. When I came I was practically in the seat just opposite the seat I am occupying today, so I have gone practically half the way round the square and, during this period, we have seen much progress. I remember the work done by Ambassador Hyltenius and Ambassador Batsanov in chemical weapons, culminating in the work that is being carried out today by Ambassador von Wagner, and in this particular area we are hoping that it will be a complete success before the end of this year. I remember once Ambassador Batsanov at a dinner party wanted a prediction as to when the chemical weapons convention could be completed. I think I did the prediction quite well when I said that it might be completed by the year 1992 - I think he has this prediction in his purse even now. I must also thank my colleagues for the excellent support and cooperation given to us during my stay here. I must also say that the secretariat, under the leadership of Ambassador Berasategui, gave me full assistance and cooperation during the term I was presiding over the session, for which I am really grateful. We are hopeful that all these matters regarding disarmament will come to the CD rather than being discussed outside the CD, thus the CD's importance will be enhanced in the future. Let me finally thank you, Sir, for giving me this time, interrupting this particular session and giving me this valuable time to make this very brief statement.

(Mr. Zahran, Egypt)

... Both Ambassador Shah, the permanent representative of India, and the representative of Kenya earlier expressed the views of 19 non-aligned States during the meeting of the Conference on 27 February 1992, in document CD/PV.612, concerning the second and third items on the agenda, namely Cessation of the nuclear arms race and nuclear disarmament, and Prevention of nuclear war. The Egyptian delegation, however, wishes to add some relevant points as confirmation of its concern with these two important items which affect the peace and security of mankind. The interest of the Conference on Disarmament in the current negotiations on the draft convention on a chemical weapons ban, which are currently in their final stages, should not be to the detriment of our concern with the nuclear items. These nuclear items have been included in the agenda of the Conference on Disarmament as a reflection of the will of the international community to provide a suitable framework by regarding the Conference on Disarmament as the sole negotiating forum in the United Nations to deal with questions of disarmament. Nuclear weapons are considered to be the most dangerous weapons to threaten the peace and security of all mankind. To that effect, General Assembly resolution 1653 of 1961 stated that the use of nuclear weapons is contrary to the laws of humanity and constitutes a crime against civilization. As long as nuclear weapons remain a threat it is the responsibility of this Conference to expose, confront and suppress this danger. This is the genesis of items 2 and 3. We wish to put on record our regret that the Conference has so far been unable to establish ad hoc committees for these two items notwithstanding the submission of a draft mandate on item 2 by the Group of 21 on 27 July 1989, contained in document CD/819/Rev.1, and of a further draft mandate on establishing a committee on item 3, contained in document CD/515/Rev.5.

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Mr. ARTEAGA (Venezuela) (translated from Spanish):

... In the statement I am going to make, I should like to refer very briefly to the question of chemical weapons. The Conference on Disarmament is moving towards the conclusion of work relating to the draft convention on the prohibition of these weapons. At this time we must strive to resolve rapidly the problems still outstanding in these negotiations, namely the issues of challenge inspection, verification, the composition of the executive council, economic and technological development, old and abandoned chemical weapons and financial aspects of the organization. The Chairman of the Ad Hoc Committee has been unstinting in his persistent efforts. He has provided us with a restructured text of the draft convention which has enjoyed our careful consideration. What we have to do now is to focus on reaching consensus on the formulas proposed. The Ad Hoc Committee has stepped up its efforts, which we can describe as extraordinary, so as to reach definitive agreements on the formulas contemplated and proposals submitted by a number of delegations. We expectantly await the text of the draft convention which Ambassador von Wagner will submit to us next week.

(Mr. Arteaga, Venezuela)

Verification is one of the central pillars of the future convention. It is in everyone's interest that this system should be as effective as possible. Effective does not necessarily mean excessively costly. We should achieve a balanced cost-effectiveness ratio through the system to be adopted. Otherwise we would run the risk of creating very complex machinery which might lead to an excessive and even unnecessary number of inspections and a heavy financial burden which developing countries would find it hard to shoulder. The issue at hand, rather, is to create a system designed, through its various aspects, to ensure the effective application of the convention, including its persuasive nature, and to verify those activities that can really be considered as being in breach of the convention, or capable of being steered in that direction.

But the convention should guarantee and respect the right of developing countries to chemical industry development for peaceful purposes. Concrete provisions on economic and technological development and international cooperation in the peaceful applications of chemical activities have been included in the draft convention. We hope that the problems outstanding in these negotiations will soon be solved. We reiterate the need to adopt a system designed to ensure the unlimited peaceful development thereof.

In respect of the question of costs, the delegation of Venezuela supports the inclusion in the draft convention of clear provisions on the responsibility devolving upon countries possessing chemical weapons to cover the costs relating to the destruction of their stockpiles and production facilities, as well as their verification, without losing sight, of course, of existing bilateral agreements on this subject. We understand that the organization for the prohibition of chemical weapons should play a role in this context, but it should also be clear that there are many countries that have not produced such weapons.

Equitable representation of all parties is an essential element which should characterize the composition of the future decision-making body of the convention, the executive council. We express our gratitude to the Ambassador of Hungary, Tibor Tóth, for the efforts he is making to find a common formula. Because of the particular character of the future convention, the "industrial" element can hardly be discarded. None the less, we believe that this is not the fundamental principle. It is necessary to seek a proper balance between the latter and a fair equitable geographical representation on the Council.

We wish to express, as the official position of the Government of Venezuela, our support for The Hague as the headquarters of the future organization for the prohibition of chemical weapons.

Mr. BENHIMA (Morocco) (translated from French):

... In this context, which is favourable to a stepping up of our work, we would like to emphasize the need to strengthen the role of the Conference, whose effectiveness depends on its capacity to negotiate disarmament agreements in all areas of its mandate. At this stage I would like to quote His Majesty King Hassan II, who, speaking at the Security Council summit last January, stated that the strengthening of the United Nations and the enhancement of its role in maintaining international peace and security required the international community to address disarmament matters seriously. An enhanced awareness of this priority and a more determined political will to deal with it could strengthen our hopes that the coming of the twenty-first century that mankind is preparing to welcome will be marked by the commencement of general and complete disarmament. Nevertheless, the current year will be crucial for the Conference, because 1992 will crown years of arduous and complex negotiations for the conclusion of a convention banning chemical weapons.

(continued)

(Mr. Benhima, Morocco)

In this context, my delegation shares the view that the cornerstone of the future convention should be an adequate system for verification of compliance with the obligations arising out of the treaty. Only a system that is strict but at the same time free of abuses could create confidence among States parties when inspections are being carried out. Inspection procedures must scrupulously respect the objectives and purpose of the treaty. They cannot in any way be used for partisan purposes beyond the limits specified in the convention. Nevertheless, in order to guarantee the credibility of such operations, the bodies entrusted with inspection should have the necessary capabilities that will enable them to make a proper evaluation of compliance with the terms of the treaty. In other words, verification operations in their diverse forms should not lead to any misunderstanding that would be prejudicial to one or other of the parties involved.

These are the principles which we think should be taken into consideration for the success of the difficult negotiations dealing with verification. In the final analysis, my delegation considers that a climate of confidence and cooperation should prevail in the conduct of verification operations, and in our view this should come to the forefront in the texts and articles concerning this aspect of the treaty.

The banning of chemical weapons should not lead to the placing of obstacles along the path of the development of research and the expansion of production in civilian chemical industries for peaceful purposes of development and cooperation. My delegation considers that this is a vital issue in the negotiations, and we hope, moreover, that the entry into force of the future treaty will constitute a qualitative step forward in this area and that all obstacles will be removed in order to build up true confidence among the parties. We also see in this the most appropriate means of ensuring the universality of the treaty.

Likewise, the executive council will have a task that is no less important. Consequently, its membership should reflect the necessary balance among the various parts of the world. From this point of view, geographical criteria should be preponderant in the allocation of seats. Nor can we ignore the presence of parties with specific interests, such as those with developed chemical industries. Nevertheless, my delegation would like to underscore the special interest it attaches to the principle of rotation, which should ensure that everyone has an opportunity to sit on the Council.

My delegation wishes to congratulate Ambassador von Wagner, who is making major efforts to ensure the success of the work of the Ad Hoc Committee. His open-mindedness and the commitment to compromise which inspires him will, we are convinced, help overcome the difficulties that still exist. We would also like to welcome the contribution made by the Australian delegation.

Finally, my delegation wishes to emphasize the importance of the preparations that have already been embarked on by various delegations that are organizing training courses for chemical experts. These preparations will



(Mr. Benhima, Morocco)

have a positive impact on the establishment of the machinery whose task it will be to ensure the application of the convention. We would therefore like to thank the delegations of Finland, Germany and the Netherlands that are carrying out such a necessary task.

I have an opportunity today to confirm on behalf of my Government that Morocco does not possess any chemical weapons and has no intention of producing or acquiring any. In addition, my delegation intends to become an original party to the future convention.

(Mr. Batsanov, Russian Federation)

... The prohibition of chemical weapons was another important subject discussed at the summit. The discussion resulted in a joint statement on chemical weapons, the text of which I shall read in English, since the final version of the Russian text is not available to us yet.

(continued in English)

"President Bush and President Yeltsin stressed their continuing commitment to the global elimination of chemical weapons. They expressed their conviction that the Geneva negotiations on a multilateral convention banning chemical weapons can be concluded by the end of August. They agreed to instruct their representatives accordingly, and called on all participants in the negotiations to do their utmost to achieve this goal. They expressed the hope that a ministerial meeting could be convened in that time-frame to approve the convention.

"The two leaders underscored their support for the 1989 Wyoming Joint Memorandum on phased confidence-building measures in the area of chemical weapons destruction, and agreed to implement the new, cooperative provisions for detailed data exchanges and inspections included in the Joint Memorandum as soon as arrangements can be completed. They also agreed that the June 1990 bilateral chemical weapons destruction agreement would be updated and brought into force promptly."

Mr. DIMITRIJEVIC (Yugoslavia):

... The statement of His Excellency Mr. Velayati, the Foreign Minister of Iran, whom we welcome in our Conference, reminded me of the old saying "God save me from my own friends, with enemies I will know how to deal myself". The situation in Bosnia and Herzegovina, as well as in other war-torn parts of my country, is tragic. The suffering of the people dragged into hatred and confrontation is unprecedented in modern times, at least on European soil. Nobody can, or should, hide the tragic consequences of the

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(Mr. Dimitrijevic, Yugoslavia)

wrong perception of historic and political interests of one's own people. But there is no link whatsoever between events there and those which took place in the time of the Gulf crisis. Every better-educated student of international relations and of international law can tell that to His Excellency Mr. Velayati. I suggest to my colleagues from the delegation of Iran, with whom my delegation and I maintain very friendly relations, to seek proper advice from their experts in international law and international relations. We, on our part, are ready to extend that expertise as well. I do apologise to you, Mr. President, to the distinguished Ambassadors and to my colleagues, since in this august body the Conference on Disarmament, only the words of wisdom and the will to contribute to the elimination of the sources of confrontations in the world should be addressed and heard. We have another saying: "When one's roof is in flames, do not add to the trouble." Precisely because of those convictions, I decided to depart from our agenda since His Excellency Mr. Velayati had made that choice himself. Allow me to conclude with very warm support and welcome for the extraordinary agreement between the Presidents of the United States and democratic Russia. This is to be seen as a new source of inspiration for the successful outcome of our efforts in this Conference, particularly with regard to the speedy conclusion of the convention on the chemical weapons ban.

Mr. AZIKIWE (Nigeria): I will be very brief. Mr. President, you will recall that last Monday Ambassador Kamal of Pakistan, in his capacity as a Friend of the Chair, had informal consultations with the individual heads of delegations on the outstanding issue of the future headquarters of the organization for the prohibition of chemical weapons. My delegation wishes to take this opportunity to thank him for his tremendous efforts in carrying out this delicate assignment. Another consultation has been scheduled for tomorrow, Friday, in which my delegation will participate. We have no doubt that the positive work achieved so far will bring about consensus choice. At this stage, Mr. President, I wish to announce that I have been instructed by my Government, Nigeria, to support the Dutch offer to host the future headquarters of the organization in The Hague.

Mr. TABATABAEE (Islamic Republic of Iran): Since issues were raised vis-à-vis the statement made by my Minister, I wish to mention a few points. Mr. Velayati's speech was mainly an effort to contribute to our negotiations on the CWC. We thought that almost everyone present here had noticed that the lecture was, for this purpose, very technically oriented, and I only wish to register my delegation's surprise at the political interpretation of that lecture. We wish to request delegations to read the text which was distributed more carefully.

(The President)

... As far as chemical weapons are concerned, there is little I can say, and perhaps in fact it would not be advisable to go into matters of substance at this time, at the eleventh hour of the negotiations, when our capitals are preparing to carry out the final appraisal of the text that we have laboured to produce, under the tireless leadership of Adolf von Wagner. Yet the negotiation of the chemical weapons convention, especially over the past few weeks, offers very interesting analogies in the context of this analysis in that it has given us a picture of what the Conference on Disarmament should be - a living entity, a vigorous body with agendas that change rapidly in response to the dynamic of negotiation. A Conference that is too taken up with negotiations to dwell on the repetition of old models and outdated slogans or to become involved in subtle procedural ploys which lead only to the waste of the time and resources made available to us by the United Nations is not exactly what some of us think this negotiating body should be. A Conference that should and can project its negotiating momentum into other spheres of international security - this is what my delegation at least would like to see.

We are now entering the final stretch of a set of negotiations and it is inevitable that queries will arise about the future of the Conference once the chemical weapons negotiators take a rest from their efforts. In our opinion the responses to these existential queries facing the Conference are on the table and are called, for example, regional disarmament, confidence-building measures, prevention of an arms race in outer space, cessation of nuclear tests, nuclear disarmament, transparency in armaments, non-proliferation in a broad sense, transfer of dual-use technologies. I think that the ground is very large and very concrete. It is not a matter of a list of recipes for the polemics or the dialogues of the deaf characteristic of an era that is now - thank God - behind us, but a really operational agenda. As from 1993 we will

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(The President)

have to put some order in our work and make headway in those areas where conceptual clarity is greater so that a start can be made on pre-negotiating work, subsequently moving on to broach other subjects. I also think that in 1993, as I said in my opening statement, the Conference on Disarmament should give satisfaction to those States which are not members of the Conference and which for a long time now have been waiting for the honouring of a commitment that all of us assumed quite some time ago, which is the enlargement of our body. To my mind the Conference should give a very clear and prompt indication on this matter, and perhaps we should all give some thought to the desirability of giving a clear indication in our report to the General Assembly this year.

... Four weeks ago I said that serving as President involved, inter alia, much to do with chance and administrative routine. There is nothing wrong with that - indeed, sometimes leaving things to chance gives good results. As from the next plenary meeting your work will be guided by the Australian delegation through our friend Ambassador Paul O'Sullivan. It would really be a good omen - no doubt the fruit of chance - if the Conference on Disarmament concluded the convention on chemical weapons under the presidency of a country which, like Australia, has contributed so much to these negotiations and which, last March, transformed the psychological atmosphere in these negotiations in the space of one plenary meeting. I extend my most sincere hopes that that will happen. For my part, on my behalf and on behalf of my delegation, I would like to thank you all for having facilitated my task. To the Secretary-General and his small but efficient team of assistants, as always, the thanks of the Argentine delegation. I leave this podium and return to my seat.

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(The President)

... In this new world, the Conference on Disarmament should play a useful role. It should negotiate new instruments to create and embody norms of behaviour that lead to greater security at lower levels of armaments. It should institutionalize that multilateral cooperation to which I referred by producing agreements that would be practical instruments of inter-State cooperation and enhanced security. It should be characterized by flexible and creative approaches to arms control and disarmament. Whether it will indeed play such a role is the challenge for us in this Conference. It would be a fateful indicator of the prospects for international cooperation for instance if the CWC cannot be successfully adopted in our next session.

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(The President)

But conversely, if we are indeed able, while respecting our differences and subordinating our maximum wishes, to reach a level of mutual tolerance that provides us with a concrete result in the form of a CWC, we will have sound reason to be optimistic about our capacity to make other wise judgements. We will send a signal that the Conference on Disarmament has a role to play in the new environment in which we find ourselves.

In this regard I should like to recall just how complex and demanding the task is of concluding the chemical weapons convention. As you know, I have had the opportunity of representing my Government in a number of bilateral and regional consultations about the CWC. In every case, my interlocutors have been struck by the ambition of the enterprise here: its technical complexity and political sensitivity. This agreement has been in gestation for so long precisely because it is difficult to achieve the combination of political leadership, industrial support and bureaucratic acceptance that is needed across so many countries and by so many interested individuals and groups.

Yet for all that, we are almost there. Six and a half decades after our predecessors could agree on a one-page Protocol banning, in effect, the first use of chemical weapons, we are on the verge of completing that job, making the ban comprehensive, providing for its verification and enhancing our security by this form of cooperation. There may indeed be some costs in implementing the complex text, as the Iranian Foreign Minister, Mr. Velayati, frankly reminded us last week, and we should not ignore those costs. But there will also be the benefits of improved security and an equal commercial basis for trade in relevant chemicals. On balance it will be a good deal, and we will all be better off with this treaty than we would be without it.

In this connection I am pleased to report to the Conference on Disarmament on the results of a meeting of South-East Asia and South Pacific States held in Sydney over last week-end earlier this week. Twenty-four regional States met for the fourth meeting of the Chemical Weapons Regional Initiative launched by the Australian Prime Minister in 1988 to consider how to prepare for the implementation of the chemical weapons convention. At the conclusion of the seminar a statement was issued, and I have asked the secretariat to distribute it as a document of this Conference. In that statement all participants noted that their countries were not producers of chemical weapons and had no intention of developing, stockpiling, deploying or using such weapons. They confirmed that their Governments were giving favourable consideration to the call by the United Nations General Assembly for all States to commit themselves to becoming original States parties to the chemical weapons convention. In preparation for signature of the convention, and as a confidence-building exercise in the region, participants recommended that their Governments exchange statements containing such declarations on chemical-weapons-relevant matters as will be required under the chemical weapons convention and as provided for in WP.400/Rev.1.

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(The President)

Because of our dialogue with our regional partners Australia is conscious of the demands which the CWC will place on developing countries, particularly those small States with limited bureaucratic and administrative resources. We stand ready to assist our regional colleagues in developing their knowledge and understanding of the convention and in developing appropriate legislative and administrative responses in order to discharge their obligations effectively. Australia's Foreign Minister, Senator Evans, has said to our neighbours that costs alone should not be a reason for any regional State to decide against participation in the Convention.

For the immediate future, of course, we have specific tasks. We now have, thanks to the great work of Ambassador von Wagner and his team, a draft chemical weapons convention. We will need to consider it together during the coming inter-sessional period and then exchange views about it on our resumption of formal meetings on 20 July. We have had yesterday, and will have later today and tomorrow, the opportunity to hear Ambassador von Wagner explain the contents and the balance of his draft. We are going to have to come to grips with some difficult choices, putting aside what any individual State might prefer in the interests of the collective good. There is no doubt that we are now at one of those points where individuals, international institutions and national Governments have to find common ground even if some pain is involved.

In this respect Senator Evans commented earlier today, and I quote him: "While WP.400/Rev.1 is not in every respect our preferred outcome, ... that is the nature of any compromise text. Everyone will have to give up some of their ideal positions. While reserving final judgement, I believe that this text will be effective in providing a convention which dramatically advances the cause of global disarmament. The world community must seize this opportunity. No one will claim that the most complex and intrusive international instrument ever established, and the CW convention will be just that, is going to be perfect. But it can and will provide practical means, for the first time ever, for the international community to prevent the production, acquisition, stockpiling and use of chemical weapons." That concludes my statement.

(Mr. Vargas, Chile)

... The first priority is the approval of the convention that will ban chemical weapons once and for all. The Mendoza Agreement signed by my country along with Argentina and Brazil, to which I referred earlier, which has received major support from other Latin American countries in the region, offers further testimony of our will for peace. We wish to be among the first to sign the future convention on chemical weapons and to play an active role in its executive council, which must be formed with a feeling for regional balance and efficiency. We also think that the follow-up machinery and confidence-building measures provided for in the draft that was submitted by the Chairman of the Ad Hoc Committee on Chemical Weapons this week will constitute a decisive step in the revitalization of this very important body. In this connection, the efforts and the efficient work carried out by Ambassador von Wagner of Germany in discharging his function as Chairman of the aforesaid Committee deserve all the praise my country can offer. My Government will give very careful consideration to the draft, but as of now I can tell you that once these negotiations have been completed, crowning with success 24 years of illusions, ideals and efforts, Chile will be pleased to offer to host a regional seminar to provide information about the salient features of this agreement, particularly its verification and inspection machinery, so that countries are in a better position to implement this important convention.

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(Mr. Vargas, Chile)

... I have left to the end an aspect which is certainly not the last in terms of priorities, but it is the most complex one in the quest for a solution: the role of science and technology in disarmament, security and development. We have observed with interest the recent events in the framework of the technological development of weapons systems and the efforts that groups of countries are making to control the spread of nuclear technologies, dual technologies and ballistic missiles, through the "London Club" of nuclear suppliers, the Missile Technology Control Regime and also the group of the five major weapons exporters. We note that any regime for technology control is fragile and transitory by nature. Yet the progress of science and technology is an irresistible process that cannot be halted through treaties, agreements or national legislation.

The efforts that I have referred to are laudable, but they should be guided into multilateral channels. There will indeed be proliferation of nuclear weapons unless tests stop and all atomic arsenals are gradually disarmed. If progress is made towards their total prohibition, by means of regional agreements that would culminate in a multilateral convention similar to the one which seeks to prohibit chemical weapons, the objective of ending missile proliferation will have been attained.

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(Mr. Vargas, Chile)

Technological development is closely connected with two other major concerns of mankind: the conversion of the arms industries, which presents enormous difficulties of all kinds, especially for the protection of the environment, as has been seen in the negotiations on chemical weapons. Another concern, which has been included, like the previous ones, in the chapter on the development of legal instruments in the United Nations Conference on Environment and Development's Agenda 21, has to do with nuclear safety, which is seriously threatened by the obsolescence of nuclear plants, the dumping of nuclear waste in the oceans and the improper management of such waste. The debate on conversion runs the risk of being too theoretical. An interesting key is to be found in the prospect of the environmental applications of military technologies, as dealt with by the General Assembly in resolution 44/228. In Chile, the Minister of Defence, Dr. Patricio Rojas, scheduled a seminar which offered an opportunity to learn how defence agencies had compiled valuable data on oceans, marine ice, the Antarctic, atmospheric pollution, natural resources, the atmosphere, hydrological systems, soils, various ecosystems and other environmental processes. The relationship between the environment and military technologies was also of interest to the Rio conference that urged continuation of work to enhance protection of the environment from any mass attempts to cause destruction on a large scale in times of armed conflict. Chile is taking the necessary steps to accede to the 1977 Convention on environmental modification techniques, and is also prepared to participate in efforts to broaden the Geneva protocols and conventions on international humanitarian law in order to mitigate the impact of military activities on the environment.

Mr. ROBERTSON (Canada): Mr. President, since this will be the first Canadian intervention since your assumption of the presidency, let me begin by expressing our pleasure that, at a really crucial phase of the work of the CD, we will be guided by someone of such proven skill and competence. Your term in office will see us through virtually the final phase of the CWC negotiations as well as the production of the major elements of our report to the forty-seventh session of the United Nations General Assembly - the technical part and the reports of the ad hoc committees, special coordinators, etc. Australia has already played a key role in the CWC process, not only in the past but earlier this year in pushing forward our work on the CWC through the tabling by Senator Evans of your model text, and also for example in Ron Morris' work on article VI verification and your own recent efforts as moderator. We in the Canadian delegation are confident that you will provide the determined leadership required during the coming key weeks of our work. I would also like to take this opportunity to express our thanks and appreciation for the contributions of your two immediate predecessors, Ambassadors Semichi of Algeria and García Moritán of Argentina. Finally, I would like to say a special farewell to our departing colleagues, Ambassadors Rasaputram of Sri Lanka and Calovski of Yugoslavia, and to my friend Jayantha Dhanapala, with all of whom we in our delegation have had such excellent relations.

Clearly the achievement by the close of our work this year of an effective CW convention must continue to be our main collective priority. Canada's own commitment to that goal has been made perfectly clear already, through our long-standing and ongoing participation in the work of the ad hoc committee and its various subgroups, so ably and dynamically led by Ambassador von Wagner. Today, however, I am not going to speak about our work on the CWC. Instead, I shall focus on another equally, indeed possibly even more, important issue: that of nuclear weapons, the dangers of their proliferation, and the need for a nuclear test ban. In addressing these issues today I do so in the ironic context of the fact that, even as the second phase of our 1992 CD session draws to its close, it has not yet been possible for us to reach agreement on setting up an ad hoc committee on this agenda item.

Mrs. RAUTIO (Finland): Mr. President, the delegation of Finland associates itself with the words of pleasure expressed by the previous speakers to you, Sir, when you today assumed the presidency of this Conference.

I have asked for the floor to introduce the latest "blue book" which has been circulated as a CD document (CD/1155). The "blue book" of the year is a joint report of laboratories which participated in the third round-robin test. In my presentation today, I will mainly deal with the conclusions of the test that are of more general interest than the analytical details.

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(Mrs. Rautio, Finland)

The third round-robin test comprised two parts, an analytical laboratory exercise and a written study. The laboratory exercise simulated the kind of analyses that will be carried out in accredited laboratories under the future convention. The Netherlands undertook to prepare the samples. As samples in the future will have to be sent to accredited laboratories, a written study on procedures for sampling, sample preservation, packaging, coding, methods to guarantee sample integrity, transportation, and storage in laboratories was carried out as the second part of the third round-robin test. Both the analytical test and the written study on sampling and transportation were coordinated by Finland.

The aim of the laboratory exercise was to analyse and unambiguously identify scheduled compounds and related materials in three matrices: concrete, paint and rubber, associated with the inspection of a military facility. In addition, laboratories would report on the methods employed for analysis of these samples and the criteria and instrumental methods used for the identification and confirmation of the chemicals of interest. Only chemicals belonging to schedules 1-3 and any related chemicals for which agreed-upon identification criteria were met were to be reported to the coordinating laboratory.

The aim of the written study was to collect experiences and views of the participating laboratories on the aspects of sampling and transportation of samples. These topics are extremely important for the whole verification procedure.

The three sample matrices were spiked with chemicals belonging to the mustard family, agents and their degradation products. Chemical background was added to the samples to simulate a realistic situation in military facilities. The samples emphasized very well the difficulties involved in the identification of trace levels of chemicals in samples with high chemical background.

The laboratories knew that the samples were to simulate those collected at a military facility, but regretted the lack of identification of the blank samples. This time the identification of blanks had been left to the laboratories, and this precluded their use for testing the recoveries of identified chemicals. On the other hand, the detection of scheduled chemicals in the blanks served to underline the importance of including unidentified blanks among the samples to test for cross-contamination. Inclusion of unidentified blanks among the samples to be delivered to laboratories by the technical secretariat has now been added to the recommended procedures for handling background and control samples.

In this test three laboratories were able to use only one spectrometric technique, and this means that their results do not meet the criteria for unambiguous identification.

(Mrs. Rautio, Finland)

Some laboratories reported mustard degradation products which were not unambiguously identified. This can be considered acceptable as long as the parent schedule 1 compounds, mustard or its derivatives, were unambiguously identified. If only degradation products are found; however, their identification must be unambiguous. Degradation products are of less value for verification than the parent compounds. In this test, reporting of degradation products was considered important since as yet there is no comprehensive list of all degradation products relevant to the future convention.

The third round-robin also underlined the importance of thorough discussions among the experts within a laboratory. Not even three spectrometric techniques are reliable enough if the results are not drawn together for final identification of relevant compounds. One senior person should be responsible for checking the consistency of the results obtained with each technique and for accepting the final report. In the course of the work, the senior person could also ask for more experiments to clarify ambiguities between results obtained by different methods.

Stringent quality control and quality assurance programmes will be extremely important for the future accredited laboratories. Quality control procedures will be required to allow the laboratories to assure the technical secretariat of the accountability and traceability of data. The quality of the reported mass spectrometric data underlined the need for guidelines for data recording and quality control.

In addition to controlling the quality of instrumental methods, it is very important to control the quality of the whole analytical procedure, including sample preparation. Testing of sample preparation methods would reveal any cross-contamination in the laboratory. Correct interpretation of the analytical results is important, as demonstrated by the detection of mustard in samples containing thiodiglycol after their treatment with chlorinating agent.

For the first time, false identifications of schedule 1 chemicals were made in the round-robin tests. The reasons for the errors differed for the different compounds and laboratories. For VX and BZ the mass spectra were of poor quality, and although they showed some points in common with the reference spectra of pure VX and BZ, the fit was very poor. Only one spectrometric method was used for identification.

Mustard was erroneously identified by three laboratories in concrete samples. One laboratory reported mustard on the basis of retention data, although no mass spectrometric confirmation was obtained. Another laboratory had probably added chlorinating agent to the samples, resulting in the conversion of thiodiglycol to mustard. For the third laboratory the reason is not clear.

(Mrs. Rautio, Finland)

Detection of alkyl methylphosphonates and thiodiglycol at trace level in many of the blanks and spiked samples points out the danger of cross-contamination in the laboratory. One laboratory unambiguously identified methylphosphonic acid and methyl methylphosphonate in the blank concrete sample. Cross-contamination in the laboratory was eliminated by checking all solvents, reagents and glassware. Methyl methylphosphonate was not present in the laboratory as a reference compound. The origin of the chemicals in the blank remained unclear.

The analytical part of the "rolling text" of recommended operating procedures was enlarged by several new methods. New procedures were compiled for tasks related to the written study on sampling and transportation of samples. Some of these new procedures incited considerable discussion between the laboratories, and compromises, for example, in sampling procedures, have been made for practical reasons. The new procedures should help the future technical secretariat in the planning of its first inspections.

Round-robin 3 revealed the need of the future technical secretariat for many accredited laboratories. Laboratories may not be available for analyses at all times. Down time for equipment failure or installation of new units, sickness or departure of key scientists, and too tight a work schedule - all these are normal occurrences in analytical laboratories. A network of laboratories would enable the technical secretariat to select for a particular task those laboratories that can perform the task reliably and quickly.

This test also showed the necessity for an accreditation process. New laboratories should be accredited only after their performance has been tested and approved. Laboratories must be equipped with instruments allowing unambiguous identification, skilled analysts must be available, and quality control procedures must be implemented.

Concrete, paint, and rubber were shown to be good sample matrices for verification analysis because mustard agents and related degradation products can be isolated and identified from these matrices. Sample preparation does not require overly complex methods, so these matrices are also feasible for on-site use. The test showed that on-site analysis would have identified samples that required confirmatory analyses in off-site laboratories. In this case the spiking chemicals were relatively stable in the selected matrices and were easily detected even three to five weeks after preparation of the actual samples.

The detection of false positive chemicals emphasizes the importance of accepted identification criteria, quality control and quality assurance procedures, and interpretation of data. Solving the problems of transportation of toxic chemicals will require further negotiations with authorities responsible for the safety of air traffic.

Mr. HLAING (Myanmar): Mr. President, allow me, first of all, to offer you our warmest congratulations on behalf of my delegation as well as on my own on your assumption of the presidency of the Conference on Disarmament for this month. Your vast experience and extensive expertise in the field of disarmament will go a long way in guiding the negotiations in the CD to a successful outcome. Australia has made considerable contributions in our negotiations on a CWC. Your assumption of the presidency during this crucial phase of negotiations will provide an added impetus to the early conclusion of a CWC. May I also express our deep appreciation to your predecessor Ambassador Roberto García Moritán of Argentina, for the skilful and effective manner in which he steered the work of the CD during the tenure of his presidency? My delegation would like to extend a warm welcome to His Excellency Dr. Edmundo Vargas, Under-Secretary for Foreign Affairs of Chile, who has honoured us to address the CD despite his manifold duties. His statement contained important points to which my delegation listened with great interest. May I take this opportunity to welcome to our midst Ambassador Yoshitomo Tanaka of Japan and Ambassador Sir Michael Weston of the United Kingdom, who have recently joined us in the CD? Ambassador Dr. Juraj Králik of Czechoslovakia and Ambassador Dr. Warnasena Rasaputram of Sri Lanka have just taken leave of us to assume other important responsibilities, and we wish them every success in their new endeavours. Our good wishes also go to Ambassador Dhanapala, who is leaving UNIDIR to rejoin the Sri Lankan Foreign Service. We wish him further success. My delegation also takes pleasure in conveying our warmest congratulations to Ambassador Berasategui on his recent appointment as the Secretary-General of the CD. Ambassador Berasategui is an epitome of the competence and continuity which have always characterized the work of the Department for Disarmament Affairs.

This year 1992 is a landmark year for chemical weapons. Pursuant to United Nations General Assembly resolution 46/35 C, we in the CD are currently concentrating our efforts on CW negotiations with a view to achieving a final agreement on CW convention before the end of this year. Accordingly, I should like to devote my statement today to chemical weapons. One cannot talk about the current negotiations on a CWC without recognizing the significant and substantial contribution made by Ambassador von Wagner of the Federal Republic of Germany to the work of the Ad Hoc Committee on Chemical Weapons in his capacity as its Chairman. His breadth of vision, his tireless efforts and his pragmatic approach to negotiations combined with his sense of humour have contributed to much progress in our negotiations. Our tribute also goes to other distinguished members of the bureau of the Ad Hoc Committee for their invaluable inputs in this crucial stage of negotiations on a CWC.

Progress being made in the CD towards the conclusion of a CWC is being followed with great interest and high expectations by the international community. Since the conclusion of the ENMOD Convention in 1977, the CD has not been able to produce a concrete multilateral arms limitation and disarmament agreement through those 15 long years. The successful conclusion of a CWC at this juncture will give a great impetus to the role of

(Mr. Hlaing, Myanmar)

multilateralism in the field of disarmament in the post-cold-war era. The urgent need for a successful conclusion of a CWC cannot therefore be overemphasized. It must, however, be stressed that quality should not be sacrificed for the sake of speed, and that it is essential to produce a really good convention which will ensure universal adherence.

In this crucial final phase of CW negotiations in the past few weeks a great many delegations have taken an active part in the negotiations and a number of them have come forward with concrete proposals and alternative formulations which prove to be helpful in our movement forward. Among the concrete proposals placed on the table are the amendment proposals put forward by a group of 12 developing countries, including my own, contained in working papers CD/CW/WP.402 through 409. May I take this opportunity to reaffirm here that these amendment proposals from G.12 are intended to quicken the momentum of rapid progress towards the early conclusion of a CWC? These amendment proposals are offered in a genuinely constructive spirit; and are aimed at facilitating the successful and expeditious conclusion of such a CWC.

During the continuous and intensive negotiations on the basis of the amendment proposals by G.12 from 9 to 19 June several delegations made invaluable contributions. However, these negotiations have not been able so far to produce agreed texts in certain areas; and differences still remain in the positions of delegations on some key issues.

At the meeting of the Ad Hoc Committee on Chemical Weapons on 22 June, the Chairman of the Committee Ambassador von Wagner presented a revised text of the draft convention (CD/CW/WP.400/Rev.1). We owe our thanks to the Chairman of the Committee and members of his delegation for having done a difficult task in such a short time.

The ban on the use of chemical weapons has been only a partial one under the 1925 Geneva Protocol owing to the reservations made by a number of States parties. My delegation is gratified to note that the legal regime for banning the use of CW will be further strengthened to cover the whole gamut under the future CW convention by making its prohibition complete and without any exception under article I. We subscribe to the view that the future CW convention should not, however, preclude the legitimate non-hostile uses of herbicides and riot control agents which do not come under the definition of chemical weapons. We are happy to observe that this point of view will be reflected in the future CWC, following the agreement among the delegations on this issue.

The question of the composition of the executive council under article VIII is a matter of great importance and much interest to many delegations in the CD. My delegation has expressed its view on this matter in the Working Group. While recognizing the relevance of an industrial criterion, we feel that the time-honoured principle of equitable geographical distribution should form the main basis for the composition of the executive council. My delegation attaches immense importance to the principle of rotation among

(Mr. Hlaing, Myanmar)

States parties and has proposed that this principle be reflected as one of the guidelines for election to the executive council. We are happy to see the reflection of this principle in the latest working paper dated 18 June, prepared by the Friend of the Chair Ambassador Tóth. .

Last but not least, we warmly applaud the Friend of the Chair on the question of the seat of the future organization, Ambassador Kamal of Pakistan, for the commendable manner in which he has accomplished an extremely delicate task. Our warm congratulations go to the Netherlands delegation whose country will now have the honour of playing host to the future organization for the prohibition of chemical weapons.

A comprehensive chemical weapons convention will certainly be one of the most significant multilateral agreements in the field of disarmament. Let us make it a really good convention.

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Mr. HUSSEIN (Iraq) (translated from Arabic):

... The statement made by the Secretary of State of the United States exposed the attempted deception on the part of the Minister for Foreign Affairs of Iran when he spoke of the obstacles impeding accession by the Middle East countries to the chemical weapons convention. The problem of security in our region, to which the Iranian Minister for Foreign Affairs also referred, can be solved only by adopting uniform criteria, by creating confidence based on respect for sovereignty and non-interference in the internal affairs of other States, by respecting the aspirations of the peoples of the region to self-determination, by renouncing the selective application of international law and by recognizing the need for all the countries of the region to participate in guaranteeing its security. The attempt to isolate some of the main protagonists in the Gulf is only part of a scheme which is being pursued by the United States in one way or another; a scheme which is well known to all countries, including Iran.

To bewail the credibility of the Security Council in regard to the implementation of its resolutions is inconsistent with the well-known past record of Iran, which refused to accept Security Council resolution 598 (1987). Iran is still obstructing the application of this resolution as an integrated and cohesive peace plan because the real policy of Iran is not a policy which seeks genuine peace based on justice and international law. This attitude is also inconsistent with Iran's violation of that resolution by refusing to return the Iraqi prisoners of war who have been held captive for more than 10 years in spite of the cessation of military operations on 20 August 1988 and in spite of Iran's involvement in the dispatch of subversive groups to



(Mr. Hussein, Iraq)

Iraq and the mob violence and political disturbances that it incited after the end of the military aggression in March 1991. Moreover, Iranian military aircraft carried out air raids on Iraqi territory on 5 April 1992.

The Minister for Foreign Affairs of Iran, when he spoke of the credibility of the Security Council, should have referred to the fact that the Security Council did not take any measure to call Israel to account or punish it when it committed a blatant act of aggression in 1981 against the Iraqi nuclear reactor which was intended solely for peaceful purposes. At that time, the Security Council remained silent on the question of Israel's nuclear, biological and chemical weapons programmes. He should also have referred to the double standards applied by the Council when it formulated a systematic policy for the destruction of Iraq's economic structure and weapons.

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Mr. RANJABAR (Islamic Republic of Iran): Mr. President, first of all, allow me to express my congratulations on your assumption as the President of the Conference on Disarmament at this crucial stage. What I want to say is just to advise the distinguished delegate of Iraq to refer to the statement of the Minister for Foreign Affairs, Dr. Ali Akbar Velayati. I would just like to mention that this statement is composed of three parts; first, nuclear disarmament, then chemical weapons disarmament and third, transparency in armaments. All those parts should be studied in a very compound basis. And the other point we should like to emphasize is the fact that Iraq invaded Iran. This is undeniable and has already been established by the United Nations Organization. This fact anyhow is beyond any argument. On the question of air attack on Iraqi territory which the distinguished representative of Iraq right now pointed out, I shall say that this question concerns the mujahidin who had invaded the Iran border several times. This terrorist group was supported by Iraq and now also this group is being supported by the Iraqi regime. It was just a short response to the invasion by the terrorist group of the cities of Iran.

Mr. MARIN BOSCH (Mexico) (translated from Spanish):

... A few months ago we had occasion to take stock of the Conference's work on its thirtieth anniversary. The year 1992 is in fact one in which various important anniversaries are being celebrated. We hope that in the future it will also be remembered as the year in which we finally concluded the Convention on Chemical Weapons. We likewise cherish the hope that we shall be able to avoid its being remembered as the year in which this Conference came to an abrupt end.

In this statement the delegation of Mexico would like to take up two closely linked subjects: the negotiations on the elimination of chemical weapons and the future of the Conference itself. We are coming to the end of a very long road in our work on chemical weapons, and the question marks that this raises for the Conference on Disarmament are real ones and call for clear answers.

Since 1989, following the Paris and Canberra conferences, the international community has been stressing the need for a multilateral instrument on the complete prohibition of chemical weapons. Today, three years later, the Conference on Disarmament can feel satisfied with the advances made in the last few years, regardless of the ups and downs in the negotiations in recent times.

(continued)

(Mr. Marín Bosch, Mexico)

Nobody can deny the impetus that was given to the negotiations in May last year when the United States Government announced that it was willing to complete "the chemical weapons convention within the next 12 months" (CD/PV.591, 16 May 1991). However, it has to be remembered that just under a year earlier the bilateral agreement between the United States and the then Soviet Union had become an obstacle to the progress of multilateral negotiations. It was completely unacceptable for many countries that the main possessors of chemical weapons should reserve the right to keep 2 per cent of their stocks until all possible possessors of such weapons acceded to the Convention.

This year, in pursuance of United Nations General Assembly resolution 46/35C, the Conference on Disarmament decided to further mandate the Ad Hoc Committee "to intensify, as a priority task, the negotiations on a multilateral convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction with the view to striving to achieve a final agreement on the convention by 1992".

Under the determined chairmanship of Ambassador von Wagner the Ad Hoc Committee has been given a series of electric shocks. To begin with, the work was organized in a new way: on the one hand, each specific question was subjected to more intensive consideration, and on the other, the membership of the Committee's bureau was significantly increased, thus enabling more delegations to participate in the direction of its work.

Shortly afterwards, Australia's initiative in submitting a draft Convention administered the strongest shock of all. This led us to realize that after years of negotiations, and regardless of the many square brackets and footnotes in the so-called "rolling text", there was a whole range of agreements and understandings which suggested that a prompt conclusion to the negotiations was in sight. Accordingly, the Chairman of the Committee was requested to prepare a document during the intersessional period which would serve as a basis for what was called a final negotiating stage.

Between 18 May and 22 June, the dates on which working paper CD/CW/WP.400 and CD/CW/WP.400/Rev.1 were submitted, the Ad Hoc Committee held meetings that were tantamount to forced marches. Delegations set about a painstaking study of the outstanding questions, and a group of delegations from developing countries submitted a series of formal proposals, with a view to arriving at compromise solutions which would meet the interests of the different groups of countries, and not just the members of one group in particular.

The text prepared by the Chairman of the Committee at the end of this period of intense negotiations, contained in working paper CD/CW/WP.400/Rev.1, represents an important step forward on the way to the conclusion of the draft Convention which this Conference is to submit to the United Nations General Assembly at its forty-seventh session.

(Mr. Marín Bosch, Mexico)

The Mexican Government, like others, undertook a thorough study of the draft Convention during the intersessional period. It is worth noting here that since last February my country's Ministry of Foreign Affairs has convened an interministerial group which, with the participation of representatives of the Mexican chemical industry, has considered the various questions relating to the possible application of the future Convention at the national level.

Mexico has always been greatly interested in the prohibition of all weapons of mass destruction, including chemical weapons. This is demonstrated both by its accession without reservations to the 1925 Geneva Protocol and by the statement it made on signing the Convention on Biological Weapons in 1972.

We welcome the fact that there is at last general agreement on the need for a complete prohibition of chemical weapons, as embodied in working paper CD/CW/WP.400/Rev.1. The Government of Mexico considers that with a minimum of adjustments and clarification of certain points, the Conference on Disarmament would be able to submit a consensus text for approval by the United Nations General Assembly this autumn. We are encouraged by Ambassador von Wagner's attitude when he tells us that his working paper is a text that is open to improvement.

To reach a consensus we shall have to consider the various changes proposed with all due care. For example, let us aim for greater precision in article II, entitled "Definitions and Criteria", since it will be a key element in future interpretations. We are concerned in particular with the definition of "Purposes not prohibited under this Convention". We consider that paragraph 9(d) should say, in English: "Domestic law enforcement and riot control purposes". (We are proposing this form of words in English because we realize that the greatest care will have to be taken with the translation.)

Although Mexico will not be affected by the obligation to destroy chemical weapons and their production facilities - since we have never possessed them - our Government considers that the provisions in question constitute the key to the multilateral security agreement we are negotiating. Any delay in complying with these provisions could be fraught with grave implications not just for the security of the States Parties, but for international peace and security.

Obviously we know the problems that could face some States which have chemical weapons. Nevertheless, we consider that the period for their destruction should be kept at 10 years and that only if in highly exceptional circumstances some State Party is unable to meet that deadline should a decision be taken on the subject by the Conference of States Parties. We are also unable to accept the idea that if a State is slow to destroy its stockpiles, other States with chemical weapons should not be obliged to abide by the deadline.

Accordingly, consideration should be given to a series of amendments to Part IV (A) of the Verification Annex. In particular the appropriate

(Mr. Marín Bosch, Mexico)

modifications should be made so that any decision on the subject will be adopted by the Conference of States Parties. In addition, the last sentence of paragraph 21 should be deleted.

The Organization for the Prohibition of Chemical Weapons to be set up in accordance with article VIII will be the machinery through which the States Parties will seek "to ensure the implementation of its provisions, including those for international verification of compliance with it".

As intergovernmental bodies, the Conference of States Parties and the Executive Council will provide the framework for consultations and collaboration among States Parties. Although both these bodies ought to have machinery for taking decisions with all due dispatch, the Executive Council, in view of the important powers and functions assigned to it, must be in a position to take decisions quickly. It therefore seems odd to the Mexican Government that a two-thirds majority of all members should be required in order to decide whether a question is or is not a matter of substance. In other multilateral forums and agencies, such decisions are taken by a simple majority. For that reason, the last sentence of paragraph 29 of article VIII should be deleted, and it should be left to the Preparatory Commission to formulate this provision in the draft rules of procedure of the Executive Council to be approved by the Conference of States Parties.

Finally, article XI is of particular importance for Mexico, as for other developing countries. We hope that the entry into force of the Convention will lead to controls on exports to States Parties being lifted and not legitimized. In order to avoid future problems of interpretation, the references to possible inconsistencies with the object and purpose of the Convention in paragraph 2 (c), (d) and (e) should be deleted.

Like many others, we should like to amend working paper CD/CW/WP.400/Rev.1 still further. However, we are convinced that we ought to take advantage of the present opportunity in the Conference and conclude a Convention as soon as possible. We cherish the hope that all countries - including those that have already indicated their acceptance of the present contents of working paper CD/CW/WP.400/Rev.1 - will seriously consider the amendments proposed over the next few days. It is obvious that the way in which part of the text of document CD/CW/WP.400/Rev.1 was "negotiated" has led to some confusion. Various delegations have said that they have already made all the concessions they can and that the document will therefore have to be accepted as it stands. These delegations have some reason on their side, but they are forgetting that these "concessions" were only made in relation to a certain number of delegations and not to all the other members of the Conference. The future Convention should be for everyone, and everyone should be in a position to endorse its contents before it goes to the General Assembly.

The conclusion of a Convention that will be universally accepted has been one of the aims of this Conference. Now, by trying too hard to end up with a particular text which has the support of many but not all, we are running the risk that the future Convention will not win this universal acceptance.

(Mr. Marín Bosch, Mexico)

We are thus concerned to hear some delegates say that none of the multilateral instruments that have emerged from this Conference has been the subject of a consensus among its members but that they have nevertheless gone to the General Assembly, which has endorsed them. It will be remembered that this Conference has produced five instruments: the 1963 partial test-ban Treaty, the 1968 non-proliferation Treaty, the 1970 seabed Treaty, the 1972 Convention on Biological Weapons and the 1976 ENMOD Convention. The first, that is, the partial test-ban Treaty, was negotiated trilaterally in Moscow, and then slightly "improved" by the then ENDC. The second and third were negotiated here in Geneva on the basis of identical texts submitted by the United States and the Soviet Union respectively and "improved" a little under pressure from the General Assembly. So far the ENDC. Then, in the CCD, it was decided to separate biological weapons from chemical ones, and a Convention was concluded on the basis of identical drafts submitted by the United States and the Soviet Union. In 1976, once again, the United States and the Soviet Union submitted identical drafts, which became the ENMOD Convention. In the case of this last instrument and the NPT there was no consensus. In the other three cases, there was. The ENDC and the CCD were co-chaired by the representatives of the then two super-Powers, and, consequently, when they reached agreement, that agreement was "accepted" by all or practically all the other members, beginning with their military allies.

It was precisely in order to avoid a repetition of this kind of situation and to secure the participation of China, France and other countries that it was decided to establish a more democratic forum in the Conference on Disarmament, which would not have co-presidents but would have a consensus rule.

Everyone knows our view on consensus. We never insisted that it should apply in the Conference. But others did, and this is the rule that has prevailed for 14 years, and the rule that has been invoked by one delegation or another to avoid the establishment of committees on various subjects or to make sure that they are not negotiated on. It would seem, however, that respect for the consensus rule has been eroded. I only hope we are wrong.

Those are my Government's comments on the status of the negotiations on chemical weapons.

... We should now like to turn briefly to the question of what will happen in the Conference on Disarmament once the Convention is concluded. In other words, will there be any life in the Conference after chemical weapons? The answer to this question - which many of us have been trying to answer for some years - holds the key to the Conference's future.

It is understandable that in a last intense collective effort the members of the Conference should have concentrated primarily, in some cases exclusively, on the negotiations on chemical weapons. In doing so, however, they have left aside some of the questions on our agenda, beginning with nuclear disarmament, and more particularly the complete cessation of nuclear

(Mr. Marín Bosch, Mexico)

tests. In point of fact, this year's report by the Conference to the General Assembly, apart from the chapter on chemical weapons, will be more discouraging than in previous years. On none of the other seven items has there been any progress, and in some cases it could even be said that ground has been lost. To put it another way, while prompt conclusion of the Convention on Chemical Weapons will undoubtedly be clear evidence of the Conference's robust state of health, the situation with regard to the other items on our agenda points towards a highly pessimistic diagnosis. The bells that will no doubt ring out when the Convention on chemical weapons is concluded could end up sending another signal. They could be sounding the death-knell of the Conference itself.

What can we do about this situation, which can only get worse in 1993, when we shall be sitting round this table with an agenda that no longer includes chemical weapons? Various suggestions have been put forward, some innovative, some less so. For some delegations, what needs to be done is to shut down this Conference as fast as possible. Those delegates who have become experts on chemical weapons may choose to move to The Hague. Others will go off to other cities, to other business.

(Mr. Ledogar, United States)

Long ago, in a far different international environment than prevails today, this Conference began work on a convention to eliminate chemical weapons from the face of the earth. The effort has been uneven and - most of us would agree - far too slow, despite the guidance of dedicated and gifted ad hoc committee chairmen and the hard work of delegations. We all have our own views on the reasons for the CW Convention's long gestation period. That is not the question, however, today. Now, under the leadership of our distinguished colleague Ambassador von Wagner of Germany, we have an excellent chance of finishing this work and opening the CW Convention for signature by the entire community of nations. This will be the first great achievement of this unique multilateral arms control and disarmament negotiating body.

Some time during the next two weeks, each participant and observer in our Conference must decide whether it can accept the Chairman's draft final text.

Let me say, on behalf of the United States of America, that our answer to this question is "yes".

We can accept the draft Convention text contained in document CD/CW/WP.400/Rev.1 in its entirety. Our decision was not reached easily. In many important respects United States preferred positions have been substantially watered down or are completely absent. For example, the text before us does not allow a State that is attacked with CW to retaliate with chemical weapons even though it still has stockpiles available, nor can a State retain a small security CW stockpile until all CW-capable States have joined the treaty. Furthermore, the text does not provide for automatic initiation of a challenge inspection whenever a request is made, nor is the presence of observers from the requesting State assured. The text does not reflect the United States position that there should be limits on the number of challenge inspections a State must receive each year, that trade restrictions should be applied against non-parties, and that the responsibility for destruction of any chemical weapons whatever on a State's territory should rest entirely on that State.

I could go on and on with a long list of specific areas where the text does not reflect our preferred positions. In some of these cases the United States has made concessions to facilitate progress. In fact, we have made a whole series of concessions over the last several years. In other cases the Chairman of the Ad Hoc Committee, Ambassador von Wagner, has proposed a different approach to resolve a controversial issue where positions had not been reconciled after long debate.

The fact is that the text before the Ad Hoc Committee reflects a fragile and painfully achieved balance among many different positions and many different issues. While we would prefer different provisions in many areas of the text, we have decided after close study that a certain sacrifice on our part is necessary to achieve broad-based agreement, and that the remaining balance adequately protects our security interests.



(Mr. Ledogar, United States)

The Ad Hoc Committee has debated the controversial issues at length. I doubt that going through any of them again will result in a better array of compromises. On the contrary, opening up a controversial issue could well disrupt the fragile balance of interests and positions as States again try to tilt the balance in their direction. If this happens, I can promise you that the United States will put forward its own preferred positions on several critical issues. But I am also aware that renewed debate on controversial issues could mean failure to finish the Convention this year.

However, the United States does not rule out further changes to the text. We are prepared to consider seriously proposals from delegations on points they consider fundamental to their interests. But we fully endorse Ambassador von Wagner's position that changes to the draft can only be made by consensus. We know of no other way to achieve a text that all delegations can support.

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Mr. HYLTEINIUS (Sweden):

... The Conference on Disarmament is now embarking on the third and last part of its 1992 session. The coming weeks may prove to be decisive for the Conference in many respects, depending on whether we will be able to conclude the negotiations on a Chemical Weapons Convention in a successful manner. Such a Convention will be a major achievement for the multilateral efforts in the area of arms limitation and disarmament. It will strengthen international peace and security, and it will demonstrate the feasibility of the multilateral negotiating approach in this vital field of international relations. A failure, in its turn, would be extremely harmful both to the security situation and to the multilateral efforts in this area. Other, less comprehensive and cooperative, approaches will probably then be pursued in order to deal with some of the threats which face the international community and which have to be addressed as a matter of urgency. This goes both for chemical weapons and for other pressing issues which are, or should be, inscribed on the agenda of the Conference on Disarmament.

Unilateral and partial solutions to problems of a global nature would not be in the interest of anyone, and especially not the smaller and weaker members of the international community. It is of vital importance to stand up for the multilateral, cooperative approach and to help it succeed by being constructive.

Whatever the outcome of the decisive efforts which will be undertaken in the next few weeks, it will be necessary to take a fresh look at the agenda and programme of work of the Conference, its membership and other related issues. The agenda of the CD and its methods of work are at least partly a child of the cold-war era and predicated on the, in that situation, rather remarkable consensus achieved at the first special session on disarmament in

(Mr. Hyltenius, Sweden)

1978. We are now facing a radically different, but not necessarily less complicated, international situation, and this calls for new thinking and new initiatives.

It is high time that we start an exchange of views on these matters so that the Conference can embark on a new start in the coming year. My statement today is intended to contribute to such an exchange.

There seems to be a widespread and growing feeling in the Conference that the negotiations on the Chemical Weapons Convention have now reached a stage where they have become a question of now or never. After so many years of concerted efforts and painstaking negotiations there is little or nothing that can realistically be done in order to advance the negotiations further. The issues are well defined and the positions well known. The Chairman's text (CD/CW/WP.400/Rev.1) represents an honest and reasonable compromise product, and Ambassador von Wagner and his delegation deserve great appreciation for their work. However, document CD/CW/WP.400/Rev.1 goes very far in meeting the demands of those who do not wish to see an intrusive verification regime. This is a source of grave concern to my delegation, because it means that the effectiveness of the proposed verification regime has diminished, and thereby the trust that a State Party may have in the compliance of all other States Parties with the provisions of the Convention. It has always puzzled my delegation that certain countries seem to regard themselves as being always either on the defensive, and subject to verification, or on the offensive, in the form of a challenging State. If we want to have a balanced system, we must face ourselves in both roles.

Sweden for its part has never subscribed either to the slogan of "anytime-anywhere" or to the more recently emerging tendency of "hardly anytime or anywhere". It is obvious that all States Parties have a strong interest in being able to have trust in the effectiveness of the verification of compliance of all Parties with the provisions of the Convention. Furthermore, it is obvious that most, if not all, countries have military or industrial secrets which are unrelated to the forthcoming CW Convention and which they have a legitimate right to protect. It should also be obvious that the inspectors cannot be regarded as potential spies in the secret service of any other State Party. They will be international civil servants operating under defined mandates and under the authority of the Organization. Further attempts to weaken the inspection and other verification arrangements are therefore neither advisable nor acceptable.

A success in the chemical weapons negotiations will set the stage for a new era in the history of multilateral negotiations on arms limitation and disarmament. It would also provide a positive and much needed impetus for the efforts to seek solutions at the negotiating table to problems which face the entire international community. Such an approach is, in the view of my country, much preferable to unilateral measures and partial solutions. This is in fact true for all global issues, and not least for those which relate to international peace and security.

(Mr. Hyltenius, Sweden)

In spite of several serious shortcomings in the text, Sweden is, in the spirit of compromise and in the interest of promoting consensus and universal adherence, prepared to accept document CD/CW/WP.400/Rev.1, provided it is not changed in a manner that would further undermine the verification regime.

(Mr. Hyltenius, Sweden)

... Non-nuclear weapons of mass destruction should be dealt with under a separate agenda item. For the time being the Conference on Disarmament is, as far as such weapons are concerned, concentrating its attention on the on-going negotiations on a Chemical Weapons Convention. However, there are also other issues that may soon come up in the framework of this item. The Final Declaration of the Third Review Conference on the Biological Weapons Convention contains important steps towards an improved regime on biological weapons, and the first meeting of Governmental Experts here in Geneva took us further along the road towards a verification regime for the Convention. It is too early to predict the outcome of the work of the experts, but it should be kept in mind that it might provide a basis for negotiating a verification regime for the Biological Weapons Convention. If so, a formula should be found for dealing with this matter in the CD under the agenda item I have just referred to.

Mr. PARK (Republic of Korea): As this is my first intervention since your assumption of the presidency, let me begin by expressing my pleasure in seeing you preside over this important forum at a time when it enters a very crucial phase. During your term in office, I hope you will bring us to the end of our long negotiations on the Chemical Weapons Convention.

The Australian contribution to the CWC negotiations has justifiably been a subject of repeated commendation. As a President from a delegation with such a well-known reputation, I believe you will have a special sense of achievement as you see, under your presidency, the near completion of the Convention, a significant milestone in the history of the Conference on Disarmament. It is also in this context that my delegation as an observer State, has decided to make an intervention at this point.

The current revised text of the draft CWC (CD/CW/WP.400/Rev.1) is the outcome of tough negotiations, particularly in recent months. For this, I should say that we owe our deep gratitude to Ambassador von Wagner of Germany, the Chairman of the Ad Hoc Committee on Chemical Weapons, and his delegation, as well as moderators of the negotiating groups and many other delegations. Their devotion, creative ideas, and spirit of compromise made the draft text possible.

The Government of the Republic of Korea has reviewed the draft text carefully, and reached the conclusion that the present text is acceptable to us. While we believe that there may be room for improvement, our endorsement of the present text is based upon our observation that it represents the best possible compromise. Also, my delegation has no objection to efforts to improve that text by consensus.

It is our considered view that the current text, on many controversial points, has delicately harmonized different positions, and therefore any attempt to make major changes would, I am afraid, result in disrupting subtle balances, and would prevent us from completing our work this year. What makes us more apprehensive is that further changes might cause us to lose our momentum, and result in the decades-long negotiation dragging on without concrete prospects.

A fully satisfactory convention cannot be a realistic aim in this world of diverse national interests. The important thing is whether the draft

(continued)

(Mr. Park, Republic of Korea)

reflects a reasonable degree of mutual concessions and balanced interests of all the members of the international community. Furthermore, it could be noted that some important parts of the Convention, such as industrial verification, are subject to re-examination after a certain period of time. We can better amend the text after a period of implementation.

Taking this opportunity, my delegation wishes to express the Republic of Korea's desire to play an active role in the implementation of the future Convention, as Korea has a major chemical industry. It is with this point in mind that my delegation attaches immense importance to the composition of the Executive Council. We are of the firm view that the purposes of the Convention will be best served when the Executive Council members from each geographical group, particularly those from the chemical industry, are chosen on the basis of objective criteria that assure maximum international acceptability and interregional consistency.

The Republic of Korea sincerely hopes that the future Convention will be universal. To be precise, we are happy to see all of our neighbouring countries joining the CWC, so that the East Asian region as a whole will put its strength together to eliminate one important category of weapons of mass destruction from the globe, and to verify compliance with various verification regimes including challenge inspections, thus reminding all the people in our region of the coming of the age of mutual confidence and better security.

Mr. NEGROTTO CAMBIASO (Italy):

... Never before has the Conference on Disarmament been so close to the achievement of one of the main purposes for which it was created, the possibility, now within reach, to conclude swiftly our collective efforts for the completion of a draft multilateral treaty aiming at a comprehensive ban on chemical weapons. Such an opportunity, pursued intensively by all of us for so many years, should not be wasted. Too much is at stake. Let me therefore pay first of all a special tribute of gratitude for the untiring efforts and resolve displayed by Ambassador von Wagner of Germany and by his delegation and Government in the fulfilment of the mandate that the CD itself, with an unprecedented degree of cohesion and determination, entrusted to them in March this year. The fruit of such efforts has been recently presented to us and is now in the form of a draft text of a Convention, in working document WP.400/Rev.1.

My delegation welcomes such a text. It contains, on the whole, provisions agreed by consensus. We do not regard it as the result of personal and biased considerations, but rather as a proposal of true compromise, based on an intensive and prolonged collective search for common ground - even within Groups themselves - between sometimes very different and apparently irreconcilable positions and perceptions on crucial issues.

WP.400/Rev.1 is not perfect. Like others, the Italian delegation does not consider the draft to reflect sufficiently a number of aspects not necessarily related to specific national interests with regard to disarmament, but which we believe would better promote the future itself of the Organization. I will refrain from enumerating them at this stage of the negotiations. They could be traced back to one basic consideration underlying our share of expectations not entirely met by WP.400/Rev.1. I refer to the degree of supranationality which constitutes in our view the most innovative feature of the Convention.

On challenge inspections, for instance, we would have preferred a greater role and more discretionality for the inspection team, who will represent on the ground the international community, in what is the most delicate and

(Mr. Negrotto Cambiaso, Italy)

concrete task entrusted to the Organization. Negotiations on article IX drifted progressively away from the initial, perhaps too idealistic concepts of intrusiveness and deterrence, considered by many indispensable to foster confidence in States parties' security perceptions. In our opinion, too many protections in favour of the inspected State party have found their way into the text.

We would have preferred shorter time-frames prior to access to the inspected site, more stringent provisions on securing the site, less subordination of "managed access" procedures to the sole consent and approval of the inspected State. Greater reflection could have been given to the precious experience acquired from national trial challenge inspections, which led for instance to the identification of the so-called "random selective access" techniques.

For the sake of protecting the credibility of the basic mechanisms of such an extreme but fundamental instrument of verification, we were prepared to pay a certain price in terms of accepting some limitations on the number of challenge inspections to be carried out within a given time, so as to reassure States parties from excessive and unjustified targeting. This "trade-off", however, did not gather sufficient support.

Italy believes it is the fundamental right of all those undertaking the cumbersome obligations of the ban - including, inter alia, financial commitments - to be able to rely upon an immediate process of verification of any doubt of compliance. Confidence and transparency are in fact at the very heart of any security and disarmament agreement. We in Europe have accepted automatic and most intrusive inspections on our territories in the framework of other disarmament treaties, and we do not regret it. All the more so, when an international organization, neutral and "super partes", is created for that purpose. This is why, for instance, the initial involvement of the Executive Council at the beginning of a challenge inspection, as foreseen in the draft Convention, represents, in the view of my delegation, a limit beyond which not only the fundamental right of signatories to the verification of compliance could be jeopardized, but the very capacity of the Organization to comply with its tasks without any kind of pending uncertainties would be endangered.

Also with regard to the other fundamental element of the verification regime, inspections of chemical industry, more stringent provisions could have been adopted: the overall regime of article VI, Verification, appears somewhat fragile to us.

Preventing misuse of technology and equipment for purposes prohibited by the Convention should apply evenly worldwide to the entire chemical industry and not on a selective basis only to areas of greater concentration of industry. No areas of the world should be free from the deterrence provided by the provisions on verification of industry, because these provisions are there to strengthen the credibility of the Convention and reassure States parties about compliance.

(Mr. Negrotto Cambiaso, Italy)

In particular, we cannot conceal a certain disappointment at the too narrow definition of the so-called "capable" facilities. In Schedule 3 inspections we have noted that, according to WP.400/Rev.1, the extent of access to be granted to the inspection team to other parts of the plant-site for clarification of ambiguities has been left totally to the discretion of the inspected State party. In our view, managed access procedures should have been included for the rest of the plant-site too.

Our "cahier de doléances" is related also to other parts of WP.400/Rev.1. I will not dwell on those.

It is always a difficult task to reconcile differences in analyses and diverging perceptions relating to security of States by means of unified approaches acceptable to all. In particular, in our negotiations we have witnessed a basic conflict between those who, for the protection of their security interests, were willing to rely on an international organ entrusted with wide and effective powers of investigation and those who, rather, were essentially concerned with the protection of their most sensitive facilities or, simply, of their own domestic privacy as a reflection of a given political or historical reality. The basic question at this stage is whether WP.400/Rev.1 can be considered as a compromise that would not, at the end of the day, endanger essential security interests. We firmly believe the draft Convention in no case jeopardizes the security interests of any State.

For these reasons, the Italian Government is ready to join all those who have so far indicated their readiness to endorse WP.400/Rev.1 as a compromise text, a text providing a concrete opportunity to live up, within the prescribed time-frames, to the political mandate entrusted to us by the General Assembly. We are encouraged to note that our assessment is being shared by a large majority of States. This does not exclude readiness on our part to actively search in the coming days, within the deadline of 7 August, for any possible improvement, on the basis of consensus, to the draft Convention.

Furthermore, we expect that the future Convention will be rewarded by universal adhesion. It is in fact disclosing in a yet imperfect and preliminary way, but with a scope unprecedented for a global security agreement, a whole new set of competences entrusted to organs of the international community in order to consolidate a framework of precise, binding and verifiable rules.

We do not see how, without the gradual establishment of such multilateral "security nets" across the world, we could prevent either single States from relying on their own national means as the sole way of monitoring compliance or the United Nations from being forced too often to resort to extreme measures in order to restore the rule of international law.

Italy joins those who believe that we have come to the moment of truth for the conclusion of the chemical weapons negotiations and feels all the responsibility of not missing this probably unique opportunity. The



(Mr. Negrotto Cambiaso, Italy)

conclusion of the ban on chemical weapons will have a decisive impact on the future of the CD. Thought-provoking evaluations and ideas for the "post-chemical-weapons era" are already being aired in this chamber. I am grateful to all those colleagues who are offering such reflections and, while associating myself with their expectations, I hope we may all soon have the opportunity to concentrate on such a promising approach.

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Mr. GARCIA MORITAN (Argentina) (translated from Spanish): Mr. President, I should like to extend to you the particular satisfaction of the Argentine delegation at seeing you presiding over the Conference on Disarmament. You are a diplomat of acknowledged professional competence and this has been clearly demonstrated inter alia through your personal efforts and the various functions you have exercised in the bureau for the negotiations on the Chemical Weapons Convention, personal efforts which, I should like to emphasize, we value highly and have helped to move the negotiations forward significantly. I am certain that your presidency will give an impetus to the final hours of the negotiations on an instrument whose conclusion is already virtually a reality.

Thank you as well for the tireless efforts of our colleague the Chairman of the Ad Hoc Committee, Ambassador von Wagner of Germany, to whom we are very grateful for the devotion, transparency and equanimity with which he exercises his high and delicate office.

The aim of my statement this morning is fully to support the draft Convention submitted by the Chairman of the Ad Hoc Committee on Chemical Weapons which is contained in document WP.400/Rev.1. As I had occasion to say within the limited framework of the Ad Hoc Committee on 26 June last, for my delegation this draft is the minimum that can be permitted if the Convention is to continue to be defined as a treaty of real significance. In the view of my delegation, some of the amendments that have been submitted to its text would unnecessarily, I would almost say dangerously, weaken its articles, especially as regards its verification system, and speaking in all frankness, I wonder what would then be the advantage of acceding to a Convention that did not adequately meet elementary concerns of global security. I think that worse than the lack of security would be the illusion of security that we would be creating.

Argentina, like others in this negotiating chamber, has its list of wishes left unfulfilled and aspirations curtailed for the sake of consensus. We, like many others, would have wished to see a stronger system of challenge inspection, without so many ways for the inspected State to complicate the work of the international inspectorate. We would have also wished to see a less ambitious and costly system for verification of the chemical industry. We are also concerned that the order of destruction might be altered and we are not entirely convinced of the advantages of incorporating the concept of

(Mr. García Moritán, Argentina)

conversion in the instrument. I could go on like that with a long list of issues, but I don't think it is necessary as my delegation has made its views known on several occasions. Documents such as the Mendoza Declaration are clear evidence of our objectives and purposes at this final stage of the negotiations.

What I would like to stress is that everybody, absolutely everybody around this table, has made important concessions. And we have done so because, I believe, that we consider that the security of one and all will be increased once this Convention enters into force. Of this we are convinced.

I trust that this last stage in the negotiations will be truly the last and that very soon we shall be able to devote ourselves to the tasks of the preparatory phase. Argentina is also confident that it is possible for the Conference to submit a consensus draft convention to the General Assembly within the next few weeks. We are prepared actively to contribute to that end between now and 7 August.

We should endeavour to achieve that objective, but without forgetting that, as this body's precedents indicate, it is not the main goal in the hierarchy of the objectives and priorities of the Conference on Disarmament. What is is to have a sound and effective treaty that is very hard to breach.

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Mr. NGUYEN LUONG (Viet Nam) (translated from French):

... I shall confine my statement to a presentation of the views of Viet Nam on the draft Convention on Chemical Weapons and more specifically on certain points which require further in-depth exchanges of views in order to achieve a consensus acceptable to all and reflecting in an equitable and balanced fashion the convergent interests of an ever more interdependent world. Of course, these are points to which my country attaches great importance and in which its interest is unflagging, especially now, in view of its commitment to work for the development of an international political environment conducive to its economic and social development.

With respect to the draft Chemical Weapons Convention, it gives me great pleasure to commend all those, particularly the Chairman of the Ad Hoc Committee on Chemical Weapons, who contributed to the preparation of document CD/CW/WP.400/Rev.1. In view of its history of struggle for national independence, Viet Nam welcomes all efforts to prepare a convention on chemical weapons that ensures its own observance and application by safeguarding the legitimate interests of the developing countries.

(Mr. Nguyen Luong, Viet Nam)

At first sight this logic may appear rather contradictory, but its negation often leads to pessimism as expressed in phrases such as "delicate balance" or "now or never". Between viability and rapidity, we must, I think, choose the possible that will lead to universality.

In other words, even though my delegation considers document CD/CW/WP.400/Rev.1 as a monumental piece of work, it is not yet a finished product, something that cannot be improved or that is taboo and must not be touched because of its fragility. Having said this, I should like to express the complete support of Viet Nam for the amendments tabled by 14 countries in document CD/CW/WP.417.

The most sensitive point for Viet Nam is the mentioning of herbicides as means of warfare in the body of the draft of the convention. Everyone will remember that there were footnotes to articles I and II of the draft. With document CD/CW/WP.400/Rev.1 a metamorphosis has occurred and it can be seen in the preamble, in wording devoid of any obligation.

Reference has been made to the ENMOD Convention. Viet Nam is a party to that Convention, to which 55 States are currently parties and 17 signatories. Viet Nam cannot accept the viewpoint whereby reference can be made to this Convention with respect to the use of herbicides as a means of warfare because no article, no paragraph of that Convention deals with this issue of the use of herbicides as a means of warfare.

The herbicides used in the southern part of Viet Nam in high concentrations and over a wide area on several occasions during the Viet Nam war are certainly chemicals and among them Agent Orange contains dioxin. Living beings and nature in the regions subjected to the spraying are feeling the effects of this use of herbicides in Viet Nam even today. I use the words "living beings" because it is not just Vietnamese civilians who are affected but also each side's belligerent armed forces. Scientists the world over have studied dioxin and Viet Nam veterans have in-depth knowledge of this subject. It is my firm conviction that the draft Convention would gain in viability and universality by incorporating a reference to the use of herbicides as a means of warfare in article I and consequently in the new subparagraph (b) to article X, paragraph 7, and in an addition to part XI, paragraph 1, as proposed in document CD/CW/WP.417, pages 1, 7 and 19. The delegation of Viet Nam, in associating itself with the amendments proposed by the 14 countries in WP.417 welcomes the position taken by Sweden, Indonesia and Cuba advocating the explicit reference to the prohibition of the use of herbicides as a means of warfare in article I of the Chemical Weapons Convention because such a position merely reflects an undeniable truth, a responsible attitude, a resolve to prevent abuses in the use of toxic chemicals for purposes of war.

With respect to verification my delegation will confine itself to a general comment. Modern-day chemistry is the product of high technology and while the borderline between the civilian and military applications is easily

(Mr. Nguyen Luong, Viet Nam)

recognizable in the developing countries, in the case of industrialized countries it is often indistinguishable even though it is palpable. Everything depends on the interests at stake or the good will of the country concerned.

That is why verification, though necessary, even imperative in specific circumstances, should not serve as a pretext to check all chemical production and trading activities, to gain access to confidential technological information or impede or condition the transfer of technology. Challenge inspections should be conducted with respect for national sovereignty and the treatment of abuses should not be confined to financial implications, as stated in article IX, paragraph 23. Instead the deterrent effect could be obtained by, for example, the suspension for a specific period of the right to request an inspection or to participate in it. To that end the amendments of the group of 14 countries to article IX represent a contribution to the establishment of a viable balance.

Those are a few opinions my delegation wished to contribute in order to further discussion on the pending issues.

Before concluding I should like to thank the Ambassador of Australia, His Excellency Mr. Paul O'Sullivan, for having distributed the declaration of the Third Regional Seminar on Chemical Weapons, held in Sydney last June, to which Viet Nam fully subscribes.

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Mr. WAGENMAKERS (Netherlands): Mr. President, it is a great pleasure for me to salute you in your high office. I extend to you the warm congratulations of the Netherlands delegation upon your assumption of the presidency of the Conference on Disarmament. The Australian efforts to make the world a more secure place are well known. Your country has a proud track record in this respect. All of us remember its latest expression, the tabling by the Australian Foreign Secretary of a draft CW Convention on 12 March last. I express the hope that the jewel in your crown will be constituted by agreement in the Ad Hoc Committee on Chemical Weapons on the conclusion this month of the long overdue Chemical Weapons Convention.

(Mr. Wagenmakers, Netherlands)

Some weeks ago the Ad Hoc Committee on Chemical Weapons took, by consensus, a decision of considerable importance, in particular for the Netherlands. The Committee decided that the future Organization for the Prohibition of Chemical Weapons under the Chemical Weapons Convention would be seated in The Hague. As a practical consequence, the Preparatory Commission and its staff will also be based in The Hague.

You can imagine, that the Netherlands feels honoured by this decision. The outcome of the intensive deliberations on this subject, organized and led with great skill and impartiality by Ambassador Kamal of Pakistan, bestows on us a heavy responsibility. I am grateful for the confidence delegations have placed in their Netherlands colleagues. My Government and the City of The Hague will gladly take up the challenge to provide the PrepCom and the future Organization for the Prohibition of Chemical Weapons itself with all their needs, in accordance with the offer made. The competent authorities are now in the process of consultations on how best to get things up and running. I can announce that practical preparations have started in The Hague, enabling the PrepCom to start its work early next year.

The decision on the location of the seat of the Organization was not taken lightly. An orderly and clean selection procedure was followed, with clear presentations and offers made by the three competing candidates. I would like to use this occasion to express sincere gratitude and respect to the Governments of Switzerland and Austria for their fair attitude and cooperation, enabling the emergence of a consensus decision on such a sensitive matter.

In June, a first training course for potential future chemical weapons inspectors was held in the Netherlands. Ten technicians from developing countries, including several from non CD-member States actively participated in this "try-out" course. They all showed great eagerness to learn as much as possible from the course. A report of the proceedings will soon be presented to the Ad Hoc Committee. It stands to reason that one would build upon the experience gained for future courses. In this connection it would seem useful to coordinate the Netherlands efforts with those of other States already organizing or contemplating courses for potential future inspectors and analysts, in particular for candidates from developing countries.

Over the years we have spent quite a few moments in the Ad Hoc Committee on Chemical Weapons to get our treaty right. We have travelled a long distance. It seems that now, at last, we are close to the end of our efforts.

The Netherlands delegation is grateful for the so-called "June Paper" (WP.400/Rev.1) This paper came about thanks to the untiring efforts of the Chairman of the Ad Hoc Committee, Ambassador von Wagner, who successfully built on structures drawn up by the preceding chairmen and the untiring efforts of the German delegation as a whole.

(Mr. Wagenmakers, Netherlands)

On substance, the Netherlands delegation would have preferred a stronger challenge regime than the one that is now contained in WP.400/Rev.1. In particular, the procedures initiating challenge inspections are not very satisfactory and they weaken this important part of the verification regime. Ambassador Negrotto Cambiaso of Italy just gave a detailed overview of imperfections to be found in the draft CW Convention text. I endorse his analysis. However, after having considered all parameters, the Netherlands delegation is willing to accept the compromise text as suggested by the Ad Hoc Committee's Chairman and embodied in WP.400/Rev.1.

The Netherlands delegation is, of course, willing to listen to others but may I be permitted to emphasize that, like others, my delegation had problems too. So, considerable restraint in re-opening discussions seems called for. WP.400/Rev.1 represents for 90 or 95 per cent a consensus which was reached after years of negotiations. It comprises many elements suggested by colleagues who now work in the format sometimes referred to as the G-14. In my view we should, all of us, be very careful not to bring in elements which are known to be unacceptable to others. Otherwise we risk disturbing the delicate balance achieved in the draft convention in front of us.

The two main criteria we should apply when considering making new proposals are: can we still improve the text in relation to protecting national security needs and promoting the security needs of the international community? If on that basis other delegations can be convinced of the usefulness of modifying the text of the draft convention and consensus can be achieved on such an amendment, so be it. If not, then restraint should prevail. In this spirit, my delegation approaches and will continue to approach last-minute proposals made by several delegates and a group of delegations.

My delegation has carefully weighed the pros and cons of the present text and, despite some disappointments on, inter alia, the part that I mentioned is prepared to go along with WP.400/Rev.1

Mr. DICHEV (Bulgaria): Mr. President, as this is the first time I take the floor under your presidency, let me at the outset congratulate you on your election to this high responsible office. I wish a most successful outcome to the year-long work of this forum now under your able guidance. Such an outcome would not be only a deserved recognition of Australia's significant contribution to chemical weapons ban negotiations, but also of your personal merit in this multilateral field.

I take this opportunity to convey my congratulations also to the new leaders of the Japanese, United Kingdom, Sri Lankan, Polish, Cuban and Kenyan delegations. These fresh reinforcements to the CD will help us a lot, I am sure of it, for the successful conclusion of the Chemical Weapons Convention.

(Mr. Dichev, Bulgaria)

As to myself, I will try to be rather concise today, because a great deal has been said already on the two issues I wish to touch upon. I have in mind the draft Convention on Chemical Weapons, and the prospects for the CD to survive as an institution by itself.

A few words now on the first main issue. My delegation adheres to the view that it is hardly necessary any more for the CD to continue to debate whether or not to have a Chemical Weapons Convention. We think that a consensus exists in this regard among CD member States, a fact which is of utmost importance. As to the question when the CD should finish drafting the Convention's text, my delegation holds the view that the answer to it lies in resolution 46/35-C, adopted by the United Nations General Assembly, and I quote, "The General Assembly of the United Nations strongly urges the CD, as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session".

May I recall in this connection that in a month's time the CD will have closed its 1992 session. Subsequently, there we have the answer we need, in other words the drafting of the Chemical Weapons Convention should be over within the next few weeks. In practical terms this means within the first days of August, so that we may take action as required to submit the draft Convention's text to the forty-seventh regular session of the United Nations General Assembly in New York this year.

In the modest opinion of my delegation, it has become very important at this stage to clarify the matter whether or not the text submitted by my distinguished colleague Ambassador von Wagner could be replaced by another text, though not just any text, but one that would enjoy 100 per cent support and admiration on the part of all CD member States. No text is perfect. My delegation considers that such a text is impossible to work out. Document CD/CW/WP.400/Rev.1 is the crowning result of enormous efforts exerted in the negotiations by all delegations, and especially by the Chairman of the Ad Hoc Committee, Ambassador Adolf Ritter von Wagner of Germany.

This text has finally seen the day after so much concession and compromise by all parties concerned. The still fragile consensus that unites us can hardly serve as a foundation for new proposals. The idea for absolute perfection of a given text, the text of the Chemical Weapons Convention in the case that concerns us all, may be rather attractive, but in so far as the chemical weapons ban negotiations are concerned such an idea may well become a trap to miss an historic opportunity.

The Bulgarian delegation fully sides with Ambassador Hyltenius, who declared at a plenary meeting that the "negotiations on the Chemical Weapons Convention have now reached a stage where they have become a question of now or never". At the same time, we cannot but point out that some of the proposals of the 14 countries make a lot of sense; therefore my delegation is ready to join a consensus solution on them.

(Mr. Dichev, Bulgaria)

According to us, the question which each CD member State should solve for itself is whether document WP.400/Rev.1 infringes dramatically in one way or another upon its national security in its various dimensions. If the answer is no, then it would be logical to assess this document positively. Such is, by the way, the assessment of my delegation.

Bulgaria assesses document WP.400/Rev.1 as a sensible compromise which does not harm its national interests. Like a number of other States which do not possess chemical weapons, Bulgaria could have invoked several reasons to raise pretensions, for instance vis-à-vis the time periods for destruction of chemical weapons, the precise wording of issues of economic and technological development, and on specific financial solutions for the future international Organization, etc. Having said this, we wish to state that in such a delicate field as that of the draft Chemical Weapons Convention, it is practically impossible to achieve an ideal treaty.

My delegation supports document WP.400/Rev.1 in its entirety and submits that it represents the draft of a solid international legal instrument, one that has the potential to achieve its noble objectives.

Bulgaria wishes to reaffirm its intention to be among the first participants of the future Convention, which prohibits chemical weapons on a truly global scale. Should this Convention be adopted, my country will promptly initiate procedures to ratify it.

In conclusion, I should like to come back to the beginning of my statement where I mentioned my intention to speak briefly on a second main issue, namely the efficiency and the right to existence of the CD as an institution. The Bulgarian delegation is convinced that the solution to this second issue is directly linkable to the successful conclusion of the first one. If the CD is able to conclude the CWC by late 1992 by adopting it at the highest possible level, as was proposed, then there would be no doubt that the CD has a future, that it has in store before it lots of serious and responsible work to do on other conventions, conventions that would be of major importance for the security of the planet we all live in in this nuclear age.

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Mr. MORALES (Cuba) (translated from Spanish): May I express the great satisfaction and the signal honour I feel on this, the first occasion for me to take the floor at a meeting of the Conference on Disarmament. From our Foreign Ministry in Havana we have been following closely the course of the discussions on the items in the agenda of the Conference and it is a privilege for me to be able to express Cuba's views on the current stage of the negotiating process for the draft Convention on the Prohibition of Chemical Weapons, and on some issues which we deem essential for the future work of this forum and which will have to be the subject of our special attention in the coming months.



(Mr. Morales, Cuba)

I should like to take this opportunity to congratulate you, Mr. President, on your appointment as President of this Conference and to reiterate the readiness of the Cuban delegation to assist you in the fulfilment of the high office we have assigned to you.

The negotiations on a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction have, it seems, entered their final stage. Document CD/CW/WP.400/Rev.1 introduced by the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, is the result of a laudable effort made by him personally along with a group of colleagues, assistants and the secretariat, and reflects a large number of ideas, suggestions and proposals from the majority of the countries that have been actively participating in the negotiations on this international instrument. We have within the framework of the Ad Hoc Committee on Chemical Weapons agreed to make further efforts to meet the just concerns still outstanding in respect of this document and to consider these concerns in an equal manner and on an equal footing with the amendments subjected to document CD/CW/WP.400. I should like at this meeting of the Conference to reiterate the readiness of my Government to exert all necessary efforts to achieve a balanced convention reflecting the interests and aspirations of all members, as indeed of the other countries that have been participating in the negotiations on this draft convention.

As recognized and reflected in the relevant reports of the Ad Hoc Committee on Chemical Weapons, document CD/CW/WP.400/Rev.1 requires essential adjustments to turn it into what we all want - in other words, a consensus document supported by all members of the Committee, and not just by a group of them, so that it can be adopted by the Conference and subsequently submitted to the General Assembly for its consideration. We are all committed to this process being carried out as soon as possible. Despite this desire by the members of the Ad Hoc Committee, it is worth recalling the agreement that our countries reached before the forty-sixth session of the United Nations General Assembly and that was clearly reflected in the Assembly's resolution 46/38 C, operative paragraph 2, namely to intensify the work of the Conference with a view to completing in 1992, and not specifically this summer, the negotiations on the draft Chemical Weapons Convention. This commitment should be in all our minds in this final stage of the negotiations. The delegation of Cuba considers that if an additional, serious and responsible effort is made by all the members of the Ad Hoc Committee to cater to the just concerns of a large proportion of the countries belonging to the Committee, we could successfully discharge the responsibility assigned to us and do so this summer.

Cuba's specific proposals for amendment of the draft Convention prepared by the Chairman of the Ad Hoc Committee on Chemical Weapons have already been introduced and circulated by the secretariat, so I am not going to refer to them in detail on this occasion. I shall just mention those that we deem most relevant.

(Mr. Morales, Cuba)

The issue of herbicides and the prohibition of their use as a method of warfare has for many years been a position of the Cuban delegation and must be clearly reflected in the final text of the convention to be adopted. This position of Cuba is in turn shared by a large number of States members of the Conference and hence there is a need to find an appropriate solution that will reflect their legitimate interests within the framework of the convention. We are not seeking the establishment of controls or of limits on the production of herbicides by any country, much less the subjecting of production facilities to inspections of any kind. Nor are we seeking the banning of the use of herbicides for certain well-defined military needs. What we want is to prevent a repetition in future, elsewhere in the world, of monstrous scenes of past wars because there is no international instrument that categorically prohibits all possibility of the recurrence of such tragedies.

As they are for the rest of the delegations here present, the structure, composition and decision-making process of the Executive Council are issues of special interest for the Cuban delegation. The debates on these issues within the Ad Hoc Committee have been highly complex and the understandings reached appear to be close to a consensus, but an additional effort is required to achieve it, as can be clearly seen from the proposals that have been submitted on this matter by several countries, including mine.

Cuba, which has been taking an active part in the intensive consultations that have been held on this subject in the course of the year, remains convinced of the fairness of its claim that the executive body of the future Organization should not follow the undemocratic model found in other international organs whereby a distribution of posts in these bodies is imposed upon us, guaranteeing a very small number of countries a permanent presence there - a privilege which spares them from being subject, as the others are, to a democratic election process. The delegation of Cuba would like to reiterate at this meeting of the Conference that it cannot support such an arrangement, especially if the idea is reflected in the text of the Convention.

At the beginning of this year, on the occasion of a plenary meeting like this one, there burst into our work two ideas considered by many delegations, including ours, as contrary to the central goal of the agreement we are trying to achieve and harmful to the early and satisfactory conclusion of the negotiations which are taking place within the Ad Hoc Committee on Chemical Weapons. I am referring to the idea of extending the deadline for the destruction of chemical weapons arsenals and the corresponding production facilities and to the idea of converting such facilities for use in carrying out activities not prohibited by the Convention. While it is not unaware of the reasons which, in the view of some delegations, justify the concerns accompanying the proposals connected with these two ideas, the delegation of Cuba, as it has already stated on previous occasions, is not in a position to support the inclusion of provisions on these issues in the text of the future Convention.

(Mr. Morales, Cuba)

There is a matter of extreme delicacy for Cuba and which we have already referred in the context of our negotiations on the future Chemical Weapons Convention. Today, on precise instructions of my Government, I should like once again to refer to this matter. As is known, the United States Government possesses, against the will of the Government and the people of Cuba, a naval base on territory usurped from our country in the eastern part of the island, where troops are stationed and there are stocks of military supplies and equipment without it being possible to rule out the presence of nuclear and/or chemical weapons for which the Government of the United States bears sole responsibility and must therefore assume all the consequences deriving from that fact. Because of this, the Government of Cuba cannot assume any commitment or any responsibility within the context of the aforementioned Convention that relate to the possible presence of chemical weapons or production facilities for such weapons on the territory of the said base or to their future fate. I am making this statement on behalf of my Government to be duly reflected in the official records of the Conference.

Once the negotiations on the draft Chemical Weapons Convention are concluded, the Conference on Disarmament will have to take up a series of issues of vital importance for the continuation of its work as the sole multilateral disarmament negotiating forum. For this reason, permit me to set out some ideas and suggestions of a general nature on these questions with the sole purpose of helping in the search for the most appropriate solutions to each of them during the process of informal consultations to be carried out to this end.

Mr. RANJBAR (Islamic Republic of Iran):

... I took the floor to put on record some observations regarding the views expressed about the draft Chemical Weapons Convention, WP.400/Rev.1, this morning. It was stated that the proposed amendments to WP.400/Rev.1 are dangerous for the Convention and will weaken the verification system. On behalf of the Iranian delegation, as a member of the developing States who proposed some amendments to the present text, I wish to state that proposing the amendments is not dangerous. What is really dangerous at this stage of the negotiations would be the inability of the Ad Hoc Committee to achieve a consensus text. The aim of the joint efforts by a group of developing countries is to reach a compromise and finally a consensus text.

The security perception of each State could be different than others. This delicate point and the art of diplomacy should be taken into account in order to strive to find the best common security perception. In such multilateral efforts as concluding the security agreement of a chemical weapons convention, it is absolutely essential to consider the question of security on a comprehensive basis. If we want to move towards a consensus text, there is no way but taking into consideration the security concerns of the others. Once again I must emphasize that proposing amendments to the present text is not dangerous. What would be dangerous is lack of consensus, which could jeopardize the credit of the Conference on Disarmament.

Mr. DEMBINSKI (Poland): Mr. President, first of all I would like to associate myself with the congratulations addressed to you by previous speakers on the occasion of your taking the presidency of this body. I would also like to thank you for the kind words of greeting which you extended to me and to tell you how honoured I am to join this august body. I am very fortunate indeed to be joining it at the very moment when the long labours of the Conference are about to bear fruit.

I refer, of course, to the Chemical Weapons Convention. My Government is determined to do its best to contribute to this process. My delegation has already stated in the Ad Hoc Committee on Chemical Weapons its support for the last draft of the Convention, which represents, in our opinion, a fair reflection of the negotiations and the best available result of them. The effective verification system of the Convention has been and remains of key importance to our delegation. We have strived for a stronger verification regime, in particular, concerning challenge inspection. We are aware of existing differences. For this reason the proposed solutions in the draft, although not fully meeting our expectations, provide us with a reasonable and balanced compromise on a few issues where consensus eluded us. In this respect, we have to be careful not to re-open the Pandora's box which could jeopardize the adoption of the Convention because, as has been stated, the adoption of the Convention is now or never. Re-opening the discussion could lead to the weakening of the efficient implementation of the Convention by undermining the confidence the States parties should have in the compliance of others, and by weakening the deterrence against eventual violations.

On our part, we are strongly committed to the effective Chemical Weapons Convention. Its conclusion this year will undoubtedly bring on the Conference a windfall of praise, but this hopefully will be only the first successful step on the road to further disarmament agreements on which the Conference will certainly continue to progress. I feel very privileged to be joining you at this particular juncture and I hope to be able to make a contribution to the further work of the Convention.

(Mr. Tironi, Chile)

We have asked for the floor because the member and non-member countries of this Conference have been invited to express their views on the draft chemical weapons convention which appears in document 400/Rev.1. Consequently I shall first refer to this subject and then to some other matters relating to disarmament.

It is no secret to anyone in this room that Chile supports the option of giving the international community a convention that will completely and finally ban chemical weapons. We have also said that we wish to be among the first to be parties to the future international instrument, and at the subregional level we have signed what is known as the Mendoza Agreement with Argentina and Brazil which transformed this internal decision into an international commitment. We also value what has been said in the Cartagena Declaration on the same topic, which was signed by the Andean countries.

Bearing this background in mind, my Government embarked on a careful study of the draft in question, and reached the conclusion that overall this convention is acceptable for Chile. As other delegations have found, this text is not fully satisfactory in some aspects as far as we are concerned, but we are aware that like any other outcome of negotiations, a set of compromises have been reached that it would be damaging to break. Hence we are ready to accept aspects that are not satisfactory because we feel the time to adopt this convention is now. We have no right to defer this agreement any further. If we do not take advantage of the prevailing political momentum and the positive attitudes of the majority of delegations present in this forum, there is a risk that this convention could be deferred, perhaps indefinitely. Furthermore, it would deal a harsh blow to faith in the ability of this Conference to be the proper place for reaching disarmament on the scale yearned for by the international community today.

For my country one unsatisfactory aspect of the draft convention as it now stands is the distribution of seats on the executive council. Besides the political significance of this matter, we are concerned at the precedent that may be laid for future disarmament conventions. The distribution of seats on the executive council has been clearly unfavourable to Latin America vis-à-vis other regions. We believe that the constructive approach shown by our region in the negotiations on chemical weapons has not been given due recognition. In addition, the proportion of permanent seats on the basis of chemical industry seems to us excessive in the case of Latin America. We feel it is fair to give some sort of representativeness to the chemical industry and to take into consideration costs and economic assessments, but not to the extent that such factors can dictate decisions to the detriment of stricter and more rigorous measures of control.

What is essential for Chile is to create machinery that would provide opportunities for participation to all States active in disarmament, rather than to the defenders of the status quo. We therefore propose that any amendment to the chapter on the executive council should take into account the need to readjust Latin American representation in that organ of the future organization. However, despite this and other difficulties, I wish to reiterate that overall my country accepts the draft presented by the Chairman

(Mr. Tironi, Chile)

of the Committee, Ambassador von Wagner. We also congratulate him and his delegation for the great diplomatic skill deployed in conducting these intensive negotiations. For our part, as a manifestation of our resolve to implement the convention speedily, we reiterate our readiness to organize a regional seminar that would help to put the chemical weapons convention into practice.

We have listened with much interest to what has been said by several delegations in this plenary about the appropriateness of restructuring the Conference's agenda and expanding the number of member States. In this regard, as other countries have said, we think it would be very appropriate to entrust consultations on these aspects to the Secretary-General, Ambassador Berasategui, who we are sure once again will take these steps not only with his customary tact and intelligence but also with the efficiency required to ensure their success.

I cannot fail to restate the views of my country on the subject of expansion. This is a topic on which a decision has been deferred too long and which has been practically ignored at this session, with the exception of Ambassador Hyltenius and a few others who have shown understanding of the problem. We feel that Chile should become a full member of this forum. We have given sufficient demonstration of our constructive operation and interest in its work. We therefore hope that the report that will go to the General Assembly will be worded in different terms from previous years, so that we can be sure that in the first few months of 1993, the Conference will really set to work to solve this issue. It is essential to bring to bear here the new democratic spirit that prevails in the international community and to enable countries taking specific action towards disarmament to take part on an equal footing in this multilateral forum.

In his recent statement here in June, the Under-Secretary for Foreign Affairs of my country, Mr. Edmundo Vargas, while pointing to the pressing need to readjust the agenda and procedures of the Conference to bring them into harmony with the new era we are living through, reaffirmed the priority that Chile attaches to the cessation of nuclear testing, and the role of science and technology in disarmament, security and development. I wish to highlight the fact that these last points are closely connected with the conversion of armaments industries, and with nuclear safety which is threatened by the obsolescence of various plants. We also attach high priority to the establishment of an international register of arms transfers. Lastly, the Under-Secretary raised here the possibility of convening in the near future another regional conference in Latin America on mutual confidence-building and security-building measures. We are pleased to report that some delegations from countries in our region have stated that they have already transmitted this proposal to their foreign ministries and are studying it favourably. This will allow us very shortly to go forward with this initiative.

In closing, we are now witnessing every day the suffering of millions of human beings who are victims of the uncontrolled use of weapons of mass destruction. Hence we consider we must not forget that the reason we meet here is to build a climate of trust among peoples so that it will become

(Mr. Tironi, Chile)

increasingly less necessary to have recourse to weapons in order to attain peace. It is with this objective in mind that Chile supports the conclusion very shortly of the convention on chemical weapons, and it is ready to continue to adopt measures in the sphere of disarmament and arms control to promote international security and world peace.

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Mr. SHANNON (Canada): Mr. President, we in the Canadian delegation are most appreciative of the work you have done in ably guiding the Conference in its concluding phase this summer and we certainly hope that your efforts will be rewarded with the conclusion of a chemical weapons convention.

Canada has been a member of the Conference on Disarmament and all of its precursors since the original establishment of the first Disarmament Commission (comprising the nine members of the Security Council plus Canada) in January 1952, and we have participated actively in the negotiations on a chemical weapons convention since their inception back in 1968. We strongly believe that the current Ad Hoc Committee Chairman's proposed text of a chemical weapons convention (WP.400/Rev.1) is very likely to prove to be the most effective outcome of our recent deliberations that can be obtained. As is also the case for a very large majority of the other members and participating observers working on this item, we stand prepared to accept it in its entirety.

It is also a fact that this text is far from being the ideal chemical weapons convention that Canada would have preferred to see adopted. However, it reflects the result of literally years of thorough, complex negotiations during which many States have had to concede ground on issues which they considered to be extremely important but for which they could not attract the consensus support of others. As it stands now, therefore, the Chairman's text is probably fully satisfactory to none among the CD's member States but despite this, because it is the result in particular of our intensive negotiations during this year's CD session, virtually all of its elements are now generally acceptable. Some States would still like to see further changes adopted. Most of these proposals for changes have been tabled in WP.417 and 419, with others having been put forward by Cuba and Peru. While some

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(Mr. Shannon, Canada)

among these various proposals are new, most represent old positions that failed to gain acceptance earlier but which are still being pursued. This latter category of would-be amendments, particularly in so far as either they would further weaken the already very much watered-down inspection and verification regime or in that they relate to changes to particular issues of some contention and are already clearly unacceptable to many, seem to have little prospect of adoption. Why then, we wonder, are they still before us? How important are they really, and how crucial are they to the national security or policy concerns of their supporters?

All of us have already had to make compromises to get as far as the text in WP.400/Rev.1, Canada perhaps more than most, since we were and still are among the strongest supporters of a truly confidence-building inspection regime which would be rapid, thorough and comprehensive. Thus, under challenge the old idea of the right to call for inspection any time, anywhere and to have it take place virtually at once without any constraints on the inspectors would still be a provision with which Canada would have felt safest. The challenge provisions now in WP.400/Rev.1 are a far cry from that approach, given the lengthy time-frames, the restrictions on the discretion left to the inspectors, and in the increased degree of protection now afforded to the inspected State party. In the same way, Canada has problems with the provisions on routine inspection of the chemical industry and with the narrow definition of "capable facilities". So we are not, by any means, entirely happy with WP.400/Rev.1 and with the compromises with our own preferred objectives that we have had to make to accept it. Our bottom line, however, is that it would be very foolish of us to allow a wish for only the very best of results to obstruct the possibility of our instead obtaining what is, none the less, an acceptable CWC regime. Even as it is, CD/CW/WP.400/Rev.1 does meet (albeit in some respects only just) Canada's three basic criteria for an acceptable convention. First, it is comprehensive: it calls for a complete ban on the development, production, stockpiling, retention or use of CW and their precursors. Second, it is global, or at least it has the potential to be so if others too show flexibility: already, like Canada, a significant number of States from all geographic regions have indicated they can support and would be prepared to be original signatories. And we are convinced the vast majority of the rest of the world will join us. Third, it is effectively verifiable: though the regime as I said before is not as strong as we would have wished, it nevertheless establishes new norms of verification and inspection that far surpass any previous multilateral arms control and disarmament instruments.

In Canada's opinion, and this is also our wish, the time has now therefore come for all of us negotiating here in the CD to put aside unrealistic, unachievable long-standing preferences, to resolve our differences and to coalesce behind WP.400/Rev.1. It is, after all, that text which we together, in our long negotiations, as well as our Chairman alone, on the basis of his understanding of what final compromises could prove generally acceptable, have so laboriously constructed. Surely it deserves our common support and we very much fear that, if we cannot achieve a consensus on this text now, we may end up with no CWC at all.



Mr. NEAGU (Romania):

... I have had occasion to present the position of my delegation with respect to different aspects of the draft convention on chemical weapons in the Ad Hoc Committee on the subject. Now I am in the position to inform the Conference that the Romanian Government, after careful examination of the text of the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and their destruction, as contained in document CD/CW/WP.400/Rev.1 of 22 June 1992, has decided to accept this text as it is. My Government considers that, like any human undertaking, the existing draft convention could, eventually, be further improved, but the commitment to conclude this convention outweighs by far any other possible considerations. Certainly, if some slight last-minute consensus changes can be accommodated in order to widen the area of adherence to the convention, we are prepared to accept them. However, one has to take into account that the draft convention, like any other such instrument, represents a common denominator, keeping in a carefully thought-out balance the various interests and viewpoints expressed during years of negotiations. As far as Romania is concerned, we are prepared to initial the draft convention at any level on which consensus might be reached, so that the text can be submitted to the coming United Nations General Assembly session for endorsement and recommendation for signature.

Should countries choose to prepare a draft United Nations resolution having a number of co-sponsors, Romania would be very pleased to join such an initiative. In case other forms of submission to the United Nations General Assembly are envisaged, we would be prepared to favourably consider them as well. Romania is also ready to play an active role, at all levels, in the implementation of the future convention, including the entering into operation of the envisaged executive council and the technical secretariat. While congratulating the delegation of the Netherlands on the selection of The Hague as the headquarters of the future organization, we want to assure the Dutch Government of all our support in the fulfilment of its important responsibility as host Government.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland):  
As we approach the end of the negotiations on the chemical weapons convention, I wish to explain to the Conference the United Kingdom's views on the draft text contained in working paper 400/Revision 1.

When I made my first statement to the Conference just two months ago, I mentioned a number of the points in the chemical weapons convention to which the United Kingdom attached particular importance. It is from this standpoint that I approach the Chairman's text.

First, I mentioned the importance of challenge inspection and the need for a prompt and automatic response to a State party's request for an inspection; for the inspection to be effective and intrusive; and for follow-up action to be taken where necessary, by the executive council and/or the conference of States parties. The United Kingdom believes that the provisions in the Chairman's draft represent the absolute minimum of acceptability, both in respect of the procedures prior to an inspection and in the rapidity and degree of intrusiveness of an inspection. We remain of the view that it is neither necessary nor appropriate for the executive council, as the political organ of the organization, to be involved in the launching of a challenge inspection. By increasing the role of the executive council before a challenge inspection, the text risks undermining the effectiveness of the inspection procedure.

Secondly, I mentioned the need for a challenging State to have the mandatory right to send an observer with the inspection team. We are disappointed that the text contains no guarantee for the challenging State to be able to send an observer. We believe this would have significantly enhanced the effectiveness and confidence-building aspect of challenge inspection. The provision that an observer shall be accepted "as a rule" goes some way to meeting our concerns and we shall be keen to see that it is adhered to in practice. But we find the treatment of the observer in the text far from satisfactory.

Thirdly, I expressed the view that routine monitoring of chemical industry, on a broad and non-discriminatory basis, with well-targeted inspections, was an important element in deterring misuse of civilian chemical plants and of industrially important chemicals. We have always considered such monitoring as the second pillar of the verification structure. The provisions in working paper 400/Revision 1 fall well short of what we believe would be the most effective and efficient regime. In particular, we are disappointed to see that the implementation of the inspection phase for other chemical production facilities is to be delayed and made subject to a decision to be taken at a later stage. We are also disappointed that more importance is not given to the role that States parties might play in helping to target such inspections. The references to so-called PSF facilities are, to our mind, an unnecessary and unhelpful complication. The regimes for schedule 2 and schedule 3 chemicals and facilities have also been undesirably weakened in our view. Despite these shortcomings, the article VI regime as it stands in WP.400/Revision 1 can provide, or at least has the potential to provide, a valuable deterrent against abuse of industrial capabilities.

(Sir Michael Weston, United Kingdom)

Fourthly, I stressed the need for riot control agents, the proper use of which would not be prohibited under the convention, to be declared. We were pleased to see that WP.400/Revision 1 contains the declaration requirement to which we attach so much importance. This to our mind plugs a significant potential loophole in the convention.

Fifthly, I mentioned the problem of old and abandoned chemical weapons and the need for a clear obligation for the destruction of abandoned chemical weapons which may still have military potential. We have some reservations regarding the provisions in WP.400/Revision 1 but we could accept them as part of a compromise package on the basis that they provide for a clear obligation for destruction of such weapons.

Sixthly, I mentioned the general destruction provisions and the need for a clear obligation for destruction, even if the 10-year timetable had to be modified in respect of one major chemical weapons possessor, who has been frank about the problems it faces. Whilst we would, ideally, have preferred no exceptions to the 10-year destruction timetable laid down in the convention, we believe that the overall package contained in WP.400/Revision 1 is an acceptable one, and provides sufficient safeguards to prevent any abuse of the possibility, in certain circumstances, of some relaxation of the requirements of the agreed destruction timetable.

Lastly, I mentioned the executive council and the need to reach agreement on arrangements to elect an efficient and fully representative body to oversee the operation of the convention. We believe that the provisions on composition contained in WP.400/Revision 1 provide for satisfactory arrangements for achieving this aim. We should, however, have preferred the phrase "as a rule", introduced in a well-motivated but unsuccessful last-minute attempt to secure agreement, to be omitted.

It will be clear from what I have said that the draft text contained in WP.400/Revision 1 falls short in a number of respects of what the United Kingdom would, ideally, have wished to see in the convention. This is natural in a compromise document. The text is incidentally very far from the sort of dish which would have been produced, had it been pre-cooked, as some have suggested, by a German chef, with various Western helpers, in an Italian kitchen.

Throughout the long history of these negotiations, my delegation has worked in a constructive spirit in pursuit of a convention which would both meet basic security requirements and be able to attract sufficiently widespread support to bring about a truly global and effective ban on chemical weapons. It is in this spirit, and in the belief that the text represents the best achievable in the foreseeable future that the United Kingdom Government have, after careful consideration, decided that they could accept the text as it stands in WP.400/Revision 1.

(Sir Michael Weston, United Kingdom)

I should make clear that we reached this decision with some misgivings. Our first instinct was to take up the Chairman's invitation to table proposals for amendments. We were persuaded to refrain from this, however, because we realized, from the long and intensive discussions that had taken place earlier, that the key changes we desired were, sadly, unlikely to command the full support of the Ad Hoc Committee and that persistent efforts on our part could risk jeopardizing the Ad Hoc Committee's achievements so far. At the same time, we fully respect the right of others to seek changes to the draft, particularly where issues of highest national priority were at stake.

Over the last two weeks, my delegation has participated fully in the discussions on the various amendments which have been proposed. These discussions are continuing and, I hope, will be successfully concluded tomorrow. I am hopeful that agreement can be reached on a number of improvements to the text. But where proposals for amendments have not proved to be nearer the middle ground than the text of WP.400/Revision 1, I would appeal to the sponsors of those amendments not to persist with them. It is only in this way that we can move forward together towards our common goal and conclude the convention this year.

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Mr. POLHO (Finland): We are living the last and decisive days of negotiation on the chemical weapons convention. The delegation of Finland is convinced that the convention has to be finalized now or there is a grave risk of missing the historic opportunity completely - to the detriment of mankind. In this now-or-never situation one has to evaluate carefully the pros and cons of the convention in its present form or in the form that could conceivably emerge after these last two days of negotiations. And to weigh them against the pros and cons of any outcomes that might be achieved in the future, against the risk of not being able to conclude a convention at all.

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(Mr. Pöhlö, Finland)

Finland has done this evaluation and weighing. The Chairman's text contained in document CD/CW/WP.400/Rev.1 is in various parts considerably different from what we had throughout the years thought should be achieved in the chemical weapons convention. As with many other delegations the main disappointments in that text from our point of view are to be found in the verification parts. Without going into details, our main concerns are centred on the overall effectiveness and objectivity of the regime.

As is well known, the principal focus of Finland's contribution to these negotiations has been technical and scientific. It is a source of satisfaction to us to be able to recognize still some of this input in the text. The loss of intrusiveness in the verification regime has not led to an undue loss of scientific precision whenever science is applied in the implementation of the convention.

For the past 10 days we have carefully studied proposed amendments to the Chairman's text and observed the discussion on them. From the Finnish perspective, only a few of the proposed amendments - two or three, to be more precise - would improve the final outcome. And even then only marginally. The majority of the proposals, if adopted, would weaken the text further. And certain of them in a very considerable manner indeed. The discussion on the proposals has also shown clearly that reaching consensus on the majority of these proposals is very difficult, if not impossible.

Tomorrow, at the end of the day, we may well be in a situation where the best compromise between the widely varying preferred positions of delegations continues to be the Chairman's text. That result is acceptable to the Government of Finland.

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Mr. TANAKA (Japan):

... I asked for the floor to make clear our position on the CWC today. It was some 20 years ago in a completely different international environment that we first embarked on the process of establishing a convention for the prohibition of chemical weapons. It was really a daring attempt. For a long period, though, this attempt did not produce any tangible result. Nevertheless, after long painstaking efforts by everybody in the Conference on Disarmament, and under the chairmanship of our dear colleague Ambassador von Wagner, tomorrow we will come to conclude our long process of negotiations on the CWC.

Even at the beginning of this year, only a few people foresaw that we would be able to bridge so large a gap among countries concerned on so many issues in the CWC. Today, we have still quite a number of problems in the draft text of the CWC, some of which, we think, need really to be negotiated for improvement. But we understand that we cannot continue indefinitely our

(Mr. Tanaka, Japan)

negotiation and we have to share the burdens in one way or another among member States of the CD so that we can eliminate the scourge of CW from the Earth as soon as possible. Further continuation of the negotiation will not necessarily offer us a better perspective for a better CWC; on the contrary, we'll simply lose the momentum and reach nowhere.

The Government of Japan, therefore, strongly hopes that all the necessary process on the CWC will be concluded by the end of this year. As I mentioned a few moments earlier, we still have several points unsatisfactory to us at this moment; nevertheless, we are ready to make it clear that the Government of Japan is studying the draft convention text embodied in document CD/CW/WP.400/Rev.1 with the intention of, in principle, supporting it.

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(The President)

... Lastly, and most importantly for the Conference this year of course, is the chemical weapons convention. As Ambassador Hyltenius reminded us last week we are now at a decisive moment for the finalization of this treaty. There comes a point in every negotiation of this kind where it is necessary to step back from the minutiae and take a look at the mosaic as a whole. In this case it is more than usually difficult to do so because these negotiations have been going on for so long, because they involve such technically complex details and because above all they go to the heart of national security.

As the negotiations over the past three weeks have shown, the areas of different national preference are well known. Precisely because there are these well-known preferences, some of which are diametrically opposed, we needed the contribution of our Chairman who, at our collective request, undertook the daunting task of developing a complete draft convention that made sense, that would work in practice, that balanced various sets of interests, and that overall would satisfy the minimum security and commercial interests of all States.

I need hardly say that as a consequence he has gone a long way from Australia's preferred position. But as Senator Evans has written to each of your foreign ministers in recent days, we all know that if we are to achieve a

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(The President)

convention that is capable of offering to all States a more secure environment and to provide to all States a more confident environment for trade in chemicals, all of us will have to compromise on our national preferences. We believe, as do so many others, that the text in working paper 400/Rev.1 does that in an equitable and fair manner. Despite our wish that some of its contents were different we are prepared to work actively to make it a successful example of a cooperative multilateral endeavour.

This is a matter that involves our professionalism: we are charged with identifying and bringing to fruition the maximum common ground in the areas of arms control and security by negotiating disarmament treaties on a multilateral basis. Failure to do so is not just a matter of regret: it is a test of our credibility and our *raison d'être*.

It is also the case that there can be a number of activities outside the formal regime of the treaty that could be helpful in clarifying some of the questions that have been raised and which may be a source of false fears.

In this context I wish to refer in particular to the activities of the Australia Group. These are informal consultations on harmonizing export control policies which were initiated in the absence of any global agreement on this subject. This issue has come up in the discussion about article XI of the chemical weapons convention. In order to help address some of the concerns that have been raised in that discussion I am authorized to make the following statement:

"The following States: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America, members of the 'Australia Group', welcome the forthcoming signing of the convention on the prohibition of chemical weapons.

"This convention, the first multilateral disarmament agreement of a universal character to include an international verification regime, offers a unique opportunity to eliminate a whole class of inhumane and abhorrent weapons.

"The strengthening of world security which will derive from the effective implementation of this convention should be accompanied by increased cooperation among States. This is the objective of article XI of the convention, which the above-mentioned States undertake fully to comply with.

"This article aims at facilitating the fullest possible exchanges in the field of chemical activities for purposes not prohibited under the convention so as to promote the harmonious economic or technological development of all States parties.

(The President)

"The above-mentioned States are particularly aware of the need to preserve the proper balance between, on the one hand, the imperatives of the economic and technological development of States, especially in the chemical field, and, on the other hand, the security constraints placed upon them.

"The use which can be made of certain chemical products and equipment for purposes prohibited under the convention should cause States which are future parties to the convention to exercise the greatest vigilance so that the desire to ensure the greatest chance of development to all does not as a consequence facilitate, for certain proliferators, prohibited activities which constitute a potential threat to global security.

"The above-mentioned States consider that the convention on the prohibition of chemical weapons, of which they undertake to be original signatories, will be a most valuable instrument to reach this goal.

"They undertake to review, in the light of the implementation of the convention, the measures that they take to prevent the spread of chemical substances and equipment for purposes contrary to the objectives of the convention, with the aim of removing such measures for the benefit of States parties to the convention acting in full compliance with their obligations under the convention.

"They intend thus to contribute actively to an increase in commercial and technological exchanges between States and to the universal and full implementation of the convention on the prohibition of chemical weapons."

That concludes the statement on behalf of the Australia Group of countries.



(Mr. Ozadovski, Ukraine)

... The present session of the Conference on Disarmament is taking place against the backdrop of a qualitatively new political situation in the world, featuring a shift from ideological divergences and rivalry to extensive international cooperation and partnership. This situation has created a favourable basis for significant breakthroughs in the solution of a number of problems which have accumulated over many years in the field of disarmament, both within the Conference on Disarmament and outside it. The most urgent issue for all the participants in the Conference today is undoubtedly the task of rapidly completing work on the draft convention on chemical weapons. The revised draft of this fundamental document prepared by the Ad Hoc Committee on Chemical Weapons and now under consideration in the Conference on Disarmament is the fruit of many years of effort on the part of diplomats, the military, experts and specialists from various countries.

Many delegations have already noted that the draft convention on the prohibition and destruction of chemical weapons is a delicate, painstaking balance of interests, an original compromise version taking account of the well-known positions of individual countries. Naturally, we can find many opportunities for improving the text and for further development of it.

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(Mr. Ozadovski, Ukraine)

But it may be noted with satisfaction that the majority of delegations have understood the vital need for the rapid conclusion of the convention and are making serious efforts to achieve successful completion of work on the preparation of a final text. Our delegation, like the delegations of many other countries, sincerely hopes that the convention will be opened for signature before the end of this year. We are ready to cooperate further to improve the draft, and if certain other delegations of countries participating in the convention feel it necessary to revert to the submission of amendments and concrete proposals, our delegation also reserves the right to express its own observations on the draft document where necessary.

Mr. SHAH (India): I had not intended to speak this morning but I am doing so in the light of the statement that you made earlier, Mr. President, on behalf of the Australia Group. It is indeed no secret that my Government and that of many developing countries consider unilateral action of this type as discriminatory and hampering the economic and technological development of developing countries. We have always urged that solutions to concerns that may have prompted the activities of the Australia Group lie in multilateral arrangements and agreements arrived at through negotiations and universal participation and not in unilateral actions. We have also indicated repeatedly that there is no place for restraints on international cooperation or export controls by countries acting together outside the convention, once the convention comes into effect. It is with this in mind that amendments to article XI have been presented in the context of the CWC negotiations.

It is heartening that the statement just made by you on behalf of the Australia Group indicates the willingness of the Group to remove measures which restrict international cooperation and trade in the chemical field, even though it is related to fulfilment of certain conditions. While this statement of intention is indicative of the recognition of our concerns and goes some way towards addressing our apprehensions regarding the Australia Group, it is the belief of my delegation that the intent behind this statement should be reflected adequately in article XI of the convention, as and when the present negotiations on WP.400/Rev.1 conclude. It is also my hope that the statement which you read out on behalf of the Australia Group will become an official document of the Conference on Disarmament.

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The PRESIDENT (translated from French):

... Last Friday we took an important step towards the conclusion of a chemical weapons convention. Now each of our delegations has to evaluate the overall solution which will be put before us very shortly by the Chairman of the Ad Hoc Committee, Ambassador von Wagner. As he has so often told us, none of us will find in the final proposal all of the objectives we set out with. This is in the very nature of multilateral diplomacy, the "art of the possible". On behalf of all of you I congratulate and thank Ambassador von Wagner and his team for the amazing amount of work they have done since last January, and I warmly encourage him to continue his effort for just a few more weeks. To all those who have taken part in these arduous and difficult negotiations, to the members and observers in our Conference, I would ask them to do all they possibly can to convince their Governments that the work we have done in Geneva, even if it is not perfect in their eyes, is as far as we can go in the "art of the possible" I referred to a moment ago. Our objective hic et nunc remains the successful conclusion of the negotiation on chemical weapons. Our credibility is at stake. If we were to fail in finalizing our work in this area, I think it would be a waste

(The President)

of time to wonder about the fate and the future tasks of the Conference on Disarmament, because we would have shown the international community that we were unable to meet its concerns and to soothe its fears.

I am proceeding from the assumption that we will succeed in the task which was begun so many years ago. Let us submit the results of our efforts to the next General Assembly and try to surround the convention on chemical weapons with the greatest possible measure of support. We will then have proved that we are able to deal with all the other problems of disarmament, following the lines of thought that several of you have already sketched out in this forum. I will neglect none of these ideas, and I intend to abide by the proposals formulated last week by my colleague and friend, Ambassador Paul O'Sullivan, by continuing the informal consultations which he undertook on the future of the Conference itself, and I intend to share my own ideas with you when the time is right. Between now and the end of this session I urge you to make the best possible use of the little time available to us to step up consultations in the various working groups and informal meetings so that we can draft our report to the United Nations General Assembly on what we have done and on the various items on our agenda.

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Mr. LANG (Austria) (translated from French):

... Today, 31 years to the day after the building of the Berlin Wall, we realize how far the world has come in the last few years. I believe that the new international situation has greatly contributed to the progress achieved in working towards a chemical weapons ban. Just under a week after the last meeting of the Ad Hoc Committee on Chemical Weapons, it is certainly appropriate for me to dwell on the subject a little. Unfortunately, I am doing so without the great satisfaction I would have liked to have shown. The consensus that we still hoped for a short time ago on the chemical weapons convention has not been totally achieved. The untiring efforts of Ambassador von Wagner of Germany might have led us to hope for a more unequivocal outcome. Austria keenly regrets that complete and unambiguous consensus was not reached last Friday. We hope that all the States which expressed reservations on the proposed amendments contained in document CD/CW/WP.427 will be able to join those who considered that the negotiations had already been completed on 7 August. As a State participating in CSCE, we hope most particularly that the Russian Federation will be able to join the consensus which we would like to see emerge on 26 August. If not, what will happen if the Russian Federation, a signatory of the Charter of Paris, were not to be among the original signatories of the chemical weapons convention? More specifically, what would happen to the commitment entered into by all the parties to the Charter of Paris, that they would be among the original signatories of the convention?

As for the Conference on Disarmament itself, we believe that the lack of a consensus would sap its credibility, since we would be forced to acknowledge its inability to abide by one of its basic principles - the principle of consensus contained in rule 18 of the rules of procedure. Austria would therefore be satisfied if the Ad Hoc Committee on Chemical Weapons were able

(Mr. Lang, Austria)

to break out of the unusual situation it found itself in last week when its Chairman stated that the end of negotiations had been reached whereas certain countries held a contrary view. In this context, we should also note that the Ad Hoc Committee's decision on a headquarters for the organization for the prohibition of chemical weapons was not obtained by traditional consensus methods.

While stressing Austria's great interest in the finalization of the text of the convention, I have pleasure in introducing two purely technical studies on the question of "capable" facilities. Going beyond the definition in the text submitted by the Chairman of the Ad Hoc Committee, which I would describe as political, you will find a scientist's approach to this problem of definition.

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Mr. GARCIA MORITAN (Argentina) (translated from Spanish):

... Over the years distinguished colleagues, freed or feeling freed from the strait-jacket of Government instructions, set out some final reflections before the plenary before they leave. Generally speaking these have tended to reflect, with a greater or lesser degree of irony, a predominant feeling of frustration at the lack of tangible results which is almost a constant of the work of the Conference on Disarmament. Today a combination of factors allow me to share these observations with you, imbued with a different spirit from that which might perhaps have underlain any statement I might have made a few years ago. The Conference on Disarmament is finally ready to transmit to the General Assembly of the United Nations an instrument of the importance of the convention on chemical weapons, which, above and beyond the assessment it falls to each of us to make of it, is a genuinely multilateral agreement. On arriving at this Conference on Disarmament I had the great honour to read one of the main instructions which the President of my country gave me on

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(Mr. García Moritán, Argentina)

taking up the task which today I complete: one of those instructions was to work actively to ensure that the convention on chemical weapons was concluded as soon as possible. Precisely as far as it was able, the Argentine delegation has worked to that end. This chapter, therefore, is beginning to draw to a close.

The Conference finally seems to be parting the heavy curtains of the Council Chamber to become a vital and operational body, a real instrument for world peace and stability. The convention on chemical weapons, the details of which we are now finalizing, will in the coming months ineluctably leave the Geneva circle which gave it birth to move on to the practical terrain of implementation, mainly in The Hague and also in each of our capitals, where the national authorities will breathe life into it by ensuring strict compliance. The convention on chemical weapons is for many of us already part of the negotiating history of this Conference. Other individuals and other groups will now be responsible for it. The void left by the convention on chemical weapons has the merit in a way of obliging the Conference on Disarmament to face the issue of its own future development. This has been mentioned on various occasions in the context of questioning this body's future raison d'être when the bustle in room V has ceased.

... The topics of a doctrinal type that perhaps could be justified given the oppressive weight of a world divided into blocs seem to have lost their raison d'être in a world where ideological debate, at least for the time being, is no longer a decisive factor in power relationships around the world. What is needed now is to work on the instrumental aspects of security, on specific action that can help prevent emergencies or crises that are destabilizing. Perhaps with the convention on chemical weapons, a pause is now occurring in the era of major disarmament agreements to allow us to move on to follow-up and prevention - a chapter, in our view, which is no less important and pressing. In this context the famous concept of preventive diplomacy might benefit from highly useful support in the Conference on Disarmament. Confidence-building measures, which have been recognized as applicable on land and in outer space, could constitute the point of convergence in the Conference capable of harmonizing experiments already under way in various parts of the world so that universally applicable confidence-building schemes can be drawn up. This conceptual approach can certainly be useful when the Conference moves forward in drawing up practical measures to strengthen openness and transparency in transfers of conventional

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(Mr. García Moritán, Argentina)

weaponry and dual technologies as requested by the General Assembly in resolution 46/36 L. This is a challenge of a practical nature for the Conference on Disarmament that should in our view be taken up without delay.

(Mr. Brotodiningrat, Indonesia)

... After a long and extremely painstaking negotiation process, the Conference on Disarmament is now approaching the conclusion of the chemical weapons convention. My delegation wishes to take this opportunity to pay tribute to Ambassador von Wagner and the delegation of Germany for their hard work to finalize the draft for possible adoption by the forty-seventh session of the United Nations General Assembly. Being a country which has never possessed nor had the intention of acquiring or developing chemical weapons, Indonesia has from the very beginning attached great importance to the early and successful conclusion of the chemical weapons convention, both as a position of principle and as a matter of real interest. This serious commitment was translated in the most concrete manner when recently the Indonesian delegation demonstrated its readiness to exercise flexibility on its strongly held position regarding pertinent issues still pending.

However, it would be less than candid for my delegation not to say that, despite the strenuous efforts made by all involved in the negotiation, the pre-final version of the draft convention still leaves some points of concern to us, particularly on the practicability and implementability of the verification time-frames. For a country like Indonesia, which is remote from the headquarters of the organization, with difficult geographical conditions, and which is still in the process of developing transport and communication infrastructure, the relatively short time-frames for the conduct of on-site

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(Mr. Brotodiningrat, Indonesia)

inspections could very well become an impediment for the proper implementation of the convention. Unless a certain understanding to overcome this problem is made, such countries as ours will be put in a disadvantaged position when they become parties to the convention. We therefore still hope that appropriate ways and means can be found to address this legitimate concern and to resolve this practical problem.

Now that the negotiation on the chemical weapons convention is approaching completion, a pertinent question that springs to mind is how the Conference on Disarmament will function as a negotiating forum in the future. We find it an unfortunate irony that the improving situation in the international scene fails to find reflection in the work of the CD. It is indeed disheartening for us to note from this year's balance sheet that, except for the work on the chemical weapons convention, almost no progress has been registered on the rest of the agenda. We are particularly disappointed with the failure of the Conference to establish this year an ad hoc committee on a nuclear test ban. My delegation continues to believe that the prompt realization of a comprehensive test ban is indispensable for the effective prevention, not only of the vertical and horizontal proliferation of nuclear weapons, but also of environmental and health risks associated with underground nuclear explosions.

Mr. NEGROTTO CAMBIASO (Italy) (translated from French):

... In returning here to Geneva to take leave of all of you, I wondered whether the priority responsibility of the CD during these decisive days for the chemical weapons convention would justify the indulgence of a few moments away from the substance to focus on a farewell, particularly as I have no particular inspiration to share; I am not engaged in some important event, but I have been away from a town, an activity, a group of colleagues and friends of whom I was fond. So I have no final message to deliver, none that would depart from the day-to-day experience of a painstaking search for points of convergence, in this very room, or in the committees, groups and subgroups of the Conference on Disarmament. It is there, and not when one is casting off the moorings, that the hope for a less well-armed and therefore more secure world is realized or, on the contrary, collapses. Nevertheless, this ritual of ours, of greetings and appreciation to those who arrive or are leaving, this meticulous attention to courtesy, are they not intrinsically an indication of the style with which we would like international relations to be increasingly imbued? For even today, through one of the destructive processes of assimilation that are inherent in nationalism, there are shortcomings that we strive every day to overcome in our personal relations that are transformed into virtues once they are placed at the service of what is considered to be the higher interest of our own countries. Thus, from my three years spent in the CD, I will take away with me first and foremost the pleasant memory of general kindness characterizing our negotiations, even the most difficult ones, and the hope that this is not just an exercise in style, but a genuine effort to bring the code of conduct among States closer to the far more refined code which prevails among individuals.

Given the dramatic and unexpected developments in certain regions of Europe, we are compelled to acknowledge that there is no region of the world that can be described as exemplary or considered totally free from irrational and deadly armed violence. Hence we must regrettably recognize how difficult it is for the international community to identify and implement the appropriate responses when the fire has already spread, whether we are speaking of armed violence or the scandal of the death of whole populations through famine, often as a result of such violence; or when we seek to restore the international rule of law that has been flouted. It is for that reason

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(Mr. Negrotto Cambiaso, Italy)

that I wish to reaffirm once again, on behalf of my country and on my own behalf, my full confidence in the role of the Conference on Disarmament, a role that is both major and pressing. We are convinced that this Conference, if its membership and responsibilities are updated, will be able to make a major contribution to laying the groundwork for the prevention of certain tragedies: by providing the international community with a preventive network of specific arrangements and above all by giving its organs effective and credible means of monitoring their implementation. As we have often repeated in respect of chemical weapons, the same approach applies, in our view, to the urgent monitoring of the transfer, production and stockpiling of weapons by international bodies; to outer space, where international measures to monitor its utilization, and even certain limitations on that utilization, now seem possible and necessary; to the nuclear test ban, where the time lost this year must be made up in the very near future, in keeping with the progress announced or achieved in the reduction of stockpiles, as well as widespread expectations on the part of the public.

I would have liked to experience with you and all my colleagues and friends in the CD the phase in which the chemical weapons convention was finalized. The impermanence of our status as nomads prevents me from doing so. That is why, as I say goodbye to you today, I mean above all au revoir, until we meet again soon in Paris, for the signature of the chemical weapons convention, where I very much hope I will see all the friends, without exception, that I was fortunate enough to meet here or in New York, with whom it was possible and agreeable, day after day, to achieve an important and promising result; an experience which will remain among the finest memories of my professional career.

The PRESIDENT (translated from French): I thank Ambassador Negrotto Cambiaso for his kind words addressed to me and particularly for the statement he has just made and the wishes he addressed to our Conference for the successful conclusion of the negotiations on chemical weapons. Ambassador Negrotto Cambiaso has just delivered his last statement on behalf of his country. He represented Italy for approximately three years, during which he discharged his duties with remarkable diplomatic skill and talent, in the best traditions of the Farnesina. In 1990 he took up the chairmanship of the Ad Hoc Committee on Effective International Arrangements to Assure Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons with the professional qualities that I have just emphasized, and with his personal qualities which we have all been able to appreciate. He also participated very decisively this year in the negotiations on the draft convention prohibiting chemical weapons, in his capacity as coordinator for the Group of Western Countries. He leaves us now to take up very weighty duties in his Ministry of Foreign Affairs, a responsibility which implies uncommon distinction. On behalf of the Conference and on my own behalf, I wish Ambassador Negrotto Cambiaso and his family every success in their future activities, and I assure him of my friendship. I now give the floor to the representative of the United States of America, Ambassador Ledogar.



Mr. SHAH (India):

... I have asked for the floor today to inform all delegations present at the Conference on Disarmament that a "Joint declaration on complete prohibition of chemical weapons" was signed by India and Pakistan at New Delhi on Wednesday, 19 August 1992 by the two Foreign Secretaries. In anticipation of the early conclusion of the negotiation of a multilateral global convention on the prohibition of chemical weapons at the Conference on Disarmament, you will recall that India had proposed a bilateral agreement with Pakistan last year and at the previous round of the Foreign-Secretary-level talks between India and Pakistan, it was agreed to consider issuing a joint declaration on the complete prohibition of chemical weapons.

It is my pleasure to inform the Conference on Disarmament that under the "Joint declaration on complete prohibition of chemical weapons" signed yesterday, India and Pakistan have undertaken never under any circumstances to develop, produce or otherwise acquire chemical weapons; never to use chemical weapons or to assist, encourage or induce anyone in any way to engage in the development, production, acquisition, stockpiling or use of chemical weapons. Both countries have reiterated their resolve to become original States parties to the proposed convention. They have undertaken to cooperate with each other in finalizing and adopting a comprehensive chemical weapons convention, which would ensure the security of all States and encourage the full utilization of

(Mr. Shah, India)

achievements in the field of chemistry for peaceful purposes, especially of economic development of developing countries. They would exercise their right to develop their chemical industry and related applications and products only for peaceful purposes and for the welfare of their peoples. Reaffirming their respective unilateral declarations on non-possession of chemical weapons and their respective commitments to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and recalling the relevant resolutions of the General Assembly upholding the validity of the 1925 Geneva Protocol, the two sides have expressed their conviction that a complete and effective prohibition on chemical weapons will contribute to the security of all States and have reiterated the need for the early conclusion within the framework of the Conference on Disarmament of a global convention towards this end. Through this "Joint declaration", the two countries have reaffirmed their commitment to durable peace and the development of friendly and harmonious relations and recognize the role of such confidence-building measures in promoting bilateral relations based on mutual trust and goodwill.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland):  
Mr. President, let me begin by joining those who have expressed their pleasure at seeing you in the Chair at this, the final stage in the Conference's work on the chemical weapons convention. I also join with you in conveying our best wishes to our Italian colleague who, to the great loss of all of us here, has been whisked away to deal with even more important matters.

I have asked for the floor to draw the Conference's attention to a statement made by the Foreign Office spokesman yesterday in London in which he said that a global ban on chemical weapons had been a major arms control objective for the United Kingdom for many years. We had given up our own chemical weapons in the 1950s and we had proposed a draft convention as early as 1976. He went on to say that we warmly welcomed the draft convention which had been presented and which we, and the majority of delegations, had accepted as final. This was the culmination of all our efforts. The convention would make a substantial contribution to international peace and security. It would ban the possession, development and use of chemical weapons. It would require all States possessing chemical weapons to destroy them under international supervision. It would also establish the most intrusive verification regime yet agreed in any area of arms control; this would build confidence and deter cheating. The United Kingdom urged all States to accept the draft convention and to sign it as soon as possible.

Mr. BISLEY (New Zealand): Mr. President, the CD session that is drawing to a close has been significant, and it gives me great pleasure at seeing you in the Chair at this time. You have the honour of overseeing the passage of the 1992 report of the Conference, a report to which will be annexed the draft chemical weapons convention (CWC). It is to that convention that I would like to devote my initial remarks.

New Zealand's commitment to the conclusion of a comprehensive convention prohibiting the development, production, stockpiling and use of chemical weapons and on their destruction is a matter of record. We have supported negotiations to that end, by this Conference, since 1968. New Zealand does not, and has never, possessed chemical weapons. We have no intention of ever doing so.

At the Paris Conference in 1989 we withdrew our reservation to the 1925 Geneva Protocol, thereby renouncing any use of chemical weapons as a method of warfare. We did so because we could not envisage any situation in which the use of these weapons could be warranted. We are pleased that others have taken a similar step. The 1925 Protocol fulfilled an important role in addressing the problems of chemical weapons. But it was not comprehensive and, as events of recent years have demonstrated clearly, it was not in itself sufficient to ensure that such weapons were not used again. We are confident that the new chemical weapons convention will be a far stronger and more effective instrument.

The draft which the chemical weapons Ad Hoc Committee, only last evening, agreed to transmit to this plenary, and which must now go forward to the United Nations General Assembly, represents an enormous effort by a good number of dedicated and talented professionals. I am sure I will be only the first of a long list of speakers this morning to congratulate Ambassador von Wagner on his efforts during the final, intensive, phase of these negotiations. He and the team he gathered around him have done a job of which they can be justly proud, and for which all of us can be extremely grateful.

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(Mr. Bisley, New Zealand)

The conclusion of the chemical weapons convention has undoubtedly been helped by the new and improved international climate. But it is worth noting that the convention was largely negotiated during a period of threat and confrontation in world affairs. That was partly why the negotiations were spread over such a long time. Although they took so long, the fact that they continued throughout the difficult years of the cold war demonstrated the determination of the international community to eliminate the threat of chemical weapons.

Not all countries which have worked towards a chemical weapons convention, whether as members or non-members of the CD, agree with every clause or article of the draft. But that is the nature of international negotiations. We are all impelled by the desire to banish chemical weapons, but given the different concerns which inevitably exist among so many different States, a spirit of compromise and consensus is essential in the pursuit of our goal. That spirit has been very much in evidence in the past weeks.

The text now going forward is comprehensive. Development, production and stockpiling of chemical weapons are dealt with in detail. So too is destruction. States undertake never to use chemical weapons under any circumstances. For many this is simply a reiteration of their commitment under the 1925 Protocol. But in its range, and particularly in the area of intrusive verification, the convention contributes to and consolidates new ideas about what the international community is coming to require as a part of effective arms control. The principles in this convention will become an accepted part of the world's norms in controlling proliferation.

New Zealand is not a member of this Conference, but we have sought to contribute to its work, both here in Geneva and closer to home in the Asia-Pacific region. We have joined partners in regional seminars over the course of the last two or three years to prepare for the chemical weapons convention and to urge unanimous support when it is open for signature. We have undertaken a national trial inspection and begun preparatory steps so as to be ready to fulfil the commitments required.

We are strongly of the view that this convention serves the interests of national - and international - security. Accordingly we in New Zealand join others endorsing the text and commending it to the international community. In fact, we would have been perfectly happy to do this in the Ad Hoc Committee last evening had it been possible for non-members of the Conference on Disarmament to take this step. We will in any case co-sponsor a resolution supporting the convention at the United Nations General Assembly. We are taking steps to ensure that New Zealand will be an original signatory when the convention is opened for signature in Paris in January next year.

The final negotiations and the next steps towards signature and ratification of the chemical weapons convention are taking place in an international atmosphere much less heavy with suspicion and distrust than in the earlier years of this Conference's work. Other significant steps forward

(Mr. Bisley, New Zealand)

have been taken. Sweeping cuts to nuclear arsenals have been made by the two most heavily armed States. Even more drastic ones are planned. Nuclear testing is being reduced, and in two cases unilateral moratoriums are in place. Mutual confidence and cooperation are replacing mutual deterrence as the underpinning of global security.

In such circumstances, and with its 20-year period of negotiation on a chemical weapons convention now over, this Conference must also consider its own role. For the last five years chemical weapons has been the Conference on Disarmament's major item. To be quite frank, it has been the only substantive item the Conference has considered in recent times. As we congratulate ourselves on the CWC outcome, we must also ask what we will devote our time and energy to in the future. This is not the occasion to consider in detail the answer to that question, just as we are at the stage of launching into the wider world the product of many years' labour. But we will need, at the Conference on Disarmament's next session, to explore fully the continuing responsibilities we have, and ways of giving substance and form to our deliberation on them. This is not just a long-term, or an academic, question. All of us have to justify to our Governments the resources allocated to various aspects of our Geneva operations. There are, as always, competing demands for staff time. Once the chemical weapons item is removed from its agenda, the Conference on Disarmament can no longer lay automatic claim to those resources to the extent it does so now.

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(Mr. Bisley, New Zealand)

... In this increasingly multipolar world, an ineffective multilateral disarmament negotiating body serves none of us. We owe it to ourselves, and to this Conference, to build on the success of the CWC negotiations. It would be ironic, and disappointing, if the Conference on Disarmament were, on the contrary, to be marginalized by that success. It lies in our hands to ensure that that does not happen.

Mr. KARHILO (Finland): Mr. President, it gives me great satisfaction to be able to speak at the plenary meeting of the Conference on Disarmament today under your presidency. This session has been truly historic. The negotiations on the chemical weapons convention have been completed. A process that has lasted for more than 20 years comes to a successful conclusion in the very near future.

The conclusion of the chemical weapons convention, it seems to us, also brings to an end one era in the history of this Conference. In order to safeguard the CWC process, the profound changes in the world have been kept, to a large extent, outside of this chamber. Now it is the time to open the doors again and to see what consequences the changed world may bring to the CD.

These two topics will be the main subjects of my intervention today.

The history of the chemical weapons negotiations is characterized by a seemingly unending sequence of periods of high hopes and periods of almost total frustration. Many a negotiator has left Geneva with a conviction that the process will never end. And their conviction was well founded, but fortunately, as we see now, the reality has taken another course. That course has not, however, been easy to adopt. In order to reach the stage where we are today all participants have had to make hard decisions concerning concessions on important issues of principle and to set the priorities and preferences in their proper order. It has been a difficult task for all of us, not least because of the accelerated pace at which the negotiations have advanced during this year. We all have been assisted in this process, willingly or through friendly persuasion by our Chairman, Ambassador von Wagner. With his Chairman's texts he has given us guidance on what is achievable and what is not. Without his determination and that of his whole team, the visions of a never-ending process might well have become true.

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(Mr. Karhilo, Finland)

It is with regret that we have to note, however, that it seems that not all of the participants in the negotiations can join in full support of the convention text. At least not at this point in time. That is a serious shortcoming in our efforts. But it is not the end of the world. It is not even unprecedented in the history of the Conference. On the contrary, it has been more of a rule than an exception that there is no consensus on the final outcome of the negotiations. That has not hindered in the past consensus on the transmittal of the outcome to the General Assembly and the opening of the agreements for signature. We strongly hope that this pattern will prevail.

As is known already, the final text of the convention is in various parts considerably different from what Finland had thought should be achieved in such a treaty. As is true with many other delegations, the main disappointments in the text from our point of view are to be found in the parts dealing with verification. There our main concerns are centred on the overall effectiveness and objectivity of the regime. The verification system for us has always been the final guarantee that the increased security brought about by the convention is real. We hope that the CWC verification regime proves to be in practice both the deterrent against violations and the evidence-gathering mechanism that it is meant to be.

The principal focus of Finland's contribution to these negotiations has been technical and scientific. Some of this input is visible in the text of the convention. Some of it will fall under the purview of the preparatory commission's work. Our main objective in this respect has been to conserve scientific precision and objectivity whenever science is applied in the implementation of the convention. That is to say that the science that is being applied should rather be called analytical chemistry than political chemistry.

At the same time we of course recognize that analytical chemistry is not the only tool for the verification of the chemical weapons convention. It is one of many and its usefulness depends on many factors. At best it can, however, be the tool to produce unambiguous evidence on violations.

No treaty is perfect. Even with its deficiencies the chemical weapons convention is a remarkable achievement. It means substantial progress in international security. It includes major innovative provisions. It constitutes a major step in the endeavour to eradicate weapons of mass destruction. The time to conclude the convention was now. Consequences of a failure to do so would have risked the convention altogether. Therefore, Finland associates itself with the statement made by France, joined by several other delegations yesterday at the meeting of the Ad Hoc Committee on Chemical Weapons, which is reflected in the Committee's report.

During the last year or so it has been heartening to notice that the demand for full sets of the Finnish Blue Books has increased. A clear sign that the approaching end to the negotiations has not gone unnoticed by the laboratories that may seek to have a function related to the convention. As to our own laboratory, I can repeat the pledge made a couple of years ago that its competence will be at the full service of the organization.

(Mr. Karhilo, Finland)

The setting up of the necessary laboratory network for the organization is one of the tasks that the preparatory commission should embark upon at an early stage of its work. The accreditation process will take time. But it ensures that highly skilled personnel in well-equipped laboratories follow strict quality assurance procedures as required for such a network. And accreditation has to be completed before the entry into force of the convention.

Another practical preparatory operation that cannot be delayed is the training of inspectors. Several countries are already offering or planning to offer training programmes that are of relevance to the CWC. However, at the moment there are no guidelines for these countries as to the contents of the training programmes. It is in the interest of both the organizers of these programmes and the participants that the programmes conform to the needs of the organization to the maximum extent possible, that they do not overlap unnecessarily, and that they form logical parts of the overall training scheme.

From our own experience with training we can conclude that the skills needed during an inspection are so varied and the required depth of specialization so great that in practice it will be impossible that all of them could be accumulated by one person, the inspector. Rather, the organization will need trained specialists in several aspects of inspections. Consequently the inspection team will have to be composed of the specialists needed to fulfil a certain inspection mandate. This fact will naturally have to be reflected in the training programmes. There is no need to try to include everything in one single programme, but rather one can concentrate the programmes on a certain skill or skills and increase the depth of training in those. The programmes should be focused. And they should be focused on relevant matters in a relevant manner.

At the same time coordination between the programme organizers is very important. In order to optimize the utilization of scarce resources duplication of efforts should be avoided. And it is as important that one should try to make sure that all the relevant aspects will be covered by training programmes.

A lot of work has to be done in this field. We have been glad to notice that a growing number of delegations have started to discuss these issues and that voluntary coordination and background work among the organizers is being developed.

The conclusion of the chemical weapons convention immediately brings into mind thoughts on the future work of the Conference on Disarmament. Important statements have already been made in this room about the prospects for the future. All of the speakers have in one form or another also referred to the possibility of an end to the CD altogether. That clearly shows that the issue is serious.



(Mr. Karhilo, Finland)

... As in the past during the cold war era the countries most directly involved and affected may well achieve some good results which have global dimensions. However, the nature of many of the new threats and security concerns call for wider participation by the international community in their solution. But even so, should those solutions take the form of global conventions of the CWC type for example? Or should we rather think in terms of more limited documents and agreements? Are the security needs of countries better served by reactions to topical issues with restricted dimensions than by near-eternal negotiations on very complex conventions or on topics where no progress is achieved?

Mr. de RIVERO (Peru) (translated from Spanish): First of all, Mr. President, allow me to convey to you the great satisfaction my delegation feels at seeing you presiding over the Conference at this time of the year when very important work is coming to a conclusion. You may be sure of our support. We have every confidence in your drive and patience, which are a guarantee of success. I should also like to express my best wishes to the Ambassador of Italy, Andrea Negrotto Cambiaso, in the discharge of his new and important responsibilities which await him in Rome; likewise to Ambassador Roberto García Moritán of Argentina, who has also been summoned by his Government for important duties in Buenos Aires. Similarly my delegation warmly welcomes the Ambassadors of Sri Lanka and Poland, whom we wish a happy stay in this city together with their respective families.

The Ad Hoc Committee on Chemical Weapons, under the gifted leadership of the Ambassador of Germany, Adolf von Wagner, has just made a substantial contribution to the strengthening of international peace and security with the conclusion of the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. This achievement, which will prove to be a landmark in the history of disarmament, was made possible by the convergence of the political will of the States represented here and the undeniable skill displayed by Ambassador von Wagner and his delegation when they chose the path which made it possible gradually to strike a consensus on those substantive issues which were still pending and were difficult.

The convention on chemical weapons, the first of its kind in its scope and complexity, negotiations on which have finally been concluded, constitutes an extensive exercise in cooperation and solidarity among the States parties for the purpose of achieving the elimination of these horrific weapons of mass destruction once and for all. In this regard, and with this conviction, we know that this convention builds upon the precedent set by the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. And bright prospects are undoubtedly opening up for the realization of nuclear disarmament, including the complete prohibition of nuclear tests, in the not too distant future.

Although Peru's decision to be an original signatory of the convention is well known, I should like to take this opportunity to place on record my country's full support for the draft convention contained in document CD/CW/WP.400/Rev.2. It is no secret to anyone that the draft convention contains the minimum that is acceptable to the vast majority of delegations. But it is this very common denominator which made it possible for the Ad Hoc Committee to accomplish in full the task entrusted to it.

Peru's expectations were of course greater, as no doubt were those of many other member States of this Conference. Nevertheless, the draft convention embodies the concessions that the member States had to make to one another, all of them guided by the sole objective of eliminating chemical weapons from the face of the Earth.

(Mr. de Rivero, Peru)

My delegation could make many observations on the draft convention at the end of this negotiating process. For the moment I will restrict myself to making only a few such observations, relating to some aspects of its content. In the first place, it might perhaps have been desirable to update the preamble, which dates for the most part from 1985, in order to bring it into line with the scope of the general obligations set out in article I.

Second, we consider that the definitions and criteria in article II are consistent with the prohibitions appearing in article I. Even though the definition of chemical weapons displays a degree of latitude, we proceed from the assumption that good faith on the part of the States parties will prevent possible combinations of circumstances from being readily confused with an alleged intention to flout obligations entered into under the convention. At all events, in the interests of safety it would appear preferable to have a degree of flexibility in interpretation rather than a narrow definition which might be overtaken in the future by ceaseless technological development, particularly in the field of non-lethal chemicals.

Third, it is true that if law enforcement is not referred to as "domestic", as in article II, paragraph 9 (d), this might give rise to far-fetched interpretations going beyond what the negotiators intended. Consequently, my delegation considers it appropriate to point out that as far as Peru is concerned law enforcement is within the competence of each geographical State, except for activities that might be carried out by United Nations peace-keeping forces.

Fourth, in Peru's view the good faith of the States possessing chemical weapons will be judged by the way in which they implement their general plans for the destruction of their stockpiles; it would be desirable for the destruction of chemical weapons to be effected more rapidly, except in the cases specified in part IV (A), paragraph 21 of the annex on implementation and verification. We continue to regard it as regrettable that States will be under the obligation to destroy only 45 per cent of their chemical weapons by the end of the seventh year of the destruction process, especially since this appears to prejudge the extension of the destruction period for five more years, as referred to in part IV (A), paragraph 24. This is why my delegation attaches particular importance to the principle set forth in article IV, paragraph 16, regarding the obligation of a State possessing chemical weapons also to meet the costs of verification of storage and destruction of such weapons, unless the executive council decides otherwise.

Fifth, the provisions of article VI, in the view of experts, restrict the scope of verification of world chemical industry. Of course, it was in no one's mind to cover the whole of this dynamic productive industrial sector, since verification would have been unmanageable and exorbitantly costly. Yet it was thought to be possible to cover more than 30 per cent of "capable facilities". In the end, the objectives of the convention proved to be more modest, either because thresholds were raised or because it focused solely on "PSF facilities".

(Mr. de Rivero, Peru)

Sixth, the agreed composition of the executive council was not the happiest solution for Latin America and the Caribbean. We accepted the agreement as the best way of stimulating greater involvement, particularly by Africa, among the original signatories. Yet at the same time we attach particular importance to article VIII, paragraph 25, under which, as soon as the destruction of chemical weapons and production facilities has been completed, the conference may, at the request of a majority of the members of the executive council, review the composition of the council, taking into account developments related to the principles specified in paragraph 23.

Seventh, Peru continues to believe that the amendment procedure set out in article XV suffers from the shortcoming that it makes the new convention very rigid, to the point that it might become fossilized through the actions of a single State party which either opposed an amendment or merely decided dramatically to refrain from ratifying it, even after having voted in favour.

Eighth, my delegation welcomes the important statement made by the Ambassador of Australia, Paul O'Sullivan, on behalf of the Australia Group, whereby the member countries of the Group made a commitment to seek to eliminate restrictions on transfers among the States parties. For the same reasons, my delegation welcomes the inclusion in parts VII and VIII of the verification annex of important provisions designed to monitor transfers to States which are not parties to the convention.

Lastly, it is to be hoped that the ban on making reservations to the various articles of the convention will not lead to the unhealthy practice of interpretative declarations. Under the Vienna Convention on the Law of Treaties, such declarations must be regarded to all intents and purposes as reservations, and they therefore fall under the ban.

We know that the preparatory commission has an arduous task ahead of it and that the way it addresses and resolves the questions within its competence will determine whether there is a smooth transition to the future international organization. It is therefore advisable to give due advance consideration to its structure and agenda in order to smooth the path to full operation at the beginning of next year.

(Mr. de Rivero, Peru)

... Another topic for the agenda would be a protocol on renunciation of the use of nuclear weapons. This is another of the specific topics which my delegation is proposing and which in part falls under present items 2, 3 and 6 of the Conference's agenda. The elimination or withdrawal of tactical and medium-range nuclear weapons from the main theatres in which the cold war was conducted and their use was contemplated has logically resulted in the raising of the thresholds for nuclear reprisals, with the virtual elimination of the "first strike". For that reason we believe that in this Conference, it is now possible, given the presence here of the five nuclear Powers, to commence negotiations on a protocol which will prohibit the use of nuclear weapons. As far as the scope of obligations is concerned, this protocol could perhaps draw

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(Mr. de Rivero, Peru)

on the Geneva Protocol of 1925, without of course taking the analogy too far. This should in no way constitute a bar to the immediate consideration of other initiatives to encourage the process of nuclear disarmament.

(Mr. Errera, France)

In ratifying Protocol I to the Treaty of Tlatelolco, France wishes to recall once again that the non-proliferation of arms of mass destruction remains an imperative for the international community, as was stressed in the declaration adopted at the summit meeting of the Security Council on 31 January. It is in that spirit that on 3 August, France deposited its instruments of accession to the Treaty on the Non-proliferation of Nuclear Weapons. It is in that spirit that at an earlier stage it signed Protocol II to the Treaty of Tlatelolco, which contains negative security assurances for the benefit of States parties, precisely because those States had made legally binding commitments in the field of non-proliferation. It is also in that spirit that it has undertaken to become an original signatory of the chemical weapons convention. And it is in that spirit that France will continue to contribute to the fight against the proliferation of weapons of mass destruction, in which all States, North and South, have a major interest, and which therefore requires joint action on our part. In this common endeavour, the Conference on Disarmament has an important role to play. Non-proliferation issues, we believe, already form part of the tasks of the Conference, in one way or another, and are among its priorities. It is up to us to confirm this determination, by practical actions, in our future work. It is clear that the links between disarmament and non-proliferation are becoming closer every day. Hence only we can decide that it should be in a multilateral context that progress will be accomplished, a broad consensus will appear and rules will be negotiated. We hope in this regard that the useful informal consultations undertaken at the initiative of our colleague from Mexico, Ambassador Marín Bosch, will produce the necessary decisions.

(Mr. Zahran, Egypt)

... The Egyptian delegation has worked diligently among other delegations in order to elaborate a water-tight convention to ban chemical weapons. On this occasion I seize the opportunity to pay tribute to the contribution made by Ambassador von Wagner and the German delegation as the Ad Hoc Committee on Chemical Weapons terminated its work late yesterday, 26 August, by adopting its report which will be transmitted later to the Conference. Egypt has always supported all measures designed to contribute to the promotion of international and regional stability and has always committed itself to engage in constructive negotiations to fulfil this objective. It is with this understanding that the delegation of Egypt, together with other delegations, have presented amendments to the draft convention in a constructive spirit with a view to enhancing the universality of the convention. Egypt has always attached great importance to including in the draft convention issues that it regards as vital to its national security and interests. We genuinely hoped that such concerns would have been included in the text of the draft convention. Allow me at this juncture to mention briefly some of these concerns that are momentous to us and that were made available in more detail in working paper CD/CW/WP.434 and reflected in the final report of the Ad Hoc Committee (CD/CW/WP.436). First, article II, particularly the problem of the wide-spectrum definition of chemical weapons. Second, article VIII, and in particular the imbalance in the regional representation in the executive council, especially the inequitable share reserved for the African grouping in the council. Third, article IX, and in particular the powers of the executive council as regards challenge inspection, and the Egyptian proposal to address possible abuse of challenge inspection. Fourth, article XI, as we were unable to get a clear-cut commitment in the convention that its implementation will not hamper the economic and technological development of the States parties.

Egypt participated actively in the negotiations on the CWC, and we hoped that it would achieve universal adherence by reflecting the legitimate sovereign rights and vital interests of all States in view of our need to live in peace and security and cooperate with other members of the international

(Mr. Zahran, Egypt)

community. We appreciate the goodwill of the Chairman of the Ad Hoc Committee, Ambassador von Wagner, who provided clarification of some of the provisions of the draft convention. However, regarding his explanation on the definition of chemical weapons in article II, we find that it falls short of total clarity and complete satisfaction. On the other hand, my delegation is putting a question regarding the authoritative legal status of the Chairman's explanation in so far as the ambiguity of certain provisions and the clarity of others versus the text of the draft convention. However, the explanatory statement of the Chairman of the Ad Hoc Committee is indicative of the complexity of the draft convention. In addition, the draft convention does not meet the requirement of providing full-scope security assurances to face the case of an aggression using chemical weapons against a State party to this convention; a legitimate requirement which should be studied in view of addressing it.

In spite of the said misgivings and concerns, my delegation will not stand in the way of a decision by the Conference on Disarmament to transmit the draft CWC to the forty-seventh session of the General Assembly for consideration.

We believe that a good and balanced convention on the prohibition of chemical weapons is a step forward which enhances the implementation of President Mubarak's initiative of April 1990 that called for declaring the Middle East a region free of weapons of mass destruction under effective international control. The said initiative is intended to involve all weapons of mass destruction, namely, nuclear, chemical and biological. The draft chemical weapons convention, together with the non-proliferation Treaty and the biological weapons Convention, are considered to be the three pillars on which the said zone should be established. Hence, from the regional perspective, we cannot dissociate the CWC from the NPT and BWC. We have a strong conviction that all States in the region should bear equal, reciprocal and balanced obligations deriving from the above-mentioned three international instruments governing weapons of mass destruction all together. In this regard, I would like to recall the letter addressed by His Excellency Amre Moussa, Minister for Foreign Affairs of Egypt, to the Secretary-General of the United Nations on 19 July 1991 (A/46/329) in which he enumerated basic elements for the promotion of international and regional stability and security. The said elements include, inter alia: first, a quantitative and qualitative balance between the military capabilities of all States in the region; and second, the accordance of priority to ridding the region of weapons of mass destruction, namely nuclear, chemical and biological weapons.

In addition, on 5 July 1991, Egypt announced a series of additional ideas and proposals on the issue of regional disarmament in the Middle East. First, the major arms-producing States, and particularly the permanent members of the Security Council, as well as Israel, Iran and the Arab States, should deposit undertakings with the Security Council in which they clearly and unconditionally endorse the declaration of the Middle East as a region free of weapons of mass destruction and commit themselves not to take any steps or



(Mr. Zahran, Egypt)

measures which would run counter to or impede the attainment of that objective. Second, the arms-producing States and the parties to the Treaty on the Non-Proliferation of Nuclear Weapons should step up their efforts to ensure that all Middle East nations which have not yet done so adhere to the NPT. Third, States of the Middle East which have not yet done so should declare their commitment not to use nuclear, chemical or biological weapons, not to produce or acquire nuclear weapons or nuclear material suitable for military use and to dispose of any existing stocks of such material, and to accept the International Atomic Energy Agency safeguards regime. Fourth, those States of the region which have not yet done so should declare their commitment to adhere to the nuclear non-proliferation Treaty, as well as the Convention concerning the prohibition of biological weapons of 1972, no later than the conclusion of the negotiations on the convention on the prohibition of chemical weapons being conducted under CD auspices. Fifth, the Middle East States should declare their commitment to address measures relating to all forms of delivery systems for weapons of mass destruction. Sixth, the States of the region should approve the assignment to an organ of the United Nations or any other international organization of a role to be agreed upon in the verification of the agreements to be concluded in this regard.

The above-mentioned considerations also fall within the scope of the peace process currently under way since the Madrid Conference started aiming at restoring a comprehensive, just and final peace in the Middle East based on Security Council resolutions 242 and 338. Ridding the region of all weapons of mass destruction through the adherence of all States in the Middle East to the NPT, CWC and BWC constitutes a positive contribution and one of the confidence-building measures which accelerate the peace process.

Mr. BENHIMA (Morocco) (translated from French):

... For many years the procrastination in the Conference gave rise to doubts as to its effectiveness and raised questions concerning its future. The international climate prevailing at that time could account for its marginalization and the prolonged lack of progress in its work. Today, thanks to intensive efforts in the negotiations on chemical weapons, we are ready to restore the credibility of the Conference as the sole multilateral disarmament negotiating body. The mandate entrusted to it is about to be crowned by the approval of the draft convention. This result, which we welcome, creates new conditions that give grounds for the hopes that we are entitled to place in the Conference's ability to take the further steps specified in the terms of reference with which it had been entrusted.

Faithful to a tradition firmly rooted in its history and in its geo-political position at the point of confluence of the Mediterranean and the Atlantic, and also faithful to its commitments, the Kingdom of Morocco has always displayed its support for disarmament by acceding to the relevant conventions. This commitment was reaffirmed by His Majesty King Hassan II at the summit meeting of the Security Council held on 31 January last. I quote:

"The progress achieved in the nuclear sphere should not prevent us from redoubling our joint efforts to ensure the success of the Geneva negotiations on the prohibition of chemical weapons and their destruction in order to rid ourselves of a devastating weapon that constitutes a negation of civilization and its noble human values. We believe that disarmament will have no true significance unless it engenders in the countries of the North the dynamics of cooperation with the countries of the South to help the latter to free themselves from underdevelopment.

(continued)

(Mr. Benhima, Morocco)

Moreover, we believe in the relevance of the trend to establish a link between peace and disarmament. However, we regret that this trend fails to establish a link between peace and progress, despite the closeness of this link."

Careful scrutiny of the main provisions of the draft convention and its annexes highlights imperfections and gaps despite the care taken to fill the gaps and meet the expectations of all sides. However, an overall assessment of the draft shows that it constitutes a compromise among the concerns which had been expressed. My delegation repeats its hope that the improvements introduced will make it possible to convince those who still doubt, so as to grant the convention the universal support that will guarantee the security of all States acceding to it, safeguard their legitimate interests, create the best conditions possible for implementation in a context of transparency and ensure unhindered cooperation for the development of the chemical industry for peaceful purposes. Given the importance of the chemical industry in its economy, because of the volume of production and exports, Morocco will ensure that it contributes to the executive council in the application of the provisions relating to trade in non-prohibited chemicals, and the relevant production technologies.

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Mr. SKOGMO (Norway):

... Permit me briefly to introduce a new Norwegian contribution on chemical weapons, document CD/1169, distributed today, entitled "Transport of samples containing chemical warfare agents by air". This working paper is part of a series of research reports related to the verification of a CW convention submitted by Norway since 1982. This may be the last contribution we are making on the CW issue to the Conference on Disarmament here in Geneva, but I would like to assure members of the Conference of our continued intention to work on issues that would strengthen the CW when the focus of this work is shifted to the new headquarters of the new organization in The Hague.

The report we are introducing here today deals with the practical problems faced by those who, as a consequence of the CW convention, soon may have to transport scheduled CW compounds by air freight. Norwegian experts

(Mr. Skogmo, Norway)

have conducted trial shipments which are further described in the report. We hope that the experience we have gained in our trials may prove useful to other parties to the convention.

I could not miss this opportunity to say a few words on the convention that is about to be launched as the first international legal instrument negotiated by the Conference on Disarmament. Its importance for the international standing of this body cannot be exaggerated. The CW convention offers a universal instrument for removing vast quantities of a particularly abhorrent category of weapons. It provides a new basis for building confidence between nations. The untiring efforts of Ambassador von Wagner and his team command our respect and admiration. His efforts and the hard work of the Ad Hoc Committee were crowned with success last night. We all rejoice in this outcome.

A compromise text is seldom perfect, and the text before us is certainly no exception. The verification requirements could in our view, have been stronger. In spite of its shortcomings, my Government firmly believes that the treaty should go forward from the Conference on Disarmament for signature and that it deserves global adherence. The international community cannot wait another decade for the Conference on Disarmament to sort out residual national differences. The result after new rounds of negotiations would probably not be better than the product before us now.

Mr. MASHHADI (Islamic Republic of Iran): Mr. President, my delegation is happy to see you chairing our work in the Conference on Disarmament. We indeed need a President of your calibre to help us arrive at a successful conclusion of our work for the year 1992.

The work of the Ad Hoc Committee on Chemical Weapons practically came to an end yesterday, 26 August. My delegation acknowledges with great thanks and appreciation the relentless and meticulous work done by Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, as well as his delegation. My delegation will seize another opportunity in the future to express its views on the text of the draft convention. The reason I have asked for the floor today is that pursuant to the statement made by my Ambassador on 21 August 1992 in the Ad Hoc Committee on Chemical Weapons and also in the light of the discussions which have been made on article VIII, I have been instructed by my Government to make the following statement.

The Islamic Republic of Iran will agree to the transmission of the report of the Ad Hoc Committee on Chemical Weapons and its appendix to the forty-seventh session of the General Assembly for its consideration. It, however, rejects totally the inclusion and transmission of provisions dealing with the composition of the executive council in its present form in article VIII to the United Nations General Assembly. This objection is to the content of the text which grants privileged seats to more than a third of the members of the executive council. States parties must have an equal chance to serve on the executive council and no country should have special privileges. Iran also opposes the procedure which led to the appearance of the text as it is. The negotiations on the composition of the executive council were held in a non-transparent manner by a few countries to get privileges at the cost of others. We have never received an explanation or justification for example why four countries should receive special treatment and be courted with special privileges in the Asian region. The Islamic Republic of Iran cannot agree to such discrimination.

Mr. GASPAR (Czechoslovakia): Mr. President, allow me, first of all, to express my delegation's satisfaction at seeing you presiding over our work at the Conference in its final phase of the 1992 session. Upon instructions from my capital, I would like to make the following brief statement.

The delegation of the Czech and Slovak Federal Republic associates itself with the intervention made by Ambassador Errera of France at the meeting of the Ad Hoc Committee on Chemical Weapons yesterday, 26 August 1992.

(Mr. Gaspar, Czechoslovakia)

I would request you, Mr. President, to reflect this position of my delegation in the official records of the Conference. Finally, I also wish to join those speakers who expressed appreciation and gratitude for the work of the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, and his team, which led us to the successful conclusion of the negotiations on the text of the chemical weapons convention.

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Mr. PEREZ-VILLANUEVA (Spain) (translated from Spanish):

... Today I wish to address a few words to this meeting and those present here, members of the Conference or participating non-members, as we have decided to call this new category, simply to refer to something which my country and my Government regard as important in connection with the historic step we took yesterday in concluding, in the Conference on Disarmament and in the Committee on Chemical Weapons, the negotiations on that very category of weapons, after, if my count is not incorrect, 16 years of negotiations. I should like, before delving more into this subject, and with the few words I will venture to address to them, to express my thanks and the thanks of my Government to Ambassador Adolf von Wagner and equally so to his delegation, whose personal sacrifices I have observed over recent months, whose commitment, perseverance and brilliant professional skills have helped to secure the splendid result which we achieved yesterday.

Upon instructions from my Government I should like to state formally before this plenary that Spain supports, without any restrictions, the outcome of the negotiations on the treaty prohibiting chemical weapons, as embodied in the latest version of document WP/400/Rev.2. Consequently Spain will actively cooperate in the successive steps involving this instrument, in order to secure, within the speediest possible time, if not universal accession, then truly broad and representative accession by all the countries of the world, the civilized world, which hope to rid themselves of a particularly repellent category of weapons. Spain, I repeat, will actively cooperate in the practical matter of the start-up of the permanent organization established under the treaty, and will cooperate in terms of the human resources required, as well as any financial resources stemming from its participation.

(continued)

(Mr. Pérez-Villanueva, Spain)

I would also like to express a feeling of concern experienced by my Government at the results obtained and reflected in the text of the report of the Ad Hoc Committee to the Conference on Disarmament. I am of course referring to the Ad Hoc Committee on Chemical Weapons, whose proceedings were concluded yesterday. This is a concern which I venture to express in this body in view of the fact that in the Ad Hoc Committee a non-member country, an observer country, does not as far as I know, have an opportunity to place on record its support for the positions of others. Therefore I venture to express before you Spain's concern at a new development - the reflection in a final report of the work of an ad hoc committee, and furthermore an ad hoc committee with a result of this nature, of an enormous, I would say disproportionate, number of country statements. Our concern refers, is founded, on the fact that we are not too clear about the significance that may derive from such a number of country statements in a report of this kind.

Our concern is based on legal considerations. We consider that these country statements are not reservations; if they are country reservations we have a serious problem on our hands, since they would be directly in conflict with the text of the treaty on chemical weapons, and if, as I hope, they are not country reservations, in any event they can be regarded as a body of legal doctrine which tomorrow, if necessary, would have to be employed to interpret unclear provisions in a text of this kind, and it is a particularly complex text. But there are political reasons for which my country and my Government consider that the report of the Committee on Chemical Weapons gives grounds for some concern. There are political reasons because on reading all of the document, and given the presence and the content of this large number of country statements, the resulting impression is a disheartening one, if you will allow me the word. We have arrived at what is truly a text of historic significance, with an extraordinarily complex verification system that many of us hope will prove effective, we have taken a truly significant step forward, which will probably come to be a milestone in the long history of disarmament and arms control negotiations, and the final result when you read the report is that there is an excessive reluctance on the part of those very countries which have taken part in the negotiations and have participated actively in the negotiations over a particularly lengthy period of time.

Bearing in mind this concern, my country would like to emphasize that it fully subscribes to the clarification formulated by the Ambassador of the United Kingdom within the Committee on Chemical Weapons itself to the effect that none of the country statements to be found in the final document constitutes an alternative version or a binding element for the interpretation of the document. Consequently, these country statements have no more standing than that conferred on them by the fact that they convey the national position of a country. My Government also wishes to express, and does so through me, our support for the interpretation that the French delegation formulated yesterday, concerning its understanding of the results and the consequences of the text arrived at after such lengthy negotiations, which reflects the

(Mr. Pérez-Villanueva, Spain)

agreement on chemical weapons as set forth in the final report of the Ad Hoc Committee. That is what I wished to say before this plenary today, Sir. I thank you for your patience and interest and reiterate that at all events, from now onwards, until the moment when the opening of the conference for the signature and ratification of this treaty occurs, in Paris it would seem, my country will devote all its resources, or at least those at its disposal, to encourage the fullest possible adherence to this instrument.

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Mr. ARAR (Turkey) (translated from French): Yesterday, in the Ad Hoc Committee on Chemical Weapons, the French delegation made a statement on the text of the draft convention on the prohibition of the development, manufacture, stockpiling and use of chemical weapons and on their destruction. Several delegations associated themselves with that statement. Furthermore, during the most recent meetings of the Committee, certain delegations expressed their feelings on the draft and requested that their statements be published in the report which the Conference is going to endorse. As far as Turkey is concerned I wish to state that, very naturally, my country continues to feel firmly attached to the final communiqué of the meeting of the North Atlantic Council held at ministerial level in Turnberry in the United Kingdom on 7 and 8 June 1990. This communiqué was in fact published as a CD document with the number CD/1006. With your permission I would like to quote paragraph 6 of that communiqué, which relates specifically to chemical weapons:

"We believe the United States-Soviet agreement on reducing chemical weapons stockpiles will provide great impetus towards the earliest possible conclusion of the convention for an effectively verifiable, global and comprehensive ban on chemical weapons now being negotiated, which remains our goal. All allies hereby state their intention to be among the original signatories to the convention and to promote its early entry into force. We call on all other States to undertake a similar commitment. We reaffirm our determination to work to prevent the proliferation of nuclear and chemical weapons and of missiles capable of carrying such weapons."

Since work on the draft convention has just been completed, we believe that the second part of the paragraph relating to the intention of the allies to be among the original signatories and the call to all other States to undertake a similar commitment remains valid. This explains my delegation's position.



The PRESIDENT (translated from French):

... I would now like to take stock of the worrying situation with regard to the drafting of our annual report to the General Assembly (CD/WP.428). The secretariat is now actively engaged in preparing revision 1 of this document, which will contain the following items. First, the technical parts of the report, originally distributed as document CD/WP.428. Second, all the paragraphs on the items on the agenda on which the Conference did not set up subsidiary bodies, namely items 1, 2 and 3, part of item 7 and items 8 and 9. Third, consideration of the question relating to the request made by the General Assembly in resolution 44/116 O, concerning the seabed Treaty. Fourth, paragraphs on the improved and effective functioning of the Conference, distributed by the secretariat last Tuesday. We will therefore be using document CD/WP.428/Rev.1 for the second reading of the draft report at an informal meeting, for which unfortunately I cannot set a date for you now, but about which I will keep all delegations informed. The difficulty has arisen from the fact that, contrary to what Ambassador Berasategui promised the technical services and the secretariat at the beginning of the third part of the session, that is on 20 July, that progress would be made on the non-chemical items so that the end of this last part of the session could be given over entirely to problems related to the chemical weapons convention,

(The President)

unfortunately that has not been the case because it was only on the morning of the day before yesterday that we were able to resolve the delicate pending issues on several items on the agenda. Having said that, there was therefore an overload for the technical services, both in editing and in translation, with the result that these services are absolutely unable to give me a precise date for the completion of their work. But naturally they are going to do their utmost to ensure that this happens as soon as possible.

That explanation was perhaps a little long, but was necessary in order to explain the uncertain situation I am in concerning the date for the convening of this second reading, which will take place as soon as possible and in any case, of course, before the last plenary meeting, when we will adopt the report. The reports of the subsidiary bodies, which will be an integral part of the Conference's report to the General Assembly, will be added by the secretariat as usual immediately after the draft report has been adopted, during the finalization of the official text which will be circulated as an official Conference document and sent to the United Nations General Assembly.

Mr. LEHMAN (United States of America):

... Most importantly for those of you here, the Conference on Disarmament has also seized its opportunity. We are meeting here today at an historic point in the long effort by the CD to bring about multilateral arms control and disarmament. In keeping with its mandate, the Ad Hoc Committee has succeeded this year in completing its seemingly endless negotiations to ban chemical weapons. This is a major achievement toward a safer, more secure world. All of you can be proud of what you have accomplished.

Over many years, dedicated people in Geneva and in capitals have worked hard to develop the chemical weapons convention. It has not been easy to reconcile the ideas and concerns of different delegations. Nor has it been easy to design provisions that meet the complex demands of an effective chemical weapons ban. With perseverance and creativity, the Conference has produced a document that breaks new ground in many areas. The chemical weapons convention is unprecedented in the scope of its constraints, in its verification system and in its widespread benefits, especially for developing countries.

There is a tendency sometimes in the inevitable focus on the details of the text, to lose sight of the big picture. I would like to take a few minutes to explore the remarkable features of this convention. For the first

(continued)

(Mr. Lehman, United States)

time on a multilateral level, States have agreed to a complete prohibition of an entire category of weapons together with appropriate enforcement machinery. The objective of the chemical weapons convention is not simply to curb the spread of chemical weapons or to preserve the status quo; rather it is to eliminate an entire type of weapon, weapons that exist in large quantities and have been used in combat.

This prohibition will be absolute. All activities for offensive chemical weapons purposes will be banned, not just the use of such weapons. All existing chemical weapons will be destroyed, not just some of them. All areas of the world will be protected, not just a specific region or a few States.

With respect to CW stockpiles, I want to stress that as a State possessing chemical weapons, the United States is committed to destroy its entire chemical weapons stockpile within the 10-year destruction period specified in the convention. All of the United States stockpile is located on United States territory. All of the United States stockpile will be destroyed on United States territory. Other States may rely on these assurances as they prepare to make declarations and meet verification requirements under the convention.

The unprecedented scope of the convention requires unprecedented verification measures. The convention provides for declaration and inspection of chemical weapons and chemical weapons production facilities, for continued inspection until they are destroyed, and for inspection of destruction. Inspectors can be present continuously during the chemical weapons destruction process.

Verification requirements for the convention are also driven by the complex relationship between chemical activities that will be prohibited and those that will not. Both developed and developing societies depend on a wide variety of chemical activities. Unfortunately, many common industrial chemicals, and the facilities that produce them, can be misused for chemical weapons purposes. The task of the negotiators has been to develop measures that will be effective in verifying compliance, but will not unduly interfere with legitimate industrial activities. The convention therefore provides for a hierarchy of measures in which the level of monitoring is based on the level of risk. The greater the risk, the more intrusive the monitoring. As a result, verification will focus on those few activities that pose the greatest risk. Where permitted activities pose less risk, other less stringent measures will be applied that will, none the less, help reduce the potential for circumvention of the system.

A safety net for the verification system is provided by challenge inspection provisions. These go well beyond analogous measures in other recent agreements. At the same time, the legitimate concerns of the inspected State party are well protected.

Another innovation in the verification system is the concept of coordinating bilateral and multilateral verification efforts. This will help to reduce the direct costs of implementing the convention without reducing the level of assurance provided to parties.

(Mr. Lehman, United States)

To oversee the operation of the convention, in particular the implementation of its verification provisions, an important new international organization will be created. The verification responsibilities of this organization - and thus the demands placed on it - go much further than those borne by IAEA or other existing bodies under normal circumstances.

This combination of strict verification of weapons production facilities and extensive monitoring of commercial industrial activities is unique to the chemical weapons convention. It is an imaginative and practical solution to a unique problem.

In addition to the scope and the verification system, the convention is unprecedented in the assurances given to developing countries. Article X provides for assistance to a State attacked or simply threatened with chemical weapons. Emergency assistance shall be provided immediately.

Security assurances in article X are supplemented by economic assurances in article XI. These provisions mean that the convention will encourage the development of chemical industry, rather than hamper it. At the same time, States retain their sovereign right to control the export of chemicals and equipment from their territory to promote important national security and foreign policy goals. I would note that members of the Australia Group have given assurances that they will review their CW-related controls with a view to removing them on exports to States parties that are in full compliance with the convention. I would also note that the convention imposes restrictions on trade with non-States parties. This is an important step to encourage universal adherence to the convention.

Finally, with respect to costs, we believe that from the very beginning close attention must be paid to the financial aspects of implementing the convention's provisions. We are sensitive to the economic burdens that already weigh heavily on States, particularly for those currently experiencing difficult economic conditions. We are prepared to work closely with others, during the preparatory period and after the convention enters into force, to help keep costs down, consistent with the needs for effective implementation of the convention's provisions.

The chemical weapons convention is not perfect. Each of us can point to provisions that we believe could be improved. It is also certain that each of us would criticize different provisions. What one delegation believes should be changed, another delegation believes must not - and vice versa. In fact, after years of negotiation we have arrived at delicate balances among competing interests and concerns. These include: a balance between the concerns of States that possess chemical weapons and those that do not; a balance between the access needed for verification and the restrictions needed to protect sensitive non-chemical-weapons activities or to protect economic interests; and a balance between the interests of developed States and developing States. The real issue now is whether the convention meets the goal of eliminating chemical weapons and also proves acceptable to States. For our part, we believe it will do both.

(Mr. Lehman, United States)

The United States fully supports the chemical weapons convention. It constitutes a critical international norm against which the behaviour of every State in the international community will be judged. We urge that it be forwarded to the United Nations General Assembly for endorsement so that it can be opened for signature early next year. I believe these views are shared by a vast majority of the States that have participated in the negotiations. Indeed, my Government hopes that all other States will conclude that they should support, sign, and ratify this convention.

Before leaving the subject of chemical weapons, I want to stress that the completion of the negotiations, important as this is, is only a stage in a longer process. Implementation will require the same degree of perseverance and creativity as negotiation. Continued close cooperation among States will be essential. Experience demonstrates that a treaty will succeed only if its implementation is well prepared and closely monitored. We urge all States to be original signatories and to participate in the preparatory conference.

Again, the United States congratulates the CD and its members. In particular we congratulate the Ad Hoc Committee Chairman, Ambassador Adolph von Wagner, for the untiring efforts that have played such an important role in this achievement, and Senator Gareth Evans, Foreign Minister of Australia, for galvanizing the chemical weapons negotiations with his initiative earlier this year.

We look forward to the success of the chemical weapons convention and we pledge to do all that we can to see that its ambitious objectives are fulfilled. Let me state clearly, the United States will be an original signatory to this convention, and we urge all other nations to make a similar public commitment at the earliest date.

Mr. von WAGNER (Germany): Mr. President, Germany is particularly happy to see you in the Chair today - a day which might be considered as one of the most important ones in the history of the CD. We wish you luck and success.

This year's report of the Ad Hoc Committee on Chemical Weapons, as contained in document CD/1170, contains in its appendix the draft "convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction". This convention bears witness to a unique endeavour in the history of multilateral arms control and disarmament negotiations. The commitment of the international community to rid the world of chemical weapons goes back many years. But until recently it had seemed as if the Conference on Disarmament was not able to translate this long-standing commitment into a treaty. Thus, the pertinent resolutions of the United Nations General Assembly reflected a growing sense of impatience with our work as we could read in the relevant paragraphs of last year's consensus resolution 46/35 C:

"The General Assembly,

"...

"Strongly urges the Conference on Disarmament, as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session;

"Requests the Conference on Disarmament to report to the General Assembly at its forty-seventh session on the results of its negotiations".

(continued)

(Mr. von Wagner, Germany)

Today, the task is accomplished. The Ad Hoc Committee on Chemical Weapons presents to the Conference on Disarmament the draft convention, the fruit of years of hard work of many dedicated negotiators, that has been brought to maturity at last. The Conference on Disarmament, in turn, can finally meet the expectations of Governments and peoples around the world and report the successful result of its negotiations to the General Assembly of the United Nations in New York.

The result of our collective effort speaks for itself. There is no precedent for this global, comprehensive and verifiable multilateral disarmament agreement. The draft convention provides for a cooperative, non-discriminatory legal instrument to eliminate the spectre of chemical warfare once and for all. The unique character of its contents is strengthened by the consistent application of two principles: overall balance and adaptability to future needs. Future States parties are offered a balanced legal instrument providing clarity on the fundamental obligations and, at the same time, enough subtlety on matters of implementation so that, with the consent of States parties, the respective provisions may still mature and evolve in the course of future practice.

The following six features of the draft convention may be seen as the key components of its overall balance. They may be looked upon separately, but their real significance flows from their entirety. They represent only parts of one single body of provisions - the convention:

First, the comprehensive scope of general obligations in article I, which, in an absolutely non-discriminatory way, bans all conceivable actions in contravention to the object and purpose of the treaty and stipulates the destruction of chemical weapons and production facilities.

Second, the built-in safeguards to deal with situations where the basic obligations had not been respected, in particular article X (Assistance and protection against chemical weapons) and article XII (Measures to redress a situation and to ensure compliance, including sanctions).

Third, the very clear and unambiguous provisions on the destruction, including its verification, of chemical weapons and chemical weapons production facilities as elaborated in articles IV and V in conjunction with parts IV and V of the verification annex.

Fourth, the extremely delicate and equitable balance which has been established in article VIII in the provisions on the executive council, its composition, procedure, decision-making, powers and functions.

Fifth, the general verification package beyond the specific provisions for verification of destruction, which consists of challenge inspections in article IX and part X of the verification annex and routine verification in chemical industry (article VI and parts VII to IX of the verification annex). The political instrument of challenge inspections reconciles the diverging objectives of maximum assurance against non-compliance, protection of the inspected States parties' sovereign rights, and the prevention of abuse.

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Routine verification in industry balances the objectives of reliable confidence-building, simplicity of administration, and non-interference with perfectly legitimate activities in chemical industry.

Sixth, the evolutionary concept for economic and technological development as contained in article XI and highlighted in the preamble, in conjunction with the equally evolving confidence-building regime of verification in chemical industry, opens the door to expanded international trade and economic cooperation in the chemical sector.

Having highlighted the key features of the draft convention, I would like to guide you briefly through the main provisions of the treaty. Firstly, general obligations and definitions (articles I and II). Article I incorporates the basic undertakings of the convention, adding up to a total ban on chemical weapons and any activities aiming at or contributing to their use. The definitions in article II make clear that this ban extends not only to chemical warfare agents as such, but also to the means of delivery and other devices specifically designed for the use of chemical weapons. Article I furthermore obliges States parties to destroy all chemical weapons, including abandoned chemical weapons, and chemical weapons production facilities. Due to compromises and concessions in summer 1991, the basic obligations regarding the ban on chemical weapons and their destruction as contained in the draft convention are unreservedly comprehensive and absolutely non-discriminatory. Article II, which defines all important terms used in the articles of the convention, is particularly important for the purpose of delineating precisely the scope of the basic obligations as contained in article I.

I now turn to destruction and verification of chemical weapons and chemical weapons production facilities (articles IV and V). Articles IV and V, in conjunction with parts IV and V of the verification annex, contain detailed and rigorous provisions governing the destruction of chemical weapons and chemical weapons production facilities, including verification. Complete destruction is to be achieved within 10 years. Should a State party, in exceptional cases, for technological, financial, ecological or other reasons not be in a position to do so, the convention allows for the possibility of extending this time-frame by up to five more years. Furthermore, in exceptional cases of compelling need, article V permits States parties to convert, rather than destroy, chemical weapons production facilities, but only under strict conditions designed to prevent their possible reconversion. In both instances, rigorous additional verification measures are foreseen to prevent circumvention of the basic obligations.

Regarding routine verification of activities not prohibited under the convention, article VI, in conjunction with parts VI to IX of the verification annex, sets forth a comprehensive and graduated routine regime for international monitoring, through declarations and on-site inspections of "activities not prohibited under the convention", in particular in the chemical industry. The basis of the regime are three "schedules" or lists, contained in the annex on chemicals, identifying chemicals that either have been used as chemical weapons or are precursors to chemical weapons. Government and civilian facilities producing small amounts of schedule 1



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chemicals, i.e. chemical warfare agents, for certain approved purposes such as protective or medical research, are subject to the most rigorous verification measures under the provisions of article VI and part VI of the verification annex. Industrial facilities producing chemicals listed in schedules 2 and 3 are subject to the progressively less rigorous measures elaborated in parts VII and VIII of the verification annex. Finally, all other chemical production facilities deemed relevant to the convention fall under the limited reporting and conditional verification requirements of part IX of the verification annex. These provisions on verification in chemical industry, as they emerged after years of negotiations, reconcile various objectives: they are conducive to enhancing confidence and international cooperation, but not excessively ambitious in their verification goals; they can be administered with relative ease; and they are flexible and open to future adjustment in the light of practical experience gained. Verification in chemical industry aims at steady and continuous confidence-building; it does not provide for highly political action to answer concrete concerns about possible non-compliance. However, verification in chemical industry and the challenge inspection regime under article IX are complementary: smooth and efficient implementation of verification measures under article VI will greatly reduce the need for challenge inspections, which remain the ultimate safety net also to answer concrete concerns about possible non-compliance in industry.

I now come to challenge inspections (article IX). Article IX provides for consultative clarification procedures and, in conjunction with part X of the verification annex, for short-notice "challenge inspections". A State party may request a challenge inspection of any facility or location in the territory of another State party for the purpose of clarifying and resolving any questions concerning possible non-compliance. The request will then be "multilateralized" and the inspected State party must permit the technical secretariat to conduct the inspection and is obliged to grant the organization's inspection team access. However, there are a number of measures available to the inspected State party to protect those activities and installations from undue intrusion which it considers unrelated to the inspection request. The challenge inspection regime constitutes a novelty in the verification of a universally applicable arms control and disarmament treaty. Furthermore, it constitutes a politically sensitive concept which balances carefully the verification interests of a State party and of the international community and the interest of the inspected State party to protect sensitive information not related to the chemical weapons convention. It also balances national sovereign rights and the rights of the community of States parties as represented by the executive council and executed by the technical secretariat. The verification system of the draft convention, in particular the unprecedented instrument of challenge inspections, could become a basis of reference for other multilateral disarmament agreements or for the strengthening of existing verification regimes.

As far as economic and technological development is concerned, article XI aims at promoting expanded international trade, technological development and economic cooperation in the chemical sector. In this regard, negotiations focused on the question of export controls among States parties. The solution to the issue was found by adopting a flexible and dynamic approach which encourages the progressive removal of existing restrictions, evolving in

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parallel with the implementation of verification in chemical industry, thus taking into account the confidence generated by the convention. With regard to the pertinent provisions in article XI, attention is also drawn to the following statement by the Australian representative in the plenary of the Conference on Disarmament on 6 August 1992:

"They [the members of the 'Australia Group'] undertake to review, in the light of the implementation of the convention, the measures that they take to prevent the spread of chemical substances and equipment for purposes contrary to the objectives of the convention, with the aim of removing such measures for the benefit of States parties to the convention acting in full compliance with their obligations under the convention."

I now come to assistance and protection against chemical weapons (article X). Article X is one of the built-in safeguards of the convention to protect States parties against the eventuality of the hypothetically continuing risk of being threatened or attacked by chemical weapons. It provides, inter alia, for the establishment of a voluntary fund for assistance by the conference of States parties; for assistance through the organization in case of the use or threat of use of chemical weapons against a State party; and for immediate emergency assistance directly from other States parties.

Turning to measures to redress a situation and to ensure compliance, including sanctions, article XII is the principal safeguard of the convention to protect States parties against violations of the basic obligations by other States parties. It provides the means to remedy any situation which contravenes the provisions of the convention. Under article XII, the organization may require a State party deemed not to be in full compliance with the convention to take remedial action and, in the event it fails to do so, apply a number of penalties including sanctions. In recognition of the United Nations Security Council's paramount responsibility for matters affecting international peace and security, cases of particular gravity are to be referred to the Security Council for any further, possibly mandatory, action under the United Nations Charter.

To implement the convention, an "organization for the prohibition of chemical weapons" will be established in The Hague, in the Netherlands. It will comprise: a "conference of States parties", composed of all member States, which will be the principal organ of the organization and will meet on an annual basis; an "executive council" where 41 States parties will be represented, which will have the day-to-day responsibility for supervising the activities of the organization; and, headed by a "director-general", a "technical secretariat", whose principal component will be the inspectorate responsible for carrying out the convention's verification activities. Negotiations focused in the last round on the question of the composition of the executive council. Very diverging or even contradicting interests had to be harmonized: the need for a relatively small and effective, but at the same time representative body; the interests of all future States parties to have a fair chance for participation in the work of the executive council; political and security interests; the particular interests of future States parties which, having large chemical industries, will be most affected by the

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implementation of the convention. The criteria for membership in the executive council, as they are specified in paragraph 23 of article VIII, balance these interests. They ensure that the membership of the executive council is broadly representative of the membership of the treaty. Members of each regional group will decide among themselves on the designation of executive council members from their region, taking into account the criteria specified in the convention. The regional groups shall also take into account regional factors in designating these members. By using a balanced approach, regional groups are given some flexibility in designating seats within the groups.

This ends my official introduction of the report of the Ad Hoc Committee on Chemical Weapons. I urge the Conference on Disarmament to adopt this report now and to incorporate it into its report to the forty-seventh General Assembly of the United Nations. Only in doing so will the CD respond adequately to the request of the forty-sixth General Assembly which I quoted at the beginning of my introductory statement. Thus, the endeavours of many generations of active and determined colleagues in the CD will finally be crowned with success.

You and your predecessors have achieved what you have been aiming at during long years. The political result is at hand. Tribute has to be paid to all who have contributed to this result. Not only the delegations, the Committee Chairmen of previous years, the Working Group Chairmen, the Friends of the Chair, the "Moderators", the "Advocates", the interpreters and translators, but also those in capitals who have provided the necessary flexibility for negotiating delegations should be thanked. The secretariat deserves particular gratitude for their untiring efforts to help and give advice. I therefore appeal to all of you: be proud of the convention which you have achieved. Protect it, if necessary; promote it, wherever you can, convince others to adhere to the convention and defend it against unjustified challenges. It is the result of your and your predecessors' endeavours through many years of hard work. Don't let anybody tell you that the result was not worth the effort; it was worth it and history will prove it.

The PRESIDENT (translated from French): I thank the Chairman of the Ad Hoc Committee on Chemical Weapons for introducing the report. I would like to congratulate him, on behalf of the Conference and on my own behalf, for the brilliant and effective manner in which he performed his functions as Chairman of the Ad Hoc Committee. His outstanding competence, his thorough knowledge of the subject, the patience and understanding which he demonstrated during the difficult negotiations, deserve our highest appreciation. Today he has presented us with an historic agreement, the first to be negotiated by the Conference in its present form. I now give him the floor once again for another statement on behalf of the delegation of Germany and a number of other countries.

Mr. von WAGNER (Germany): On behalf of the delegations of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Cuba, the Czech and Slovak Federal Republic, Denmark, Greece, Hungary, Italy, Japan, the Republic of Korea, Mongolia, the Netherlands, New Zealand, Norway, Pakistan,

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Romania, the Russian Federation, Poland, Spain, Sri Lanka, Sweden, Switzerland and my own delegation, I would today like to address the issue of herbicides.

As delegations are aware, the Ad Hoc Committee on Chemical Weapons included in the preamble of the draft chemical weapons convention a paragraph recognizing the prohibition, embodied in the pertinent agreements and relevant principles of international law, of the use of herbicides as a method of warfare. The inclusion of such a preambular paragraph was generally acceptable. However, some delegations have stated that this reference is insufficient.

In the view of the delegations on whose behalf I have taken the floor today these differences of opinion can be overcome by reconfirming at this year's ENMOD review conference the understanding that the military or other hostile use of herbicides as an environmental modification technique having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State party is a prohibited method of warfare under the ENMOD Convention. Indeed, the ENMOD Convention is one of the agreements to which the respective preambular paragraph of the draft chemical weapons convention refers.

It can be assumed from the text of the ENMOD Convention and the uncontested interpretative statement made by a State party that the military or other hostile use of herbicides as an environmental modification technique in the meaning of article II of the ENMOD Convention, if such a use of herbicides upsets the ecological balance of a region, thus causing widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State party, is a method of warfare prohibited by the ENMOD Convention. Furthermore, it should be noted that the complaints and investigation procedures in the ENMOD Convention provide for measures to address the possible use of herbicides as a method of warfare. Thus, it should be possible to reconfirm once and for all at the ENMOD review conference this year that the ENMOD Convention itself already outlaws the use of herbicides as a method of warfare in such a way as to cause widespread, long-lasting or severe effects.

The delegations on whose behalf I have the honour to speak will spare no efforts to promote this understanding at the forthcoming ENMOD review conference.

This ends the statement on behalf of the delegations I mentioned at the beginning. In my national capacity only I would like to add the following to the statement I just made. According to the information available to my delegation the uncontested interpretative statement made by a State party on the ENMOD Convention was delivered by the United States delegation on 20 April 1976 in the plenary of the Conference of the Committee on Disarmament. This interpretative statement reads as follows:

"One question ... is whether the use of herbicides as an instrument for upsetting the ecological balance of a region would be prohibited. In our view, the convention would prohibit such use of herbicides as the means of destruction, damage, or injury if the effects were widespread,

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long-lasting, or severe. An upset of the ecological balance of a region through the use of such techniques would be, at a minimum, a widespread effect. The convention would not, of course, affect the use of herbicides for control of vegetation within military bases and installations around their immediate defensive perimeters. I would note, in this connection, that in April 1975 the United States renounced as a matter of policy the first use in war of the herbicide applications that would be covered by the convention."

Mr. TOTH (Hungary): Mr. President, allow me first of all to congratulate you on your assumption of the presidency. We are very satisfied with the way you have been guiding the work of the Conference in the final stages of the 1992 session. I am convinced that your excellent diplomatic skills will help us through this very last day as well. Let me also extend our appreciation to your predecessors for their outstanding performance.

It is always a special occasion to address the Conference on Disarmament at the last plenary meeting of the annual session. These meetings offer an opportunity to take stock of the results of the work and to draw the appropriate conclusions. It can be stated today that after a number of frustrating years, the Conference has finally lived up to the expectations. It completed its work successfully on the comprehensive and global ban of chemical weapons.

The successful conclusion of this work was headed by a talented, skilful Chairman, Ambassador Adolf von Wagner of Germany. His qualities of perseverance and patience have had a real role to play. We certainly add our voice to the appraisals of his able team as well, whose energies cannot but be admired.

The banning of a whole category of weapons of mass destruction through an international legal instrument is by no means a negligible accomplishment. This long-sought achievement should give immense satisfaction to all negotiating parties even if there is a lingering feeling of unease on the part of a few delegations. The draft convention is the result of an incredibly long and - in its concluding phase - extremely intensive negotiating process. The time devoted to negotiating the draft certainly marks a new record that hopefully will never be beaten in the future. It is a grim reminder that no inventive thinking related to the solution of technically complex issues is sufficient if not backed by political will and resolve to come to agreement.

It is a paradox of multilateral diplomacy that reaching an agreement is inevitably accompanied by some dissatisfaction from each and every participant. The chemical weapons convention is no exception to that. There is no delegation in this room today who could proudly state that none of its favourite ideas had to be sacrificed during the final negotiating stages. Nevertheless, it is true that the level of disappointment or, on a positive note, the level of satisfaction is not the same for everyone. It was of decisive importance for delegations to recognize that the pattern of negotiations in 1992 were going to be absolutely different compared to the "negotiations for the sake of negotiations" type of approach of the

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previous 15 years. Those delegations which had realistic starting positions at the beginning of the endgame are in a more convenient situation now. At the same time, other delegations may have cornered themselves by failing to see the obvious and being unable to adjust negotiating positions in time and with the necessary flexibility. It is the evidently distorted perspective of such a self-inflicted situation that may present others as having special privileges. Only such a perspective could lead to a retrospective characterization of the negotiating process as unfair and non-transparent.

There is one conclusion to be drawn from the overwhelming majority of views expressed in the Ad Hoc Committee on Chemical Weapons and in the plenary meetings of the Conference. The draft chemical weapons convention is the best possible compromise that could be arrived at.

By nature, such a compromise cannot bring absolute satisfaction to any of the negotiating parties. We, for our part, would have envisaged a verification regime more stringent, better furnished with the ability to uncover possible non-compliance. We would also have liked to see more elaborate provisions on sanctions against States parties violating the convention. Situated in a region where perhaps the most important chemical weapons stockpile is to be destroyed, and being a country whose territory was used to stockpile chemical weapons, the provisions on destruction are not entirely satisfactory for us. The possibility of extending destruction deadlines and converting chemical weapons production facilities to purposes not prohibited under the convention cannot be considered as a happy outcome. Yet we were not oblivious of the problems faced by other negotiating parties either, and were prepared to join consensus on this issue as well.

My delegation found rather alarming the proliferation of statements that were to accompany the finalized draft of the chemical weapons convention. In our view, a much shorter factual summary of the work of the Ad Hoc Committee including the appropriate recommendations would have been more desirable. However, to maintain the political balance of opinions to be reflected in the report we felt obliged to associate ourselves with the views of a large number of countries as contained in the relevant parts of the report of the Ad Hoc Committee on Chemical Weapons. With regard to the statements that found their way into the report of the Ad Hoc Committee on Chemical Weapons, we are of the view that those statements have no authoritative status at the level of interpretation.

It is our firm belief that in spite of its imperfections, the chemical weapons convention - once universally adhered to - will be one of the major achievements of multilateral disarmament diplomacy. Its implementation will significantly contribute to global as well as to regional security. Hungary has a genuine interest to become party to this convention and will endorse the relevant resolution of the United Nations General Assembly commending it. We are also looking forward to the signature conference planned to be held in Paris upon the generous offer made previously by the Government of France.

With the conclusion of the chemical weapons negotiations much more time can now be devoted to consider the future of this important multilateral negotiating body. Any discussion should attempt to approach the issue in the

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wider context of multilateral disarmament. Since the Conference on Disarmament is an integral part of the multilateral disarmament machinery, any substantial change will have a bearing on the entire system. We believe that, in harmony with the agreement reached at the consultations on the improved and effective functioning of the Conference, informal consultations should be started right after the closure of the current session of the Conference. These contacts could be continued during the upcoming session of the United Nations General Assembly.

The political circumstances in which the Conference on Disarmament has to conduct its business have changed more rapidly and profoundly than any time in the past. So far, these changes have not had a direct impact on the proceedings of the Conference. It is inevitable, however, that their effects will become more and more apparent, and will be multiplied by the changes within multilateral disarmament itself. The chemical weapons convention is most probably the last dinosaur of its kind. Instead of aiming at global, all-encompassing, omnibus treaties we should give way in our thinking to more streamlined legal instruments as well, addressing smaller, compact and delimited areas where real progress is not necessarily preceded by yet another 15 years of prolonged discussions.

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Mr. SHAH (India):

... India's commitment to a global ban on the production, stockpiling, acquisition, retention and use of chemical weapons is well known. We have made every effort to achieve that goal. Such a global convention is now

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finally within our reach. We owe Ambassador Adolf von Wagner a debt of gratitude for his outstanding contribution as Chairman of the Ad Hoc Committee to the negotiation of this convention.

Both bilaterally and in multilateral forums, India has reiterated its resolve to become a State party to the convention. At the Ad Hoc Committee meeting on 21 August 1992, my delegation expressed its willingness to support the draft text and agree to forward it for consideration of the Conference on Disarmament, with a positive recommendation, to the United Nations General Assembly. My delegation also stated that we are doing so despite the fact that the draft convention contained in document No. WP.400/Rev.2 is not entirely satisfactory and a number of its provisions could have been refined and improved to take into account the concerns of several developing countries, particularly in regard to their economic and technological development.

We still have lingering apprehension on this score. We believe that any intention to continue a dual regime of controls after the convention comes into force would expose those who maintain such a dual regime to charges of insincerity. We are firmly of the view that the convention should not be used, under any circumstances, to deny the developing countries unhindered access to peaceful technology in the chemical field or the supply of chemicals, equipment and material. We are opposed to the continuation or maintenance of trade controls/regimes outside the convention. We believe that all existing discriminatory restrictions on trade relating to scheduled chemicals as well as equipment should be removed immediately on the convention entering into force. We see no place, after the convention enters into force, for restrictions on international cooperation or for export controls by States parties acting separately or together outside the convention.

The convention contains effective measures to prevent any form of proliferation of chemical weapons. It has provisions for sanctions against potential violators. There is, therefore, no reason why States parties to the convention should continue to be subjected to these unilaterally imposed punitive control regimes outside the convention. At the plenary meeting of the CD held on 6 August 1992, we heard a statement by Ambassador Paul O'Sullivan of Australia, speaking on behalf of the members of the Australia Group present in the CD, through which they undertook to review their existing national regulations in the field of chemicals and equipment to meet this aim and to contribute actively to an increase in commercial and technological exchanges between States parties to the convention. It is our earnest hope that the commitment underlying the statement will be carried out fully and promptly. We also hope that the "Australia Group" will dissolve itself both in letter and in spirit. We believe that such action would promote healthy universality and credibility for this convention.

It is recognized that verification is essential in a convention of this nature to provide the assurance that provisions are not being violated and that obligations assumed by States parties are being complied with. However, we apprehend that the verification provisions of the convention place a higher and an unnecessary burden on the civilian chemical industries of developing



(Mr. Shah, India)

countries and will increase the cost, thereby affecting the economic viability of the chemical industry in developing countries. The requirement for declaration and verification of a large number of small chemical facilities which have no relevance to chemical weapons is yet another unnecessary burden imposed on developing countries. Also, the challenge inspection procedures do not eliminate the danger of abuse which my delegation has repeatedly pointed out during the course of our discussions. The extremely short time-limits are clearly recognized as difficult to implement and we are encouraged by the statement from the Chairman of the Ad Hoc Committee that the provision on the 12 hours' notification time is not intended to make it impossible for the inspected State party to fulfil the obligations under the convention. We hope that this will be fully taken into account by all those who may feel compelled to initiate challenge inspection against other States parties.

It is indeed significant that the next review of the nuclear non-proliferation Treaty will follow closely the coming into force of the chemical weapons convention which bans the development, use, stockpiling and production of chemical weapons. On many earlier occasions, I pointed out that the nuclear non-proliferation Treaty has been unable to prevent either massive increases in nuclear weapons or an increase in the number of nuclear-weapon States or tenuous control over the nuclear trigger. Many more nations possess the technology to produce nuclear weapons now than when the NPT was signed. The real issue today is not the NPT or its extension; the real issue is how to put an end to proliferation and eliminate nuclear weapons. As the Prime Minister of India has pointed out, there is a need for an international dialogue to review the NPT to plug existing loopholes and make it foolproof. To pretend that the only way to achieve non-proliferation is to indefinitely extend the NPT, which is discriminatory and imperfect to begin with, and which has proved demonstrably ineffective in preventing proliferation either of nuclear weapons or of nuclear-weapon Powers, is to bury one's head in the sand and to ignore reality. If the international community is capable of achieving a convention to ban chemical weapons, there is no reason to believe that, given the political will, it will not achieve a similar convention to ban nuclear weapons. This is where the sincerity and seriousness of purpose with which the international community approaches the issue of non-proliferation will be tested, and the test will come when the NPT review conference takes place. Surely, if the only purpose of the review conference is to extend the NPT indefinitely in its present discriminatory, imperfect and unrealistic form, one wonders why the world's resources, time and energy need to be spent on first preparing for and then holding a review conference which will not "review" the NPT. In my judgement, the review conference provides a golden opportunity to seriously look at the problem of proliferation, to amend the Treaty provisions, its role and its relevance in the context of the overall objective of achieving genuine non-proliferation and of eliminating nuclear weapons, in the same manner as the elimination of chemical weapons is sought to be achieved through the chemical weapons convention. I can only hope that the international community will grab this opportunity with both hands to make the NPT truly comprehensive, universal and non-discriminatory.

Mr. KAMAL (Pakistan):

... I have already had the occasion of expressing, in the Ad Hoc Committee on Chemical Weapons, my Government's serious reservations on certain provisions of the draft of a chemical weapons convention contained in the appendix to the report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament. These have been incorporated in the report of the Ad Hoc Committee which has come up for the consideration of the Conference on Disarmament this morning. Nevertheless, in view of the importance of these reservations, some of them bear repetition before the Conference itself.

Let me, at the outset, state again that Pakistan neither possesses chemical weapons nor desires to acquire them. We have always had a deep and abiding interest in a comprehensive, effective and equitable treaty which would prohibit the development, stockpiling, acquisition and use of chemical weapons, and ensure the total destruction of their existing stockpiles, facilities and delivery systems. Our commitment to conclude the convention banning chemical weapons is predicated on our desire to exclude any possibility of the acquisition of this abhorrent means of warfare by any country, and particularly by developing countries situated in regions of tension. In such countries, the competing demands of national security and socio-economic development on scarce available resources compel them to allocate ever larger outlays for defence, thereby reducing their capacity to provide inputs for essential social and developmental projects. By eliminating one avenue of defence expenditure for such countries, we would be helping them break out of the vicious circle of insecurity, spiralling arms levels, and underdevelopment. It is in this context that we have reiterated our interest in a chemical weapons convention which meets our essential security and economic interests in the Joint Declaration signed between the Foreign Secretaries of India and Pakistan recently.

We have been discussing the question of a chemical weapons ban in the Conference on Disarmament for more than two decades. During the last few years, it became the most important and promising area of our work. While we have capitalized on the international consensus on the urgent need for a non-discriminatory, comprehensive, verifiable, effective, and truly global convention, in intensified negotiations during the current year, the results of our efforts, however, have not been entirely satisfactory. The draft text that has been annexed to the report contains provisions which have the potential of great misuse and abuse, particularly with reference to

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(Mr. Kamal, Pakistan)

non-relevant facilities and locations, thereby undermining confidence in the future convention. Our particular concerns in this regard relate to articles II, VI and IX.

The definition of chemical weapons as contained in article II is extremely wide, lacks precision and contains elements which can easily be exploited to misuse and abuse the provisions of the convention. A proposal to rectify this inherent shortcoming was submitted by a group of 12 developing countries, but was not incorporated in the Chairman's revised draft text. We have, however, taken note of the Chairman's explanatory statement which may plug this loophole to some extent, and hope that the spirit in which it has been issued will be respected by all delegations.

Provisions relating to verification and compliance, as contained in articles VI and IX, constitute the backbone of the convention, as they would establish the means of providing confidence in its implementation and in deterring violations of its provisions. In establishing such system of verification it was necessary that a proper balance be struck between the requirements of intrusiveness and deterrence on the one hand, and safeguards against abuse of procedures, on the other. Regretfully this balance was not achieved, and we have been presented with a text in which intrusiveness and deterrence have been accorded a much higher priority than safeguards against abuse. This potential for misuse and abuse of the provisions of articles VI and IX could have been prevented had the amendments proposed by the group of 14 developing countries been incorporated into the draft text. The shortcoming has been compounded into the draft text. The shortcoming has been compounded further by emasculating the potential of the executive council in playing its due role in overseeing the implementation of the provisions of article IX.

During the destruction period, the security of non-chemical-weapon possessors, who would have forgone their chemical weapons option from the very entry into force of the convention, would be at greatest risk from the use or threat of use of chemical weapons. The existing imbalance, which gave holders of chemical weapons a full 10 years to destroy their stocks, with no provisions incidentally for any qualitative approach to destruction, has been increased by including a new provision allowing for a possible extension of the destruction period by an additional 5 years. This addition was made in a totally non-transparent manner, without taking into account the views of non-chemical-weapons possessors who are likely to be affected the most by its provisions.

Our views regarding the formula for the composition of the executive council are well known. We favour a principle of equitable geographical distribution, and believe that each geographical group has the right to nominate its members to the executive council, using criteria which each group deems most appropriate. While the industrial criterion is certainly an important consideration for membership of the executive council, it cannot be placed on a higher plane than other criteria, which differ from region to region. We cannot, in any case, accept the concept of permanent seats in the

(Mr. Kamal, Pakistan)

executive council. It should be left to the States of each region to take these different considerations into account while nominating members of the executive council.

The provisions of article X, which are the negative security assurances for non-chemical-weapons possessors, still contain a serious drawback in that emergency assistance in the case of the use or threat of use of chemical weapons has been left to be provided at the discretion of individual States parties, without the automaticity that is essential in such cases. In this fashion, surprisingly, the launching of challenge inspections on the basis of a mere suspicion of possible violation of the convention has been accorded higher priority than has been given to cases of even actual use of chemical weapons.

The balance between deterrence, on the one hand, and economic and technological development, on the other, in article XI, has also not been established in a manner which meets the concerns of the vast majority of developing countries. No categorical assurance has been provided that the Australia Group would be dismantled once the convention enters into force. Instead we have been presented with a statement of intent, which is open to interpretation, and which is couched in conditionalities of a purely subjective nature. In fact, we notice that additional provisions regulating the trade in chemicals have been incorporated in the draft text, with serious economic implications for developing countries.

This is not the first time that we have put forward our serious reservations on many of these provisions in the draft text. Throughout the final phase of negotiations we pointed out these shortcomings, and exhibited a will to negotiate on all those issues with a view to finding proper solutions. Along with the group of 14 developing countries, we also pleaded with the Chairman of the Ad Hoc Committee to let the negotiations run their course for a few more days. To our regret this was not done, and instead we were confronted with a head-long rush to meet a non-relevant deadline. In the process we have ended with a draft text which ignores the legitimate concerns of some delegations, and with an adverse impact on their security.

However, despite these reservations and concerns, my delegation will not stand in the way of any emerging consensus in the Conference on Disarmament to transmit the draft text of this convention to the General Assembly of the United Nations for its consideration.

In conclusion, my delegation would like to pay tribute to the different chairmen who have steered the negotiations in the Ad Hoc Committee on Chemical Weapons over the past several years, and to the Secretary of the Ad Hoc Committee, whose personal knowledge of the issues and association with the negotiations over almost a decade have been of invaluable assistance to all delegations over this period.

Mr. AMORIM (Brazil) (translated from French): First of all, Mr. President, allow me to address the compliments of my delegation to you on your appointment as President of the Conference on Disarmament. It is a source of satisfaction to us to see the representative of Belgium conducting

(Mr. Amorim, Brazil)

the business of the Conference at a time when we have to conclude our work and submit the report to the General Assembly. I must also mention the very special nature of the report that we will submit this year, because it will have a valuable annex, the convention on chemical weapons, one of the most important documents ever negotiated by this Conference. My country has already expressed its support for this text, and although, without a doubt, it is the major subject of today's meeting, I am not going to tire you with a repetition of our views, which have already appeared in the report of the Ad Hoc Committee in any event. All the same, I wish to express my gratitude and the gratitude of my Government for the excellent work done by Ambassador von Wagner.

... In mentioning the historic importance of the process of amending the Treaty of Tlatelolco, I wish to remind you that Latin America was the first region in the world to declare itself a nuclear-weapon-free zone. The campaign against proliferation is a characteristic tradition in our continent, which has given rise to a number of initiatives that make it impossible for the countries of the region to resort to any sort of weapon of mass destruction.

A major initiative in this sphere was the Mendoza Agreement, adopted by Argentina, Brazil and Chile in September 1991, which confirms the complete prohibition of chemical and biological weapons. Uruguay, Paraguay, Bolivia and Ecuador have also signed the Agreement. We sincerely wish to see bilateral and regional initiatives for the prohibition of chemical weapons proliferate and lead to the rapid attainment of the objective already proclaimed by a large number of countries, the adoption of the convention on the prohibition of chemical weapons, the negotiating process on which has just been completed by the Conference on Disarmament.

(Mr. Hou, China)

... China pursues an independent foreign policy of peace. It has made maintenance of peace in the region and the world at large the overarching goal of its foreign policy. China upholds the principled stand of opposing hegemonism and power politics and will not seek hegemony and spheres of influence. China has always attached great importance to and actively participated in the disarmament efforts of the international community. It stands for effective disarmament and arms control in a fair, reasonable, comprehensive and balanced manner. It has all along been in favour of complete prohibition and thorough destruction of nuclear, biological, chemical and space weapons. The possession by China of a limited number of nuclear weapons is solely for the purpose of self-defence. Besides, China has unilaterally undertaken not to be the first to use nuclear weapons and not to use nuclear weapons against non-nuclear States and regions. It supports non-proliferation of nuclear weapons and other weapons of mass destruction. It has formally acceded to the NPT Treaty and agreed to observe the MTCR. It has actively participated in the negotiations on the chemical weapons convention and hopes to see the convention concluded at an early date.

(Mr. Hou, China)

The CW convention is an important priority item on the agenda of the Conference. Negotiations on the convention have lasted many years in the Conference. Now we are pleased to see that with the joint positive efforts of all the CD members and energetic support from the international community, the negotiations have finally made important headway this year. On 26 August the Ad Hoc Committee on Chemical Weapons made a decision and agreed to transmit its report and the appendix thereto containing the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction to the Conference for its consideration. China joins the consensus.

On such an important and meaningful occasion, please allow me on behalf of the Chinese delegation to pay tribute to you, Mr. President, and the successive chairmen of the Ad Hoc Committee, particularly the Chairman this year, Ambassador von Wagner of Germany, as well as all the delegations for the contributions made in this respect. We also would like to thank the CD Secretary-General, Mr Berasategui, and the Secretary of the Ad Hoc Committee, Senior Political Officer Bensmail, as well as their assistants, who have worked diligently and quietly and have made an outstanding contribution.

Today I am instructed by my Government to make and place on record the following statement of position on the Ad Hoc Committee's report and its appendix containing the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. The complete prohibition and thorough destruction of all chemical weapons and their production facilities have always been the common aspiration and urgent demand of the international community, and should naturally constitute the basic objective and purpose of the negotiations on the CW convention in the Ad Hoc Committee and the Conference. As a non-chemical-weapon State and a victim of the scourge of foreign chemical weapons, China has always stood firmly for the early conclusion of the CW convention in conformity with the above-mentioned objective and purpose so as to free mankind forever from the horror of these weapons of mass destruction and greatly contribute to international peace and security.

The Chinese Government has always pursued an independent foreign policy of peace and made unflagging efforts for the maintenance of international peace and security. Therefore China has always attached great importance to, actively participated in and made its due contribution to the CD negotiations on the convention. China will continue to work with other countries in a joint effort for the early realization of a chemical-weapon-free world.

Taken as a whole, the report and its appendix containing the draft CW convention adopted by the Ad Hoc Committee on Chemical Weapons represent the result of years of negotiations in the Conference and the Ad Hoc Committee on CW and reflect the current complex situation where those negotiations have made important headway but some divergences still remain. This draft contains some positive parts on which years of negotiations have culminated in consensus which conforms to the fundamental objective of the complete prohibition and thorough destruction of all chemical weapons and, if fully implemented, will play a positive role in the maintenance of international peace and security. For example, article I of the draft convention expressly

(Mr. Hou, China)

stipulates that States parties possessing chemical weapons undertake to destroy all their chemical weapons and their production facilities and that each State party undertakes never under any circumstances to develop, produce, otherwise acquire, stockpile or retain or use chemical weapons. It is particularly worth noting that this article also provides in clear-cut terms that "each State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party, in accordance with the provisions of this Convention". Obviously, the important provisions on the abandoning State undertaking to destroy all the chemical weapons it has abandoned on the territory of other States are just, reasonable and balanced. In the view of the Chinese Government, it is an essential guarantee of the realization of the fundamental objectives of the convention for the relevant States parties to fulfil without reservation or delay these obligations of international law they have undertaken.

Meanwhile, under Government instructions I wish to point out once again here that this draft convention has not reflected adequately the just demands and reasonable propositions of numerous developing countries, including China. It contains some drawbacks and lacks balance in the provisions on a number of important issues. China cannot but express its concern over and reservations on these drawbacks. In China's view the main drawbacks of the draft convention are, inter alia, as follows: firstly, its scope of verification of chemical industry is too broad. An extremely large number of chemical facilities not relevant to CW are subject to declaration and verification where there is no such necessity at all. This will create grave difficulties for and interference in the chemical industry of developing countries and adversely affect the effective verification of chemical facilities truly relevant to the convention. Secondly, it places excessive emphasis on making challenge inspection extremely intrusive and short-noticed, and overlooks the danger of abuse and the necessity to prevent abuse of the right to request such an inspection. This will threaten the legitimate rights and interests of developing countries. It goes without saying that no sovereign State will allow its vital security rights and interests of no relevance to chemical weapons to be harmed in any way. Thirdly, its provisions on the extension of the CW destruction period, modification of the order of destruction and permission to convert some CW production facilities do not serve the early realization of the convention's fundamental objective.

China, like many other countries, feels concerned that these drawbacks would adversely affect the universality and effectiveness of the convention. Therefore, we still sincerely hope that, through constructive consultations and negotiations in the future, outstanding differences can be ironed out and drawbacks in the draft convention removed, to contribute to the early and complete realization of the fundamental objective of the convention.

The Chinese delegation would like to reaffirm that China has always been in favour of the basic objective and purpose of the convention on the complete prohibition and thorough destruction of chemical weapons, and has made unrelenting efforts towards these goals. Therefore, proceeding from the overall consideration of the maintenance of international peace and security,

(Mr. Hou, China)

China, being a big developing country, is ready, as it was in the Ad Hoc Committee on Chemical Weapons on the adoption of the Committee's report, to join the consensus on the report of the Conference and its appendix containing the draft convention on the prohibition of chemical weapons.

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Mr. ERRERA (France) (translated from French): Mr. President, I have already had occasion last week to offer you my warmest wishes for success in your important task.

Each one of us is aware that we are experiencing an important day. Important, first of all, for disarmament: the decision that the Conference is about to take to endorse the draft treaty for the prohibition of chemical weapons and transmit it to the forty-seventh session of the United Nations General Assembly is indeed historic. For the first time, a treaty of universal scope accompanied by an unprecedented verification regime provides for the complete elimination of an entire category of weapons of mass destruction. In that respect, the convention can be regarded as the first genuine universal disarmament treaty. At a time when the international community is more determined than ever to combat the proliferation of weapons of mass destruction, the convention is sending a clear signal: a signal of dissuasion for anyone who might be toying with the idea of acquiring a chemical-weapon capacity; a signal of security for the vast majority of countries that abide by their commitments and rightly expect, in return for the constraints they accept, to enjoy a strengthening of their security and better conditions in which to develop their chemical industry.

It is also a happy day for the Conference on Disarmament, which can be proud of having been the body which successfully negotiated such a treaty. From this success, we can draw at least two lessons. First, that where the will of States exists, the Conference is capable of attaining ambitious objectives, carrying out the mission entrusted to it and remaining faithful to the calling which it has and must retain: to be the body in which multilateral agreements are effectively negotiated, however difficult, however complex, however demanding these may be. The second lesson is that consensus, the fundamental rule of the Conference, has demonstrated its merits. Far from constituting an obstacle to success, the need for consensus permitted the necessary compromises, justified the essential concessions and proved to be the thread of the common effort enriched by the contributions of non-members. Consensus thereby paved the way to universality. We shall have to bear these points in mind when we decide on the best way of enabling the Conference on Disarmament to respond to the new international environment with a larger membership, an appropriate agenda, renewed methods of work.

Lastly, today is a noteworthy day for the new type of international relations to which we all aspire, where everyone's security, generally speaking, will be increasingly assured not by unilateral actions but through



(Mr. Errera, France)

multilateral endeavours, not by imposed actions but by agreed decisions, on the basis of broad consensus. The best way of getting everyone to agree to the common rule is still, where possible, to draw it up jointly and to give the international organization responsible for implementing it the power to see that it is enforced. For this reason too the treaty for the prohibition of chemical weapons is an encouraging precedent.

We should now look to the future. The future means first of all an effort to ensure that the convention enjoys as far as possible universal support at the forthcoming United Nations General Assembly, so that the largest possible number of States sign it from the outset. It is true that several delegations have expressed some hesitation on certain points of the treaty. They are not alone. It is no secret to anyone that France, like many other countries, would by far have preferred a challenge inspection regime that was more intrusive, more dissuasive, and therefore better able to ensure security for all. It agreed to compromise so as to arrive at an agreement acceptable to all. It therefore calls upon those to whom these concessions were directed to become part of the common momentum and thus help to enhance international security. This is no time for recriminations or warnings. It is incumbent upon each of us to shoulder our responsibilities and do everything in our power to ensure that this treaty, drafted in our small body, receives the support of the largest possible number of States.

Let us be proud of the common effort and work together so that this first genuine multilateral disarmament treaty becomes truly universal. The message that we convey to the international community in New York must be clear: the treaty prohibiting chemical weapons is a good treaty. It takes into account the security interests of all. It constitutes the first significant step in a collective endeavour to eradicate weapons of mass destruction. It must be universal. In this context, I am pleased to confirm to the Conference on Disarmament today the invitation extended by the President of the French Republic to the ceremony for the signature of the treaty for the prohibition of chemical weapons in Paris, at the beginning of 1993.

I wish finally to repeat here how delighted my country is that the negotiations on the convention succeeded under the chairmanship of the representative of Germany, a country with which France shares a common destiny in Europe. It is right and proper to pay tribute to the impartiality, the fairness, the transparency, the persistence, the energy with which Ambassador von Wagner and his whole delegation successfully completed this task, in the interests of all.

(Mr. Semichi, Algeria)

... With respect to the convention on chemical weapons, I would like to reiterate here the validity of the reservations and apprehensions expressed by 14 developing countries in document CD/CW/WP.427. We regret that some of them were not taken into account in the final draft of the convention. We consider it to be regrettable that, on the pretext that 1992 was the last chance to finalize the convention, solutions were adopted in several places which will inevitably prove inadequate in application. Hence we are afraid that in future they may be sources of misunderstandings or disputes. However, I would remind you that my country finds the draft convention as presented in document CD/CW/WP.400/Rev.2 of sufficient interest and merit to agree to its being transmitted to the United Nations General Assembly for adoption. We cannot fail in our duty to pay a deserved tribute at this stage in our work to Ambassador von Wagner, whose personal qualities as well as his efforts and those of his delegation led to the compromise that was reached. We also thank the Australian delegation, which, both through the Secretary of State Gareth Evans and through Ambassador O'Sullivan, spared no effort to facilitate the work of the Ad Hoc Committee on Chemical Weapons, especially when they submitted to us at a particularly appropriate time an outline treaty which is the origin of all the progress achieved in the preparation of the final draft convention. It would not be right to refer to the chemical weapons convention without mentioning the remarkable contributions made by the secretariat of the Ad Hoc Committee. Here I would like to pay a special tribute to the Secretary of the Ad Hoc Committee on Chemical Weapons, Mr. Abdelkadir Bensmail. It is important to pay this tribute not only because he is an Algerian but above all and particularly as the Secretary of the Committee on Chemical Weapons. In the view of very many delegations, his name will henceforth be inseparable from this historic achievement of the Conference on Disarmament. His experience and his diplomatic talents and constant availability, his own and that of all his colleagues in the Committee, have been placed at the service of the Committee for a whole decade, and I am convinced that all the presiding officers who have occupied your chair have noted Mr. Bensmail's readiness to help and his contribution to the work of our Conference.

Mr. LYONS (Ireland):

... The Conference on Disarmament is approaching the end of a very important and productive session. The finalization of the draft convention outlawing chemical weapons is an achievement of the utmost importance for the international community. Failure to conclude the convention this year would only have had serious implications, both for the Conference and for the international community as a whole. It would have signalled an inability on the part of the Conference to take advantage of an international environment unprecedentedly favourable to progress on disarmament, and would thereby have raised serious questions about its credibility. We hope the convention will point the way to further disarmament measures. The system of international monitoring which it puts in place is unprecedented in its scope, and the willingness of so many countries to accept such a system is very encouraging. My Government would have wished to see a verification system even more intrusive than that for which the draft convention provides. That however is not to take away from what has been accomplished. In view of the different approaches and interests which had to be reconciled, the final outcome as represented in the text appended to the report of the Ad Hoc Committee is a remarkable one. My delegation can fully endorse the statement by Ambassador Errera in the Ad Hoc Committee on 26 August. Ambassador von Wagner

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(Mr. Lyons, Ireland)

and his team are to be congratulated on the skill and persistence which led to this result. It is one which my authorities can certainly accept, and I can reiterate the intention of Ireland, already expressed by my Government, to be an original signatory to the convention. We hope that those States which at present have reservations about the text will be able to focus on its merits rather than on what they perceive as its shortcomings and to accept it in a spirit of compromise.

Mr. VALENTINO (Malta):

... On 26 May of this year my delegation in its statement to the Conference on Disarmament appealed to all delegations, particularly those deeply involved in the negotiations on the draft chemical weapons convention, to make serious efforts to give top priority during negotiations to resolving the pending issues on the draft chemical weapons convention. Today my delegation, together with the majority of the members and non-members of the Conference on Disarmament, is in a position to state that such efforts have materialized, and we are satisfied to note that this Conference has produced a final text of the convention on chemical weapons. Malta joins other delegations which have expressed their appreciation for the intensive work carried out by the Ad Hoc Committee on Chemical Weapons, especially its Chairman, Ambassador Adolf von Wagner of Germany, and his delegation.

Malta is not a member of this Conference, but has followed with interest the developments on the negotiations leading to the convention. The chemical weapons convention is an international security treaty which merits universal backing. We trust that the broad support already expressed by the majority of States represented here may in the future be joined by others which may, at present, still have some reservations.

During the final meeting of the Ad Hoc Committee on Chemical Weapons a statement was delivered by the distinguished Ambassador of France which is reflected in the Committee's report. Malta wishes to associate itself with that statement, which it finds balanced and factual.

As stated by this delegation in May this year, Malta will be among the original signatories to the chemical weapons convention. It will do this in the interest of our national, regional and international security interests, and thus sincerely hope that all countries, particularly those in the Mediterranean region, become States parties to the convention.

Malta feels that, during the period between now and the submission of the chemical weapons convention to the United Nations General Assembly, important discussions should be held between countries represented here and those which are not, so that this convention is given the widest possible promotion. We have the responsibility in promoting this convention to other States in the

(Mr. Valentino, Malta)

interest of international worldwide security. In this respect, the results achieved concerning the conclusion of the chemical weapons convention should be brought to the attention of all States Members of the United Nations together with the invitation for them to sign the convention as soon as it is opened for signature. Active efforts should continue to ensure that the treaty enters into force at the earliest possible date.

This year was a successful year for the Conference on Disarmament and we hope that other sessions of the Conference on Disarmament will be characterized by such successful events as the one on a multilateral chemical weapons convention which we have managed to complete after long and difficult negotiations.

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Mr. MASRI (Syrian Arab Republic) (translated from Arabic): Our delegation would like to express its deep appreciation for the opportunity given us to make a brief statement at this important Conference, before the conclusion of its work, concerning the comments and reservations of the Syrian Arab Republic on the draft convention prohibiting chemical weapons, which the Conference will transmit to the General Assembly of the United Nations at its forthcoming forty-seventh session. Without going into the details of the draft convention, some parts of which we feel require further consideration, we should like to express our full support for the proposals and comments made by the developing countries which are members of the Conference. We would have liked to see those proposals and remarks taken into account in the preparation of the final text of the draft convention, since they express the concerns of those countries and their desire to avoid inappropriate and unbalanced conclusions, double standards of implementation, and in particular potential adverse consequences for the development process in the developing countries or for their national security or sovereignty. While acknowledging the importance of this convention and its sound aim of protecting mankind from the horrors of chemical weapons, we none the less feel that it cannot achieve that aim without a similar prohibition on nuclear weapons and other weapons of mass destruction. In the Middle East, we are facing the dangers of these weapons as a result of Israeli nuclear armament which is jeopardizing peace and security and endangering human life as well as the environment and the future of this sensitive region of the world, not to mention the enormous perils arising from Israel's possession of advanced technology for the development and production of chemical weapons.

The Syrian Arab Republic has called for the Middle East to be turned into a region free from chemical weapons, nuclear weapons and other weapons of mass destruction. It has also called for an interlinkage between these weapons, without which the convention banning chemical weapons will be inadequate to achieve the desired purpose. We feel that a debate on the draft convention in the General Assembly at its forthcoming forty-seventh session offers an appropriate opportunity to improve the content of the draft convention and

(Mr. Masri, Syrian Arab Republic)

establish an interlinkage between chemical, nuclear and other weapons of mass destruction in order to make the convention more consistent with its objectives.

Finally, I would like to summarize the reservations of the Syrian Arab Republic concerning this convention on the prohibition of chemical weapons. First, the Syrian Arab Republic's signature of this convention depends on its signature by Israel. Secondly, there is a need for an interlinkage between chemical weapons, weapons of mass destruction and nuclear weapons. Thirdly, there is a need to turn the Middle East into a region free of all weapons of mass destruction, including nuclear and chemical weapons.

Mr. AZIKIWE (Nigeria):

... As this year's session draws to a close, it is only natural that we take stock of our work and relate it to the anticipation with which it began. We note with satisfaction the constructive and positive spirit of cooperation that generally prevailed, especially in the recently concluded negotiations on

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(Mr. Azikiwe, Nigeria)

the draft chemical weapons convention, whose objective is a universal, non-discriminatory and comprehensive regime prohibiting the production, acquisition, stockpiling, retention, transfer and use of chemical weapons. This demonstrates the determination of all delegations to contribute effectively towards the realization of this important disarmament measure, in the conviction that these abhorrent weapons of mass destruction must be totally outlawed.

Nigeria as a member of this body has always played a constructive role towards the early achievement of this objective. We have always felt that the risk of the use of chemical weapons cannot be eliminated through partial measures such as a non-proliferation agreement, since this will encourage the retention of such weapons in the arsenals of those States which already possess them. Bilateral agreements or regional measures such as the establishment of chemical-weapons-free zones, while commendable, will not fully resolve the problem of the threat of use of chemical weapons. The key to a chemical-weapon-free world lies in a multilateral negotiated comprehensive convention, which the Ad Hoc Committee successfully concluded last week.

While recognizing that the convention is not entirely perfect, it is nonetheless a compromise text after long and intensive negotiations. Nigeria does not possess chemical weapons, nor does it intend to acquire them. In short, we do not have any hidden agenda. Notwithstanding that our chemical industry is still in its infancy, we believe that, with sufficient transparency and goodwill on all sides, the convention should help to foster international cooperation in the field of chemical activities amongst States parties. Similarly the convention must be implemented without any ambiguities in ensuring that the world chemical industry will not be subjected to an unnecessarily intrusive or bureaucratic system of inspections.

My delegation sees the draft convention as an historic achievement of the Conference on Disarmament. Hence we fully support the idea that it should be transmitted to the United Nations General Assembly for consideration. We look forward to a consensus draft resolution towards achieving universal adherence to the convention. Nigeria will be an original signatory to the convention. Naturally we expect that other States which have not done so will make a similar declaration. We also expect all those States possessing chemical weapons to do the same. By so doing, the convention will take off on firm ground towards the total elimination of chemical weapons. Humanitarian concern about the effects of this category of weapons of mass destruction is well and good; however, we should go beyond that. After all, those who have been accused of using these weapons are not solely the producers. If the use of chemical weapons is reprehensible, so should be their development, production, stockpiling and transfer.

As we conclude our work, we should start addressing our minds to the issues that will feature during the preparatory commission next year. Obviously members of the Conference should take the initiative of holding consultations on the agenda and composition of the bureau at the preparatory commission. We must ensure that decisions on the election of both the chairman and executive secretary are reached by consensus. Naturally, the

(Mr. Azikiwe, Nigeria)

provisional technical secretariat to be headed by the executive secretary should not only have personnel of professional competence but also reflect the geographical and universal nature of the organization. We are of the view that such an initiative should be undertaken by you, Sir, during the inter-sessional period.

Finally, my delegation wishes to place on record our appreciation to Ambassador Adolf von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, and the staff of the secretariat, especially Mr Bensmail, Secretary of the Ad Hoc Committee, for their commendable efforts and dedication in assisting our work.

Disarmament in general is not an endeavour of the impatient. Hence I wish to express once again our appreciation to all delegations for the exemplary gesture of commitment towards achieving our common goal.

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Mr. NGUYEN (Viet Nam) (translated from French): Mr. President, the delegation of Viet Nam is delighted to see you presiding over the Conference on Disarmament at this crucial stage in the 1992 session and wishes you every success in your important task. I take this opportunity to reiterate our high appreciation to Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, for his conduct of the negotiations which resulted in the draft convention on chemical weapons. My statement today will be limited to herbicide problems, and I promise you that it will be brief.

I would like first of all to thank the German delegation for its unremitting efforts to find a way out between the various positions as to the right place in the future convention on chemical weapons for the provision concerning prohibition of the use of herbicides as a method of warfare. The delegation of Viet Nam is also grateful to the German delegation for having provided the draft declaration on herbicides which it intends to submit to the plenary Conference on Disarmament in relation to the forthcoming ENMOD conference. In this connection, my delegation would like to inform this gathering that Viet Nam's position of principle in favour of including the content of the prohibition of the use of herbicides as a method of warfare in one of the main provisions of the future convention remains unchanged.

Secondly, I take this opportunity to reaffirm Viet Nam's view that the idea of including in the convention on chemical weapons the content of the prohibition of herbicides as a method of warfare is a serious, well-founded proposal, for we are convinced that States which hope that the unfortunate experiments made on nature and living beings in Viet Nam in the 1960s will never be repeated will give their firm support. Viet Nam would like to see the content of this prohibition inserted in its rightful place, i.e. in article II of the future convention. However, by way of concession and



(Mr. Nguyen, Viet Nam)

compromise, it is prepared to agree that this content should appear in article I. This expresses its good will to arrive at an acceptable solution through genuine negotiation.

Thirdly, my delegation wonders why the reference to the commitment of States parties not to use riot control agents as a method of warfare has been retained in article I, whereas the word "herbicides" in the 14-nation proposed amendment to article I contained in document WP.417 has not been accepted. Whether we are talking about riot control agents or herbicides, they are well and truly chemicals. The inclusion of the prohibition of the use of herbicides as a method of warfare only in the preamble to the future convention presupposes inter alia that this so-called prohibition is not binding on States parties to the future convention; that the prohibition allegedly already mentioned in other allegedly relevant conventions is subject to free interpretation where necessary, and according to circumstances, as to the scope of the future convention; and that the threat of repeated use of herbicides as a method of warfare has unfortunately not yet been averted.

Fourthly, it is generally accepted that in negotiations each party has to make concessions in order to arrive at a common denominator. The 14-nation proposal on herbicides is modest and reasonable, we have experienced in our own flesh the justification for this proposal, and yet it is not accepted. In the present situation, our delegation is forced to think that this is the outcome of what might be called a certain selective balance; and if a balance is selective, it is dictated by the "law of the strongest" and hence fraught with consequences both for the universality and for the future application of the convention on chemical weapons.

I thank you for your attention, Sir, and ask you to ensure that Viet Nam's views are duly reflected in the relevant documents of the Conference on Disarmament.

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Mr. ZNIBER (Morocco) (translated from French):

... This morning His Excellency Ambassador von Wagner, as Chairman of the Ad Hoc Committee on Chemical Weapons, introduced the Committee's report to the Conference. My delegation's statement is made in that context. Before making it, I would like to pay tribute to Ambassador von Wagner for the excellent work he has done in the Chair of the Ad Hoc Committee on Chemical Weapons. His tenacity and also his availability have served as guarantees for the success of the Committee's work, and we would like to congratulate him again,

(Mr. Zniber, Morocco)

together with his highly competent delegation, on the unswerving dedication they have brought to their task. At the same time I would like to express our entire satisfaction with the valuable contribution made by the secretariat, which has spared no effort to make the delegations' work easier. In particular I wish to congratulate Mr. Abdelkader Bensmail and all his colleagues on the quality of the work done.

The delegation of the Kingdom of Morocco considers that despite its imperfections, the draft convention on chemical weapons set forth in document CD/CW/WP.400/Rev.2 constitutes a serious guarantee for the security of all States that sign it and that it secures the prerequisites for confident and fruitful cooperation between them in the field of chemical industry for peaceful purposes.

The arduous quest for a delicate balance, firstly to allay the rightful anxieties of some and the equally justifiable concerns of others, and secondly, between the rights and the obligations arising for all out of its implementation, does not seem to us to have been entirely successful. We regret this. However, the will to measure up to the expectations of the international community, on the basis of perseverance by everyone, has prevailed over doubts and misgivings. Therefore, taking into account the merits it has to show, and not losing sight of its shortcomings, the delegation of the Kingdom of Morocco is ready to support the approval of the draft text set forth in document CD/CW/WP.400/Rev.2 as the convention on the prohibition of chemical weapons and on their destruction. It expresses the hope that this text will be adopted by consensus by the General Assembly and that any hesitations still persisting will disappear, so as to ensure both its universality and its smooth application.

Mr. von ARX (Switzerland) (translated from French):

... Today we are in the final stage of a long-term effort - the finalization of an international instrument for the fullest possible elimination of chemical weapons, which, according to the experts, are hardly of decisive military value but rather a psychological weapon and an instrument of terror. The draft treaty set forth in document WP.400/Rev.2 is, of course, no more than a compromise, with all its attendant advantages and disadvantages. But all the treaties and conventions concluded in the disarmament control and arms

(Mr. von Arx, Switzerland)

control sector since the Second World War have also been no more than compromises; and for all that, they have helped to preserve or even to strengthen our international security.

Let us take, for example, the Treaty on the Non-Proliferation of Nuclear Weapons. This certainly has its glaring faults, not to mention its discriminatory character, which has caused Switzerland, for instance, considerable difficulties in acceding to the Treaty. Let us point out, for example, that among other things the Treaty overlooked the question of technology, though that is so important in this sector. Yet, for all its shortcomings, this Treaty has helped substantially to prevent fulfilment of the serious forecasts of the 1960s that by the end of this century there would be another 30 to 40 nuclear Powers: a situation which, in the view of the Swiss authorities, would have increased neither our own nor, in all likelihood, the world's security.

From what we consider the favourable experience gained with these existing arms control and disarmament instruments, however imperfect they may be, we Swiss draw the following lesson: it is not the detailed rules laid down in these treaties and conventions, however imperfect they may be, that give these instruments their decisive weight; it is primarily the fact that, by bringing them into force, a large proportion of the international community has solemnly espoused the fundamental ideas and principles set forth in these texts, and thus developed human awareness on the lines that those ideas and principles constitute basic rules for our international relations. Today we are in a position to add a further element to that international awareness: the banishment of chemical weapons; and we shall have to add yet more elements even if, each time, they are expressed only by a compromise.

In this spirit we welcome and support the draft treaty on the complete elimination of chemical weapons set forth in document WP.400/Rev.2 and the Swiss Government, as you know, declared together with the other Governments represented at the CSCE that Switzerland would be among the original signatories of this new convention. In that hope, my delegation would have supported the French statement made on Wednesday, 26 August 1992 if we had had an opportunity to do so. On the present occasion, we would like to pay tribute to Ambassador Adolf von Wagner and his delegation and to congratulate them on their admirable work and on the very necessary courage shown in bringing us to this memorable point.

Allow me to close with two very subjective Swiss remarks. Firstly, the reason why this draft treaty on chemical weapons has from the Swiss standpoint, if I may say so, one flaw in its beauty is that it was drawn up, once again, under conditions which did not allow my country to play to the full the role proper to a State that is sovereign and, according to the fundamental rules of international law, equal to all others. My authorities hope that future treaties in this sphere of arms control and disarmament will be drawn up under conditions in keeping with the principles of sovereign equality and democratic common decisions that govern our international society. Secondly, the draft treaty on chemical weapons has now gone beyond the Conference on Disarmament stage. From now on, everything that has to be done for this convention and its future life will have to be done by its

(Mr. von Arx, Switzerland)

future members, its future States parties. Henceforward there are no longer two classes of States, full members and observers. Henceforward all of us who intend to sign and ratify this convention have the same rights and responsibilities to contribute to its future destiny. This, it seems to us, is a prerequisite for a new regime that will be as universal as possible.

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Mr. BATSANOV (Russian Federation) (translated from Russian): First of all, Mr. President, I would like to join in the congratulations which have been addressed to you by all the colleagues who have spoken before me. Today is indeed a special day for our Conference. Not only a regular cycle of work but, it may be said without exaggeration, a whole epoch is coming to an end. For the first time in the last 16 years, the Conference is ready to report to the General Assembly of the United Nations not only on the content of discussions held in the Conference, not only on routine progress made in resolving a particular issue, but on an agreement unprecedented in scope, in the solutions applied to complex political and technical problems: the draft convention on chemical weapons. This is even more than a draft agreement to prohibit and eliminate one of the most dangerous types of weapon of mass destruction. It embodies new approaches to verification and to many other "traditional" disarmament problems, which are in keeping with the spirit of the times. It is also a great satisfaction that we have, for the first time, a draft agreement which is the result of truly multilateral efforts, although, of course, some have contributed more and others less at one stage or another. At this point I would like to draw particular attention to the role played this year by two countries: Germany, which led the negotiations in the Ad Hoc Committee, and Australia, which took the side of being the first to go beyond what had become the accustomed framework of the "rolling text" and propose an entire, simpler and more understandable draft convention, thus showing the way by which we finally arrived at today's result.

On the whole, we cannot but be satisfied at the completion of the essential work on a convention for which we unswervingly supported and continue to support the idea of the fastest possible conclusion. The Russian delegation did all it could to bring this moment closer, taking an active part in the search for solutions to the puzzles that until just recently seemed difficult to solve. It is no secret, however, that many provisions of the convention have not turned out to be as we would wish to see them; nor is it a secret that some of these provisions have presented very serious difficulties for our Government. Our delegation was instructed to speak directly about this, about these difficulties, during the discussion of the draft convention in the Ad Hoc Committee. I would remind you that we are referring to the wording of article IV, paragraph 16, and article V, paragraph 19, laying down the principle that the costs of international verification are met by the inspected party, and to the definition of specialized equipment, which is so broad as to call into question the practical possibility of converting chemical weapons production facilities. In both cases our objections are based on strictly economic grounds, and therefore we would prefer now to leave these questions open and try to resolve them before the convention is signed.

(Mr. Batsanov, Russian Federation)

At the same time, guided by our commitment to the cause of eliminating chemical weapons, we took the decision not to block the transmission of the convention to the United Nations General Assembly. Furthermore, we are ready to adopt a flexible approach to the question of the way in which the remaining issues that give us grounds for concern can be resolved before the voting in New York. Contacts which have been established in the last few days, including some at a very high political level, have thrown light on a number of possible measures and approaches which have the potential for a satisfactory solution to our basic concerns. This also inspires us to hope that at the General Assembly Russia will have no problem in supporting the convention, since by then all the issues disturbing us will have been favourably resolved. We count on the other parties concerned to show the necessary constructiveness here. In view of the encouraging new circumstances that have emerged in the last few days, our delegation was prepared to abbreviate somewhat the paragraph in the Ad Hoc Committee's report setting forth the position of the Russian Government on the draft convention. Specifically we would have been ready to take out the first, second and last subparagraphs, leaving, however, the statement of the substance of our concerns about the wording of articles IV and V of the draft convention concerning the procedure for financing verification activity, our position as to how, in our view, such financing should be effected, and the intermediate solution we proposed. This also applies to the question of defining specialized equipment. However, we realized that it was not a good idea at this stage to reopen negotiations on the Ad Hoc Committee's report, and decided to limit ourselves to this statement.

In conclusion I feel it my duty to express our profound gratitude to the secretariat and Mr. Berasategui and Mr. Bensmail for the enormous amount of work that has been done to help us negotiators in performing our complex tasks. I believe that the secretariat has coped with this task brilliantly and I would like to extend my deepest thanks to it once again.

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Mr. RAUTENBACH (South Africa):

... After many years of arduous deliberations, finality has been reached with the conclusion of a convention, realizing the ideal of a complete ban on all chemical weapons and the means to produce them. South Africa welcomes this important milestone in the history of global disarmament. The successful conclusion of the chemical weapons convention is the result of a long and intensive negotiation. South Africa has been involved in this process for only a year, though we acknowledge that the draft text as contained in working paper 400/Rev.2, and now as an appendix to CD/1170, was carefully formulated

(Mr. Rautenbach, South Africa)

and structured so as to ensure a fine balance of compromises. In this regard I would like to extend my delegation's appreciation to Ambassador von Wagner, his delegation and the other collaborators, including the secretariat, for a task well done.

Several States have some reservations about parts of the draft convention. South Africa would also have wished for a different wording of certain sections, for example a more substantial and detailed exposition of the criteria for the seats on the executive council. As regards the ratio of regional seats on the executive council, South Africa would have wished for a more distinct reflection of the fact that Africa is the region with the largest number of States. However, broad consensus about these preferences was unfortunately not possible. We hope that even those States which do not now see their way open to find mechanisms to sign the convention will in due course be able to reach a different conclusion. The effectiveness of the convention will depend on its universality and on the elimination of the threat posed by chemical weapons in toto. It is in this spirit that the draft convention is acceptable to South Africa.

The chemical weapons convention heralds a new era in the field of multilateral disarmament. The enhanced system of confidence-building measures and verification regimes, and above all the integrity of its application to all States equally, will hopefully prepare the ground for future mechanisms in other areas of disarmament. The Conference on Disarmament can build proudly on its achievements. A sound framework for the task ahead, however, will require adjustments to the structure and agenda of the Conference. These have to be addressed by members and observers alike. South Africa is ready and willing to consult and cooperate with you, Mr. President, in this regard.

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Mr. TSEGAYE (Ethiopia):

... As Ethiopia is fully committed to the cause of global security and peace, my delegation attaches great importance to the draft convention on the elimination of chemical weapons, which represents a significant achievement of the Conference on Disarmament after two decades of difficult negotiations. Through you, Mr. President, I would like to convey to His Excellency Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, the appreciation of my delegation for his indefatigable efforts and the skilful leadership he has demonstrated in the negotiations resulting in the draft chemical weapons convention before us. Hoping that the draft convention will be approved by the Conference and duly forwarded to the forty-seventh session of the United Nations General Assembly for adoption, I would like to express, as I did in the Ad Hoc Committee on Chemical Weapons, my delegation's regret that Africa has been excluded from the rotating seat in

(Mr. Tsegaye, Ethiopia)

the executive council as provided in article VIII, paragraph 23 (f). I hope this will be rectified in the near future to enable Africa to benefit from the rotating seat on an equal basis with the other two regions.

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Mr. GONZALEZ (Chile) (translated from Spanish):

... Mr. President, my delegation has once again asked for the floor under your presidency to express its satisfaction at the adoption of the report of the Ad Hoc Committee on Chemical Weapons, whereby the draft convention on this subject is being transmitted to the General Assembly of the United Nations. As we had occasion to say at an earlier meeting, my country firmly and resolutely supports this draft text apart, of course, from its natural dissatisfaction with a few provisions of the convention. Owing to a procedural difficulty my delegation had no opportunity to express its opinion on the then draft report of the Ad Hoc Committee. In this connection I wish to place it expressly on record that my delegation fully associates itself with what was said in the joint Argentine-Brazilian statement made in the Committee on 26 August, which is reflected in the relevant report. I would be most grateful if this statement could also be included in the report of the Conference.

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Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): The Conference is already aware of the United Kingdom's views on the draft chemical weapons convention. I shall not prolong this momentous day by repeating them. My delegation wishes to express the United Kingdom's gratitude to Ambassador von Wagner once more, this time for his full

(continued)

(Sir Michael Weston, United Kingdom)

presentation of the report of the Ad Hoc Committee on Chemical Weapons. It was useful to hear his summary of the provisions of the draft chemical weapons convention. We would, however, caution that the text of the convention speaks for itself. The Chairman's summary should not be considered in any way as an authoritative interpretation or explanation of it. My delegation has also noted the statements made by a number of delegations setting out their national positions on the draft convention. Where these statements simply reiterate the provisions of the convention in order to correct erroneous statements made by others, we have no difficulty with them. But the United Kingdom does not accept that national statements seeking to interpret the text of the convention have any authoritative status at the level of interpretation or otherwise.

Mr. LANUS (Argentina) (translated from Spanish): Mr. President, may I first of all thank you for the kind words you addressed to me this morning? I know that your management in the conduct of this Conference has been extremely successful and I am sure you will overcome the final procedural difficulties that still confront us with the same discreet efficiency that has characterized your management. I cannot conceal my satisfaction at arriving in this forum at such a crucial moment, when negotiations as arduous as those on the chemical weapons convention have come to an end, proving that the multilateral body is a possible and necessary tool in building the post-cold-war world. Furthermore the words of Ambassador Amorim of Brazil, which were clear, reaffirm the commitment of my region, Latin America, to the total elimination of weapons of mass destruction through the expected entry into force of the Treaty of Tlatelolco. Many elements are combining to make this moment one of celebration and of expectations concerning the future of this Conference. It is not my intention to delay matters this afternoon. I hope to be able in due course to address this plenary at greater length and with greater formality. Very briefly, however, I would like to express gratitude for what has been said by Ambassador Hou of China, Ambassador Celso Amorim of Brazil and Counsellor González of Chile, and to assure you, Sir, and the distinguished colleagues around this negotiating table that I hope to continue and to intensify, so far as possible, the traditionally active participation of Argentina in this forum, the only one in which a truly representative and worldwide membership has a mandate to negotiate legal instruments designed to make this planet a safer place. I shall devote all my efforts, and those of my delegation, to that end. I hope to be able to count on the experience of my distinguished colleagues and of our Secretary-General in this initial stage of my participation in the Conference on Disarmament.



Mr. MASHHADI (Islamic Republic of Iran): Mr. President, the elimination of chemical weapons from the face of the Earth is a lofty goal which nobody more than the Iranian people is committed to. As the latest and hopefully the last victims of these weapons of horror, we attach the utmost significance to the conclusion of a treaty which is strong, verifiable, effective, solid and foolproof. We have always been, and remain, faithful proponents of such a convention. Any view by my delegation should be evaluated in this context. We wholeheartedly support the conclusion of such a convention which is backed not only by words but also by the sincere conviction for its universal adherence following its signature. It has always been our consistent determination to be an original signatory to such a convention, a convention not only agreed to but enthusiastically embraced by all States of the world, thus giving a true meaning to its fundamental objective of universality.

My delegation has worked very hard along with other delegations to arrive at such a convention. This has, however, not been possible to the full extent. These shortcomings will affect the future implementation of the convention and efforts therefore should be rendered to rectify them although much will also depend on the resolve and intention of the States parties to carry out their obligations in keeping with the spirit of the convention.

The definition of chemical weapons is the most fundamental part of the convention, as the whole body of the convention is built about, around and upon this definition. As far as toxic chemicals and their precursors are concerned, they have been elaborated and described throughout the text and a system of verification has been envisaged to check any chemicals being used as weapons. Munitions, submunitions, devices and equipment which have been tagged as chemical weapons could have been clarified further. The interpretative statement by Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, is very helpful in this regard since it has not been objected to by any delegation. However, further work is warranted to further clarify the definition in order to prevent any misgivings in its interpretation at the time of implementation of the convention.

On the question of riot control agents, my delegation totally rejects the notion of their use in extraterritorial operation. These agents are purely for domestic riot control and the convention is in no way legitimizing their use outside national boundaries.

Article X is far from being complete. There are no balanced obligations in comparison with, for example, article VI to provide assistance in cases of use of chemical weapons. There is no guarantee that the voluntary fund will be sufficiently fed by States parties. The operation of article X will be left to the good will and intentions of the States parties.

Article XI has not given sufficient assurances to balance the restrictions which will come about as the result of verification measures. There are no commitments under article XI to assure that the fragile chemical industries of the developing countries will not be adversely affected by the convention.

(Mr. Mashhadi, Islamic Republic of Iran)

It appears that the States parties would have to rely on the faithful implementation of this article by chemically developed countries and on their commitment to remove restrictions. As my delegation said earlier, we hope that during the Prepcom, or in the future stages, we will render our efforts in order to rectify these shortcomings. In the meantime, this is also an important aspect that the good will and intentions of the States parties during the time of implementation will somehow rectify them. The only point which my delegation would like to reiterate again here is the composition of the executive council, which has always been an important subject in the Ad Hoc Committee during the preceding years. As a representative organ of the conference of the States parties, its composition should reflect the aspirations of the whole. Unfortunately, the provisions governing the composition of the executive council are far from being a text warranted to be included in the convention as it stands right now. That is why my delegation from the very beginning expressed its view as to the content of the text and also the procedure which led to the appearance of it in the draft convention. The inherent problems of the present provisions are as follows. Firstly, the geographical divisions are real ones which only reflect the cold war division. One of the results of the termination of the cold war was the removal of artificial divisions in Europe. Now the situation has developed in such a way that the former East European States apply for membership in NATO. Yet in order to guarantee a number of privileged seats for certain States, this East-West division of the cold war has been reinstated in the text, which does not reflect the realities of our time.

Second, although all States are considered to be equal, yet some are taken as being more equal than others. Designating privileged seats to certain States is in no way compatible with the sovereign equality of States. This is a security treaty in which the industrial criterion plays a varying role in different geographical regions. For some, the security implications of the convention will stem more from other aspects rather than the industrial aspect. Accordingly, the Islamic Republic of Iran cannot go along with the outdated idea of permanent or quasi-permanent seats in the executive council. Some privileged seats have been designated in each regional division without any justification or explanation. For example, for Asia the notion of four privileged seats was never negotiated in the Ad Hoc Committee. Following some private bargains, suddenly the magic number four appeared in the text, which never commanded consensus in the Ad Hoc Committee. These privileged seats have not been balanced by corresponding responsibilities and obligations. Certain States parties receive favouritism in the executive council - they should assume more obligations and financing or providing assistance to other States parties for better implementation of the convention. They should agree to shoulder the task of transfer of technology to the other States parties for the development of their chemical industries. At present, a European State stands more than a 20 per cent chance to be elected to the executive council, while this chance is reduced to less than 10 per cent for an Asian State. These handicaps should be removed in order to make the executive council more democratic and closer to representing the aspirations of the whole international community, since this fact is of immense importance for the universality of the convention.

(Mr. Mashhadi, Islamic Republic of Iran)

The Islamic Republic of Iran also has strong reservations regarding the procedures leading to the appearance of provisions on the executive council. The negotiations were held in a non-transparent manner by those who were seeking privileges in the executive council. Such procedures are not compatible with the goals we are striving to achieve here.

Mrs. CLAUWAERT (Venezuela) (translated from Spanish): First of all I would like to congratulate you, Mr. President, on presiding over the work of this Conference, and I apologize for taking the floor so late. Today is a historic occasion in the work of the Conference on Disarmament. We have heard the report introduced by Ambassador von Wagner, the Ambassador of Germany, who served as Chairman of the Ad Hoc Committee on Chemical Weapons, and I say that today is a historic day, since we are receiving as the outcome of the Committee's work the draft convention on the prohibition of chemical weapons. The delegation of Venezuela expressed its support for the draft convention in the Committee and we now wish to reiterate that support in the plenary Conference on Disarmament. As has been said here, the text of the convention is not perfect; similarly there are other international instruments which are not perfect, and the delegation of Venezuela would have preferred firmer commitments on a number of aspects, such as fairer commitments to the financing of the organization, the composition of the executive council, and economic and technological development. On the other hand we should not fail to recognize that this draft convention offers many advantages to the international community and one of these is the clear commitment to prohibiting the future use of weapons of this kind; another is the agreement on their destruction. All these are significant achievements of the work of this Conference. We wish to congratulate Ambassador von Wagner on his untiring efforts in the Chair of the Committee to attain this objective. The delegation of Venezuela hopes that this Conference, with the example and the significant impetus given by the negotiations on chemical weapons, will be able to follow that example on other priority items that the Conference has before it.

The PRESIDENT (translated from French): I thank Mrs. Clauwaert for her statement and the kind words addressed to myself. Now there are really no speakers on the list and it is already 4.30 p.m. I suggest that the Conference should now proceed to adopt the report of the Ad Hoc Committee on Chemical Weapons which Ambassador von Wagner, its Chairman, introduced to us earlier and which bears the symbol CD/1170. If there is no objection, I shall take it that the Conference adopts this report. The representative of the Islamic Republic of Iran has the floor.

Mr. MASHHADI (Islamic Republic of Iran): I apologize, Mr. President. Would you clarify exactly what we are going to adopt? If it is the text of the draft convention, my delegation cannot agree with the inclusion of article VIII in the report. My delegation agrees that the whole text, except article VIII, be transmitted to the General Assembly, but not that part.

The PRESIDENT: (translated from French) I thank Mr. Mashhadi for his statement. We are now in the situation that we feared. For my part, I find it difficult to imagine it being possible to delete article VIII of the draft convention, which contains the provisions concerning the organization for the prohibition of chemical weapons and its executive council. Document CD/1170 is an exact reflection of the discussions held and decisions adopted by the Ad Hoc Committee on Chemical Weapons and the text is inviolable. Several delegations have already asked me here to modify certain parts of this report. That is impossible. This document has become as sacred as the Koran, the Bible or the Talmud. I have no power to change what the Ad Hoc Committee decided. At all events I shall have to consult the Conference if the representative of the Islamic Republic of Iran maintains the proposal he has just made that article VIII of the draft convention should not be transmitted to the General Assembly. Does Mr. Mashhadi insist on that proposal? I give him the floor.

Mr. MASHHADI (Islamic Republic of Iran): As I said, my delegation rejects the inclusion of paragraph 23, page 29, on the composition of the executive council. I would also like to inform you, Mr. President, that some consultations are going on in order to address this question somehow. I don't know whether it will be advisable to suspend the meeting until those consultations bear fruit or not. But at the present juncture, my instruction is that we cannot agree to the inclusion of paragraph 23 as it stands now.

The PRESIDENT: The Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, has asked for the floor.

Mr. von WAGNER (Germany): I think the question and the concern of Mr. Mashhadi was whether we are now deciding upon the inclusion of the Ad Hoc Committee report in the CD report. If I understood you correctly, Mr. President, you are just deciding now upon the adoption of the Ad Hoc Committee report by the CD. This has nothing to do yet with the inclusion of that report in the CD report. So, let's go step by step - and this would be my recommendation - this report here as contained in CD/1170 has been adopted by the Ad Hoc Committee, is integral and is, as you said, accepted by the Ad Hoc Committee, and now it is being reported, as accepted by the Ad Hoc Committee, to the CD, and the only question which now has to be decided is whether the CD can adopt the report of the Ad Hoc Committee which was already adopted by that Committee. The question is not of including it in the CD report as yet - that might be the next step. So, on this understanding I wonder whether I may ask Mr. Mashhadi, through you, Mr. President, whether he can approve this report whose passage to the CD he has not blocked in the Ad Hoc Committee - whether he can approve this report here as something which has been reported to the CD, nothing more.

The PRESIDENT (translated from French): The delegations have heard the question, Mr. Mashhadi. I thought I was clear when I suggested to the Conference that we should adopt this report. Mr. von Wagner is quite right: this document was accepted as it stands now before you by the Ad Hoc Committee on Chemical Weapons, and the question of its inclusion in the report of the Conference is another matter. At the present stage the question is: do we

(The President)

approve the report of the Ad Hoc Committee on Chemical Weapons? I would be very grateful to Mr. Mashhadi if he would be good enough to answer Ambassador von Wagner's question.

Mr. MASHHADI (Islamic Republic of Iran): My Ambassador in the meeting of the Ad Hoc Committee said:

"Due to this ongoing effort, therefore, and at this stage, we are only prepared to agree that this text be transmitted to the Conference on Disarmament, along with reservations which have been expressed ... I must stress that our final position vis-à-vis the text at the Conference on Disarmament will be contingent upon the final outcome of the discussions relating to article VIII."

That means that any decision, any position, by my delegation on the report as such will be contingent upon the outcome of discussions relating to article VIII.

The PRESIDENT (translated from French): I will repeat my question, then. Is the Conference prepared to approve the report introduced by Ambassador von Wagner and issued as document CD/1170? Are there any objections to our adopting this report? There are none. The report is therefore adopted. I thank you all for helping us through that important stage.

The PRESIDENT (translated from French):

... Section C (Prevention of nuclear war, including all related matters). Are there any comments? There are none. Let us move on to section D (Chemical weapons). The representative of Pakistan has asked for the floor, and I give it to him.

Mr. KAMAL (Pakistan): It is my presumption that we are talking of section D, paragraphs 72 to 74. Paragraphs 72 to 74 of this document, CD/WP.428/Rev.1, contain language which has been drafted by the secretariat on its own and which, unlike other parts of this report, have not had a first reading or been negotiated among member States. This is an unusual departure from established practice, particularly because one of these three paragraphs, paragraph 74, contains substantive ideas. My delegation has some views which it would like to present, but before it does so, I would like to ask, Sir, whether you intend to have a first reading of these three paragraphs in an informal meeting for a discussion of those paragraphs before they are submitted to the plenary for adoption, or would you like discussion to take place in the plenary itself?

The PRESIDENT (translated from French): I explained this morning in my opening statement that, given the time constraints, I would dispense with the informal consultations, on the basis of the well-known principle from the rules of procedure, well known to all legal scholars too, in view of the fact that pax major minorem ad se trahit, that the Conference on Disarmament is its own master, and decides on its own meetings. I will read you rule 19 in English because I have that version before me:

(continued in English)

"The work of the Conference shall be conducted in plenary meetings, as well as under any other additional arrangements agreed by the Conference, such as informal meetings with or without experts."

(continued in French)

It was on the basis of this rule 19 that I thought I could dispense with informal consultations, thinking that, as far as chemical weapons were concerned, since we had adopted the report, we could conduct the first and second readings simultaneously. As for the initiative you attribute to the secretariat, concerning the drafting of paragraphs 73 and 74, I should like to point out that, while the secretariat did indeed draft the report, it did so under my responsibility and I fully shoulder that responsibility. Having said that, I should like to call on the Secretary-General of the Conference, who might perhaps wish to throw light on the situation.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): Just very briefly, to make a point concerning the actual drafting of these provisions under section D of the draft report. It has always been the practice of the secretariat to assume responsibility for the first drafting of the report, irrespective of whether it deals with organizational or substantive matters. Therefore, for example, in the case of agenda items 1, "Nuclear test ban", 2, "Nuclear disarmament", and 3, "Prevention of nuclear war", the first draft is always prepared by the secretariat. Therefore, this is the usual procedure. Ambassador Kamal is right in making the point that normally we deal with the report in informal meetings, but as you pointed out this morning, after you made the announcement at the last plenary meeting we received indications that a number of delegations wished to conduct the

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discussions on the report today at the plenary meeting, since this was an historic and very important opportunity. Accordingly, under rule 19 that the President has just mentioned, in order to have an informal meeting one has to have the agreement of the whole Conference. There was, at this point, the wish expressed by a number of delegations to continue in plenary, and therefore there was no agreement on holding the informal meeting. In the case of plenary meetings, there is no difficulty for the very simple reason that we have adopted a principle, which is reflected in document CD/1036 containing a decision on the improved and effective functioning of the Conference, whereby we hold one plenary meeting per week at certain stages and, as indicated in that document, preferably on Thursdays.

The PRESIDENT (translated from French): Does Ambassador Kamal find these explanations satisfactory? He has asked for the floor, and I give it him.

Mr. KAMAL (Pakistan): I am not challenging the right of the secretariat to prepare the first draft of the report - that is what the secretariat is for. Nor am I challenging the right of the President and the Conference to discuss things in plenary. I was only bringing to your notice that these three paragraphs have not undergone a first reading and that we are going straight into a second reading in plenary. But if that is the intention to do it in plenary, do I have your permission then to present the views of my delegation in plenary on these paragraphs?

The PRESIDENT (translated from French): Mr. Kamal can certainly do so. I think we can combine the first and second readings, that is, conduct a single reading. In any event these three paragraphs should not give rise to major difficulties. But it goes without saying that delegations are free to give their views on the content of these paragraphs; I am not imposing dictatorial rule and I would be happy to hear the comments of the representative of Pakistan on paragraphs 73 and 74, to which he referred.

Mr. KAMAL (Pakistan): My delegation has views which it would like to present, essentially on paragraph 74. Our understanding of paragraph 73 is that paragraph 73 annexes document CD/1170 to the report which is contained in CD/WP.428/Rev.1. Document CD/1170, which is annexed as a result of paragraph 73, is a document of 193 pages which consists of the report of the Ad Hoc Committee on Chemical Weapons and its annexes, and this report and its annexes it is my understanding we have just adopted in plenary. Having adopted it, and having inserted it in paragraph 73, the appendix to CD/1170, which is the draft text of the convention, is already now a part of paragraph 73. In other words, the draft convention, known as document CD/CW/WP.400/Rev.2, is already a part of paragraph 73.

We come now to the first sentence of paragraph 74, which says "The appendix to the report ... referred to in paragraph 73.42 is attached as appendix I to this report." In other words, we are now re-attaching the same appendix once again to CD/WP.428/Rev.1. The result is that CD/WP.428/Rev.1 will now have the draft convention which is CD/CW/WP.400/Rev.2 twice - once as

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an appendix to CD/1170, and once as an appendix as a result of paragraph 74. That is point No. 1. Point No. 2 relates to the second sentence of paragraph 74. This sentence is lifted from CD/1170, which is the report, in its paragraph 41, the last part of paragraph 41, which is the view of what was the accord of most delegations in paragraph 41 that this should be transmitted to the United Nations General Assembly for commendation and opened for signature at an early date. But we know that paragraph 41 of CD/1170 is not part of its conclusions. Conclusions start in paragraphs 42 and 43, and the key conclusion in paragraph 43 was to transmit the report and the appendix to the CD for its consideration. Because of that, it is our feeling that if we have to reflect what is called "the widely expressed view", then it would of course become necessary to express the contrary view also, but that would not be either elegant or desirable in an important report which is CD/WP.428/Rev.1 - the report of the CD. The report of the CD should, in the opinion of my delegation, reflect consensus - consensus exists on very important areas of this report. Consensus exists, for example, as far as I can see, unless one delegation withdraws its objection - an emerging consensus can be seen on the transmission of this report to the General Assembly. But to go beyond that and to highlight a non-consensus idea, which is the "wide expression", or another non-consensus idea which is the contrary view, would, in the view of my delegation, be undesirable in a report of this importance. So my delegation would like to suggest that we might consider re-wording the whole of this paragraph, paragraph 74, and we would be happy to suggest that consideration be given to a sentence of the type which says: "It was agreed that the draft convention as contained in the annex to the report of the Ad Hoc Committee on Chemical Weapons is transmitted to the General Assembly of the United Nations for its consideration". We can discuss that formulation and hear the views of other delegations and, if necessary, change it and amend it in order to arrive at agreed language which everybody can go along with and which can then go forward to the General Assembly as consensus language in the CD without showing any divisiveness in the ranks of this body.

The PRESIDENT (translated from French): First of all I should like to point out that perhaps there is some confusion. In my mind and in the mind of other members of this Conference, I think, nothing has yet been adopted in this section. We are discussing paragraphs 72 to 74, but I repeat, we have not adopted anything as yet. Earlier we adopted document CD/1170, which contains the report of the Ad Hoc Committee on Chemical Weapons; but now I am suggesting to you that we discuss and adopt paragraphs 72 to 74. We shall come to Mr. Kamal's proposal for an amendment to paragraph 74 when we have heard from delegations who wish to take the floor, i.e. the representative of the Islamic Republic of Iran, Mr. Mashhadi, and then the Ambassador of the United States, Mr. Ledogar.

Mr. MASHHADI (Islamic Republic of Iran): My delegation's view was expressed earlier, and since there are some consultations going on in this regard, may I request that we take a suspension here?

The PRESIDENT (translated from French): I thank Mr. Mashhadi for his suggestion, but first of all I would like to call on Ambassador Ledogar.



Mr. LEDOGAR (United States of America): With due respect to the Iranian delegation and Mr. Mashhadi, I think we could usefully use the time to solve the problem that we are currently discussing, and if there needs to be a suspension, that a suspension be granted to Iran and others who wish it, once we have everything ready to face the ultimate question. We have heard from our Pakistani colleague some comments on these paragraphs and obviously we are going to have to discuss them. With your permission, I would like to answer some of the observations on paragraphs 72, 73 and 74 that were made by Ambassador Kamal to see if we can't get this straightened out even as negotiations continue on the question. As I understand it has to do with distribution of executive council seats allocated to the Asian region. So, with your permission, I will continue, Mr. President.

First of all, with regard to the secretariat and first reading, I think the secretariat was absolutely right to produce a first draft along the lines that was produced. According to my records, in the sea-bed Treaty of September 1970, the predecessor body to this one, the CCD, wound up its concomitant or its analogous paragraph with precisely these words: "Hope was widely expressed that the draft treaty would be commended by the General Assembly and opened for signature at an early date." Similarly, in 1971, according to my notes, when the biological weapons Convention was under consideration, the identical sentence appeared in the concomitant paragraph: "Hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date." So it seems quite natural that in doing the first draft the secretariat would look to a precedent. The sentence was not, Ambassador Kamal, as I see it, lifted out of the CW Ad Hoc Committee report - rather it was lifted out of past history of this body and its linear predecessor organizations. Second, it does not say the same thing as the paragraph to which Ambassador Kamal referred - it does not quite say the same thing at all. As I read it, in paragraph 41 on page 40 of CD/1170, in which we say "most delegations ...", etc. etc., we are commending ourselves, that is, most of us are commending ourselves. It is true that we do go on to say that we are of the opinion that the draft convention should be transmitted to the General Assembly for commendation and opened for signature. What is said here is according to precedent of other treaties being forwarded to New York which unfortunately did not enjoy full consensus at the time they were transferred, which apparently is the case here. What most of us are saying here is that hope was widely expressed that the convention would be commended - it's quite different language. Now, do I understand that the Pakistani delegation would like to have the two sentences brought exactly into line so that they could be declared redundant? Well, that's not quite what I think ought to be done. If we do anything, I think we could make them crisply more different so that they could clearly be seen as different recommendations. There are various ways to do that, and I would be glad to suggest language if that should be the way you wish to go, Mr. President.

Mr. BATSANOV (Russian Federation) (translated from Russian): I too have a few questions on section D (Chemical weapons). The first question relates to paragraph 72. I think my question is a very technical question, and it is related to the following point. Paragraph 72 starts with the words "The list of new documents". If we look at the next section, "Prevention of an arms

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race in outer space", we see that it starts with the words "The list of documents". And I would simply like to ask: what is the difference here? Let the secretariat enlighten us about that. Similarly, paragraph 79 on page 32 of the English version also contains a sentence beginning with the words "The list of documents". If we look at the report CD/1170, we will see in the section on documentation, paragraph 5 starts with the words "During the 1992 session, the following official documents ...". So, briefly, my question is: why is the wording of this paragraph different from the wording of other corresponding paragraphs? And I wish to put that question. Subsequently, on paragraph 73, I have no particular comments. I simply think that here it will be necessary to put into effect the decision we recently adopted, fill in the gaps and say that today we adopted this report (the report of the Ad Hoc Committee). As for paragraph 74, I too do have a specific question about the duplication of the same document in the same report of the Conference on Disarmament. And in any case I don't understand the reference to paragraph 73.42. As for the last sentence, I have no objection to it (the last sentence in paragraph 74).

The PRESIDENT (translated from French): I thank Mr. Batsanov - we will try to answer his questions on the list of the documents, as well as the reasons for the present wording of paragraph 74. In fact, Ambassador Berasategui would like to shed the fullest possible light on this, so he has the floor.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): I hope I will be able to do it. The first point raised by Ambassador Batsanov concerns the use of the words "the list of new documents" and the reasons for the difference with paragraph 75 and other paragraphs in the report. In fact, it is exactly the same thing. When we say new documents, we mean documents submitted during 1992, while if you look for example at paragraph 75, it says "the list of documents presented to the Conference during its 1992 session" - that makes the difference. It is simply a drafting arrangement which we have been following for a number of years and has no other consequence.

The second point on paragraph 73 - yes, you are absolutely right: this is a technical text which is introduced in the report, so that once the report of the Ad Hoc Committee is adopted, we place it here.

The third point which you have raised concerns paragraph 74. Here, we are referring to paragraph 42 of the report of the Ad Hoc Committee on Chemical Weapons. This paragraph 42 states: "The results of the negotiations on the draft convention are reflected in the appendix to this report ...", and since the report of the Ad Hoc Committee will appear in paragraph 73 for identification purposes, it is necessary to indicate 73.42. The sense of the sentence is not to repeat the appendix to the CW report, but simply to move it as an appendix to the annual report of the Conference to the General Assembly. We thought that this was a matter-of-fact operation for a number of reasons. First of all, because it has always been the practice of the negotiating body to transmit the agreements reached here to the General Assembly as appendices to the annual report. Every case has followed this precedent. The second point that I wish to make in this connection is that this practice has not

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only been applied to draft treaties or conventions - in certain cases we have done so with other important documents. For example, in 1982 the Conference transmitted to the second special session of the General Assembly devoted to disarmament the draft of the comprehensive programme of disarmament also as an annex to the annual report of the Conference. And finally, the third reason why we felt in the secretariat that the appendix to the report of the Ad Hoc Committee should be moved as an appendix to the annual report is the text of resolution 46/35 C of the General Assembly, in which we can note in paragraphs 2 to 5 of the operative part the request addressed to the Conference to report - it is not a request to the Ad Hoc Committee on Chemical Weapons, it is a request made to the Conference on Disarmament. This becomes clear because, in particular, the work of the Ad Hoc Committee on Chemical Weapons is noted in paragraph 2, while in the subsequent paragraphs it is the Conference which is requested to report on the draft convention, that is, on the results of the negotiations, which is exactly the sentence contained in paragraph 42 of the report of the Ad Hoc Committee on Chemical Weapons. If you will allow me, Mr. President, briefly to explain a last point concerning the second sentence in paragraph 74, Ambassador Ledogar is right - we have, in fact, taken into account similar wording which was used in the case of the sea-bed Treaty as well as in the Convention prohibiting biological weapons - this is exactly the text which appears there. I think for the moment I have nothing else to add.

The PRESIDENT (translated from French): I really do hope that the explanation we have heard from the Secretary-General of the Conference will reassure delegations which had doubts. Obviously, procedural matters are not always absolutely clear, but what must be understood is that there is no ulterior motive in the wording of the paragraphs under consideration. The aim is simply to transmit a report to the General Assembly in the best possible way, and we must include it in our overall report. I give the floor to the representative of the Russian Federation again, and I hope that he finds the explanation provided by Ambassador Berasategui satisfactory.

Mr. BATSANOV (Russian Federation) (translated from Russian): I have no suspicions about ulterior motives. It is simply that if in paragraph 72 we were trying to have the same sort of ideas as in paragraph 75, then why couldn't we have the same wording? Otherwise questions will arise as to why it is put differently; maybe a reference to a particular document has been omitted? I thought it was quite a simple and elementary question, especially as in paragraph 5 of CD/1170 it says: "During the 1992 session ...". I see no ulterior motives at all here. But I thought it would have been simply more reasonable to have it in proper order. Turning to the combination of the two figures 73 and 42, I cannot for the life of me understand what this means. And I am simply very afraid that all this will severely confuse readers because Mr. Berasategui will not be able to clarify every time to everybody interested what is meant by paragraph 42 of report CD/1170. I think something has to be done here, because at the moment - maybe I am too stupid, but I simply can't see what 73.42 means.

The PRESIDENT (translated from French): I thought that our Secretary-General's explanation was clear; it seems that that is not yet the case. I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): I join Ambassador Batsanov in his confusion, which by now is being called "being well informed". The problem is that we are discussing three separate ideas together. Perhaps, I think, the best way would be to go down this part D paragraph by paragraph and, if you agree, perhaps we can start with paragraph 72. On paragraph 72 I agree with Ambassador Batsanov that one can word it better by saying "the documents presented during the 1992 session" in order to obviate any chance of misunderstandings later on. My suggestion at the moment is that we consider these three points paragraph by paragraph and not the section as a whole. If you agree, then I will, for the moment, restrict myself to having said what I have said on paragraph 72 only.

The PRESIDENT (translated from French): The delegations will no doubt remember that the whole discussion started when we were taking up section D (Chemical weapons). Delegations did not leave me the time to take it up paragraph by paragraph - objections were voiced on the manner of undertaking this examination, in an informal or formal meeting, even before we were able to do so. But I will willingly now proceed to examine it paragraph by paragraph, which as I understand it implies the agreement of the Conference to our proceeding in that way. In order to avoid any later confusion I suggest that we now take up paragraph 72, on the list of documents presented to the Conference. All these documents are listed in document CD/1170. I do not know whether they should all be listed here, if that is what Ambassador Batsanov has in mind, or whether it is simply that the wording of this paragraph should be exactly the same as, for example, in paragraph 75, which reads as follows:

"The list of documents presented to the Conference during its 1992 session under the agenda item is contained in the report submitted by the Ad Hoc Committee referred to in the following paragraph."

That is one way of looking at the matter, but there are two representatives who wish to speak on paragraph 72, first of all the representative of Hungary, Mr. Tóth, and then the representative of Algeria, Mr. Semichi.

Mr. TOTH (Hungary): For my delegation this is not a real problem, but if it poses some difficulties for others I think we should solve it in a way so as not to complicate the problem any further. If we add the notion of 1992, by that we exclude several documents from the list of documents which are dated 1991. So my suggestion would be a very very simple one and I would suggest to put it for adoption - to drop the word "new" and to say the "list of documents presented to the Conference."

The PRESIDENT (translated from French): I thank Ambassador Tóth: there at least is a constructive proposal. Does the way in which Mr. Tóth presented things help Mr. Batsanov to eliminate his doubts? While he is thinking about it, I call on the Ambassador of Algeria, Mr. Semichi.

Mr. SEMICHI (Algeria) (translated from French): Three uncertainties have emerged after what was said by the Ambassador of Pakistan and the Ambassador of the Russian Federation on the section of document CD/WP/428/Rev.1 relating to chemical weapons. I take paragraph 72: there is an uncertainty in the drafting that was partially removed by the Secretary-General himself, Mr. Berasategui, when he said earlier that the wording of paragraph 72 was identical to that of paragraph 75 and that the documents to which reference was made were those which had been submitted in 1992. I therefore suggest that the wording of paragraph 72 should be similar to that of paragraph 75. Next, in paragraph 73, there is an ambiguity between the report contained in document CD/1170, part I, and the annex to that report: we do not quite understand why paragraph 73 speaks of the report and gives its symbol - CD/1170 - whereas paragraph 74, dealing with the same document, refers only to the annex to that report. I think that paragraph 73 should specify that this report is reproduced in part I or paragraphs 1 to 42 or 43 of document CD/1170, the second part of which contains only the appendix. Those are the initial remarks that I will make just on the subject of the drafting of paragraphs 72, 73 and 74. The Algerian delegation reserves the right to take the floor later on the political implications of the last part of paragraph 74.

The PRESIDENT (translated from French): I thank Ambassador Semichi for his comments and suggestions. Concerning his first comment and the solution involving identical wording for paragraphs 72 and 75, I think that if we adopt the same wording and refer to 1992 in the paragraph on chemical weapons we may leave a gap, because, as Ambassador Tóth said, document CD/1170 also mentions documents which date from 1991. That is why the year 1992 was not referred to in document CD/WP.428/Rev.1. Consequently I think the solution would be to go along with the proposal made by Mr. Tóth and delete the word "new" in the phrase reading as follows: "The list of new documents presented to the Conference under the agenda item is contained in the report submitted ...". If we said simply "the list of documents presented to the Conference" that would cover both those which were presented previously and those presented more recently. I see that the representative of the United Kingdom, Sir Michael Weston, is the first to have asked for the floor on these points.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I was going to concentrate first on paragraph 72. I think the trouble with Ambassador Tóth's suggestion is that the list may be rather long because presumably that will go back to the beginning of time, or at least to the beginning of the negotiations, so we shall have 24 years' worth of documents attached if we don't set some sort of time-limit. On the other hand, I take his point very much that if we refer only to 1992 we do not capture the 1991 documents, and so perhaps a solution would be to use the phrase "since the close of its 1991 session" and that would then bring in all documents which have appeared since the close of the last session in September of last year.

The PRESIDENT (translated from French): My understanding is that the list in question is that which appears in paragraph 5 of CD/1170, which lists all the relevant documents and begins:

(continued in English)

"During the 1992 session, the following official documents dealing with chemical weapons were presented to the Conference on Disarmament:"

- and there is only one dated 9 October 1991 as I see it.

(continued in French)

I may be wrong, but I think that the list of new documents presented to the Conference during the present session is indeed that list. But I have no monopoly of understanding. At all events, we continue to flounder in confusion, which is not necessarily a bad thing in itself. I give the floor to the representative of Peru, Mr. Calderón.

Mr. CALDERON (Peru) (translated from Spanish): Very briefly, and on this point, my delegation feels that the two positions put forward certainly deserve to be taken into account. Consequently, one ventures to make a suggestion which takes account of both elements, and which I shall read out in English. On the basis of the text that appears in paragraph 72, one suggests the following:

(continued in English)

"The list of new documents presented to the Conference during its 1992 session under the agenda ..."

(continued in Spanish)

- and from there the text would continue as at present. As can be seen, we keep the word "new" and at the same time we place emphasis on "during its 1992 session".

The PRESIDENT (translated from French): I think we are spending a lot of time on trifles. I would even go so far as to paraphrase Voltaire and speak of weighing flies' eggs in gossamer scales as far as this list of documents is concerned. Is this really vital for the transmission of the documents to New York? For me the burden of everything that has been said is that maybe we should make paragraph 72 a bit more precise. Would there be any objection to the proposal just made by Mr. Calderón, to draft paragraph 72 as follows: "The list of new documents presented to the Conference during its 1992 session under the agenda item is contained in the report submitted by the Ad Hoc Committee referred to in the following paragraph."? Does this solution seem clear to everybody and does it allay everybody's apprehensions? It seems that there are no objections. So I hasten to bring down the gavel on paragraph 72. One down, two to go.

(The President)

For paragraph 73 and the comment - made by Ambassador Batsanov, I think - on the dots that appear here, it goes without saying that the dots must be replaced by a text that would read as follows:

"At its 635th plenary meeting, on 3 September 1992," - always provided that we finish before midnight! - "the Conference adopted the report of the Ad Hoc Committee reestablished by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report (CD/1170) is an integral part of this report and reads as follows:".

I assume the Conference will be kind enough not to force me to read out the whole of CD/1170, which will be reproduced here, following paragraph 73. However, if it insists on my reading it in full, I will have to ask for another glass of water, or else I might not make it. Does the suggested text of paragraph 73 seem clear as I have just read it out? It goes without saying that immediately after the colon following the sentence "That report (CD/1770) is an integral part of this report and reads as follows" an account will be given of the work of the Conference, and that of course is likely to take up a lot of room in the final report. May I take it that things are now sufficiently clear as regards paragraph 73? I give the floor to the Ambassador of Argentina, Mr. Lanús.

Mr. LANUS (Argentina) (translated from Spanish): I am sorry for taking the floor on this point, but I think that what was said by the Ambassador of Algeria was very relevant and I would say that it satisfactorily meets the concern of Ambassador Kamal. If we are going to mention in paragraph 73 the entire text together with the appendix and then in paragraph 74 say that we have an appendix at the end, I would say that it would be better to put the first part of the report in paragraph 72, and then include the appendix as an appendix. In this way we avoid repetition, because otherwise the document contains the agreement on chemical weapons twice. So I think that here, in paragraph 73, specifically, we should put the following: "This report [the first part of this report] reads as follows:" (and we would add the text up to paragraph 42); and in paragraph 74 we would say: "the convention on chemical weapons is attached as an appendix to this report", because otherwise we would have a huge insertion in the middle of this section. I think in this manner we can respond to what was said by Ambassador Kamal and also what in fact was proposed by the Ambassador of Algeria. And from then on there are no problems.

The PRESIDENT (translated from French): The confusion, I think, comes from the very fact that some delegations have the idea that the text of the convention will appear twice, whereas the President and the secretariat have in mind to say in paragraph 74 that the appendix to the Ad Hoc Committee's report - that is, the text of the convention - is reproduced as an appendix to the report of the Conference to the General Assembly; there is no question of repeating this text twice. I think that is it, but I will ask Ambassador Berasategui to confirm it for me.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations) (translated from Spanish): Absolutely, Sir. The statement that was made by the distinguished representative of Argentina clarifies the matter in the same way as the representative of Algeria did earlier. Here we are talking about paragraph 73 of the report of the Committee only - not the appendix, and so the appendix will appear in the text of the annual report of the Conference to the General Assembly as appendix I.

Mr. KAMAL (Pakistan): I continue to be confused. Paragraph 73 says that CD/1170 is an integral part of paragraph 73. Document CD/1170 is a document in 193 pages - it cannot be divided into two parts called first part and second part - it is one document; CD/1170 is one single integrated document of 193 pages and if we adopt the wording as it is in paragraph 73, then the whole of that report is then going to be a part of paragraph 73. I do not see what is the meaning of the word "first part" because the word does not exist in CD/1170 at all - if you take CD/1170 it says "Report" which starts from page 1 and it goes to page 193, so how are we going to adopt paragraph 73 as it is and still leave out, as we are told by the Secretary-General, the appendix of CD/1170 which is a part of CD/1170?

The PRESIDENT (translated from French): Ambassador Kamal is right to talk about confusion, because the simpler things seem to me, the more complicated they become. That reminds me of what was written by the Swedish Statesman Axel Oxenstierna in 1648 on the occasion of the conclusion of the Treaty of Westphalia, which he described as confusio divinitus conservata. We are all contributing to this confusion, which I would like to see dispelled as soon as possible. I hope that what Ambassador Ledogar is going to say will help us to do so.

Mr. LEDOGAR (United States of America): Perhaps the confusion - if there is any real confusion - is caused by the fact that some may have a different document than I have. If I turn to page 41 of CD/1170, which is the end, that is, "Conclusions and recommendations", and then I come back to page 1 - maybe Ambassador Kamal's version is different but mine is not a single integrated document of 193 pages - it's two documents, the body in 41 pages and appendix in 193 pages for a total of 234 pages. Now, it seems to me the issue is simply whether at this point we interrupt with an insert of 41 pages or do we interrupt here with a two-centimetre-thick insert of 234 pages? I understand very clearly, as has been pointed out by our Argentinian colleague and the Secretary-General, that the purpose is not duplication - there will be no duplication - the purpose is simply to take the bulk of this document and put it at the end, which is, as I understand it, the way it has always been done in the past. So, I don't know what the confusion is - if it's real or if it's something else.

The PRESIDENT (translated from French): I would tend to agree with Mr. Ledogar. For some time now we've been trying to explain that reproducing the text of the convention once as an annex to the report published under the symbol CD/1170 and again as an annex to the report of the Conference on Disarmament seems to be a crazy waste, at which several delegates have in fact protested. I call to witness our colleague Mr. Felício, who has dwelt on this



(The President)

matter at length in the appropriate forums. Paragraph 73 as drafted is of course related to paragraph 74. But if I understand properly there is no objection to the present wording of paragraph 73, on the understanding that the text of the report will be inserted. The only question is whether the appendix containing the text of the convention can be separated from the main body of the report and be appended, as it says in paragraph 74. So, once we resolve that problem, there will be no problem! The more questions I hear raised, the clearer the matter seems to me. Can paragraph 73 as now worded be adopted?

Mr. KAMAL (Pakistan): The first sentence of paragraph 73 says that the Conference adopted the report. What is the report that we have adopted? Is it a report in 41 pages? Or is it a report in 41 plus 193 pages? My understanding is that the report that we have adopted a few minutes ago is 41 plus 193 pages. If that understanding is not correct, then the implication is that we have only adopted (in the first sentence of paragraph 73 what we are saying is that we have adopted "only") the first 41 pages of CD/1170. That is factually incorrect. My understanding is that we have adopted 41 pages plus 193 pages, when we say that the Conference adopted the report which refers to the whole of CD/1170 which is 41 plus 193 pages. In the second sentence, we are talking of that report - the word report has to have the same meaning; the first "report" cannot mean 41 plus 193 pages and in the same paragraph the second word "report" means only 41 pages - it's a very big change in the same paragraph, so some re-drafting is necessary in order to clarify this confusion. The way to get out of it is to leave the first sentence as it is, interpreting the word "report" to mean 41 plus 193, and to change the second sentence by saying "the main body of the report (CD/1170), pages 1 to 41" or "paragraphs 1 to 43", or something like that, then it is clear that we are referring to only part of the report, which is the first 41 pages, in the second sentence, and then the question of duplication will have been resolved and we will be nearer to a solution when we come to paragraph 74. But until that drafting change is done, there is confusion in paragraph 73 and duplication in paragraph 74.

Mr. TOTH (Hungary): In the report of the Ad Hoc Committee in paragraph 43, we have a reference to the report and its appendix. I would suggest to use the same formulation and to refer to the adoption of the report and its appendix, and then if the wish of the Conference is to include under that paragraph only the report, then it will be clear that we are referring only to the report and not to the report and the appendix. So my suggestion would be that in the first sentence we refer to both the report and its appendix, and in the second sentence, according to the wish of the Conference, if this will be the wish, to refer only to the report.

The PRESIDENT (translated from French): I thank Ambassador Tóth - yet again a constructive proposal. I give the floor to Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Perhaps this could be made easier if, in effect, we moved the first sentence of paragraph 74 into 73 and

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made 73 a second sentence to read as follows: "That report of 234 pages (CD/1170) is an integral part of this report and the main body of 41 pages follows. The appendix of 193 pages to the report [etc. etc.] is attached as appendix I".

The PRESIDENT (translated from French): I thank Ambassador Ledogar - I'm not sure I caught the full wording he proposed, but I am grateful to him. We will consider it once we have heard the representative of the Russian Federation.

Mr. BATSANOV (Russian Federation) (translated from Russian): I think that the proposals made by Ambassador Tóth and Ambassador Ledogar contain an idea which will help us to draft what we want to say with a much greater degree of clarity. In my view, it is a good idea to proceed as proposed at the beginning by Ambassador Tóth: to refer to both the report and the appendix in the first sentence of paragraph 73. And maybe, at the same time, it would be a good idea to indicate after that in brackets exactly what report and what appendix we are talking about, namely document CD/1170. After that, I think, we could simply say that the report is an integral part of the report of the Conference, and reproduce paragraphs 1 to 43, and then use Ambassador Ledogar's idea of combining paragraphs 73 and 74 and talk about the appendix. And then, I think, everything will be much clearer: the only point remaining is the figure 73.42, which for some reason I don't like; all the same some other way of putting it has to be found. But maybe we don't need it at all, since we have been talking about the report and about the appendix, and if we continue this paragraph 73 and refer to the appendix, we will not need any further clarifications. Consequently we could simply say "the appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report", and then I think everything would be clear.

The PRESIDENT (translated from French): Do the proposals made by Ambassador Ledogar and those made by Ambassador Batsanov, jointly or almost - since they come to the same thing - meet with the agreement of this assembly? I am going to ask the Secretary-General of the Conference to be so kind as to reread to us paragraph 73 and the part of paragraph 74 which would be moved into 73. I give him the floor.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): Paragraph 73 would then read as follows:

"At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report (CD/1170) is an integral part of this report and its main body (pages 1 to 41) follows below. The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report."

Immediately afterwards, between quotation marks, would appear pages 1 to 41 of the report of the Ad Hoc Committee.

The PRESIDENT (translated from French): Can this solution secure the Conference's approval? I am still wavering, I don't know who was first to ask for the floor - I think it was Ambassador Tóth.

Mr. TOTH (Hungary): I think Ambassador Batsanov made a different proposal and I think he might repeat his proposal verbally.

Mr. BATSANOV (Russian Federation) (translated from Russian): In my proposal, I tried to put together the ideas expressed by Ambassador Tóth and Ambassador Ledogar, although this does not mean that I have any objections in particular to the proposal made by Ambassador Ledogar; it just seemed to me that putting together what was proposed by Ambassador Tóth and Ambassador Ledogar would help us to find an elegant way out. In a nutshell, my proposal was the following:

(continued in English)

First we take paragraph 73, which should read: "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above)" - and I think that perhaps the reference to CD/1170 can be moved into the first phrase - somewhere after the words "appendix to the report". Then the second phrase would read "That report" - and without the reference to the number, because it was already in the first sentence - so the second sentence would read: "That report is an integral part of this report and reads as follows", and then we put paragraphs 1 to 43 from CD/1170, and then we continue, we make the present paragraph 74 a continuation of paragraph 73, so we don't have a separate paragraph for that, and say "the appendix to the report of the Ad Hoc Committee on Chemical Weapons", and since it is already clear from the context and from the previous phrases in this paragraph, we would not need the words "referred to in paragraph 73.42", so the phrase would read: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report", and hopefully that would take care of the situation and that is, in fact, what I propose in this case.

The PRESIDENT (translated from French): I thank Ambassador Batsanov for these clarifications, which I find excellent - things are now dazzlingly clear. Can the proposal as formulated by the representative of the Russian Federation be adopted? The representative of Pakistan has the floor, to be followed by the representative of Sweden.

Mr. KAMAL (Pakistan): The text read out by Ambassador Batsanov would meet the requirement except that in the second sentence of paragraph 73, instead of just using "report", perhaps "the main body of the report is an integral part of this report and reads as follows" would be a slightly better formulation. In that case, it would read as follows: "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). The main body of the report is an integral part of this report and

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reads as follows:" - and we reproduce pages 1 to 41 and we carry on: "The appendix to the report is attached as appendix I to this report". That would meet the point which had been raised by me.

The PRESIDENT (translated from French): The difficulty I see is that this latter wording mentions the main body of the report which the Conference adopts but skirts round the essential outcome of our work, that is to say, the appendix and the text of the convention. I think the proposal made by Ambassador Batsanov is clearer. It at least had the merit of covering the report and its appendix. I see that Ambassador Tóth is of the same opinion. Ambassador Hyltenius had asked for the floor.

Mr. HYLTEINIUS (Sweden): Perhaps we could get around that difficulty if we had in Ambassador Kamal's formulation in the last sentence: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons, containing a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, which also constitutes an integral part of this report, is attached as appendix I". That would give them equal status and it would also make it clear what is in the appendix - I think that might be also a way out because in the following sentence we refer to the draft convention and there is no mention so far in the paragraph about the draft convention. So I suggest that with such wording we might cover these aspects.

The PRESIDENT (translated from French): I thank Ambassador Hyltenius for his contribution. However, I still believe that the proposal made by Ambassador Batsanov has the merit of bringing together most of the views that have been expressed so far. My sole concern is that we should not get bogged down in a procedural discussion. You all know as well as I do that when procedural arguments are involved in a trial, it is because the cause itself is a sick cause. I don't think that our convention on chemical weapons deserves such treatment. I give the floor to the representative of Italy.

Mr. FRANCESE (Italy): We believe that there is something positive in the Swedish proposal, and we should also bear in mind that sometimes a simple solution is the best. It strikes my delegation that the designation of the convention as such does not appear in these three paragraphs devoted to its adoption, and thus we would suggest a solution which may encompass both the legal point made earlier by Ambassador Kamal and all the positive elements that other colleagues here have announced - all while respecting the present structure of these three paragraphs. If you will allow me, Mr. President, I will give you my reading of a possible solution, which is as follows:

"73. At its ... plenary meeting, on ... 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above) and the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction appended to it."

And the rest stays as it is.

The PRESIDENT (translated from French): I thank Mr. Francese for his proposal. I try to get everything down, but unfortunately I haven't the training of a shorthand typist. What also adds to the confusion in my mind is that whenever a wording is suggested to me, I have the impression that I have heard it before, but of course that is not the case. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): I see merit in what Ambassador Kamal said before, that when we talk of the report, we should speak of the report as the 234-page document - the two parts. I see merit in the Tóth/Batsanov proposal, with the amendment that when we talk of the report we say "of 234 pages with a main body of 41 pages" and when we talk of the appendix, I would even put in the 193 so that there would be no confusion whatsoever. But I think we are all headed in the same direction that the insert here will be of 41 pages, although we recognize that everything was adopted and it all will be expressed and not duplicated.

Mr. MULLER (Germany): From our point of view, the suggestion by Ambassador Batsanov would seem the most simple one, to make clear at the beginning of paragraph 73 that one document, CD/1170, consisting of the report and the appendix, was adopted, and then follow with the wording suggested by Ambassador Batsanov.

The PRESIDENT (translated from French): Thank you, Mr. Müller - that was what I had understood. The awkward thing is that I haven't the complete text of the paragraph suggested by Ambassador Batsanov in front of me. Could I ask the latter to re-read his proposal slowly? I think that would be a good basis for reaching agreement in this assembly.

Mr. BATSANOV (Russian Federation): Yes, I will do that with pleasure.

"73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee (CD/1170) re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report is an integral part of this report and reads as follows:"

And then we put what I think we all agreed to put there, the 43 paragraphs. And then, without making the next paragraph a paragraph with a separate number, we would continue: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report. Hope was widely expressed ...", etc., until the end of what used to be paragraph 74.

The PRESIDENT (translated from French): I thank Ambassador Batsanov: his proposal is clear. I raise my gavel and ask the Conference whether it wishes to adopt the proposal as worded. It does not wish to do so. The representatives of the United States, the United Kingdom, Sweden and Pakistan have asked for the floor.

Mr. LEDOGAR (United States of America): From my point of view, we are getting close but we still need two additional elements. One is the one generally agreed upon and identified by our Swedish colleague - "the appendix to the report of the Ad Hoc Committee containing a draft convention", etc., etc. And the second missing item is words in that sentence to the effect that it is also an integral part of this overall CD report - and with those two fixes, I think we've got it.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I must say I think the clearest formulation is that which has been proposed by our Italian colleague, which puts the appendix at the end of the sentence rather than in the middle, where it comes between the Ad Hoc Committee and its report in a very inelegant way. It seems to me that it reads much better as our Italian colleague suggested, that is to say, leaving the first sentence of paragraph 73 as it is, with the words at the end after the brackets, "(see paragraph 8 above)" - after closing that bracket - "and its appendix, containing the draft convention", and then the full title of the convention, or, if you prefer, "containing the convention appended to it", which was exactly what our Italian colleague suggested. It doesn't seem to me that it matters which of the two you do - the advantage of saying "its appendix" is that that is actually the word used in CD/1170, and then you could continue with "the report" - to make clear that you were not talking about the appendix - "the report is an integral part of this report and reads as follows:", and then it would be set forth below, the 43 paragraphs of it, and then paragraph 74 could continue: "The appendix is attached as appendix I to this report", and that simplifies that sentence also.

The PRESIDENT (translated from French): I thank Sir Michael Weston. However, I would ask him to specify whether he wishes to put the very last phrase - "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report" - into paragraph 73, or to leave it in paragraph 74. The proposal was to put the first sentence of paragraph 74 in paragraph 73, for greater consistency. Is that also what is proposed by Sir Michael Weston? In other words, should the appendix to which reference is made be taken up in paragraph 73 or should it stay in paragraph 74? Or doesn't it matter?

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I think it would be better to put it up as a concluding sentence of paragraph 73, though, of course, it is going to look slightly odd, I suppose, because that paragraph is going to have 43 other paragraphs in it, but then if one wishes to have a gap, and then this one sentence, that would seem to be the simplest way.

The PRESIDENT (translated from French): Ambassador Hyltenius is the next speaker on my list. Would he also be kind enough to re-read his proposal?

Mr. HYLTEINIUS (Sweden): Yes, I will gladly do that. I think I'll be rather brief. The essential things for me have already been picked up by Ambassador Ledogar. I think we should spell out what's in the appendix - it should not be an anonymous thing - it's after all the draft convention on which we have worked for so many years, it should be mentioned. Secondly, it

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should be absolutely clear that the appendix is also an integral part of the report of the CD - I think this is very important - there should be no difference between what some call the main part of the report and the appendix, they are absolutely on the same footing. I only had a real proposal for the last sentence, which could read as follows: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons, containing a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, which also constitutes an integral part of this report, is attached as appendix I". But there are many other formulations which are good - I thought also the Italian formulation was very good and Sir Michael's as well.

The PRESIDENT (translated from French): We now have a proliferation of proposals, which, while welcome, should nevertheless be merged. I give the floor to the representative of Pakistan - would he have a miracle solution?

Mr. KAMAL (Pakistan): I have another formulation which I think will meet all the requirements and which would read as follows:

"At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above), as well as its appendix [or "as well as the appendix to the report"]. Both the report and the appendix form an integral part of this report. The report reads as follows: ... [and we reproduce it]. The appendix to the report is attached as appendix I to this report".

Now, this meets all the requirements. The only point which is not covered is the point of Ambassador Hyltenius, and if that is generally agreed to by everybody, we can go along even with that.

Mr. LEDOGAR (United States of America): I think we can pull them all together as follows. The first two sentences as set forth by our Italian and British colleagues. The next sentence, that is to say, currently the final one in paragraph 73, would bring up the first sentence in 74 and wrap them together as follows: "That report is set forth immediately below this paragraph. The annex to the report, containing the draft convention, is set forth in appendix I to this report." And then the final sentence: "Both are contained in CD/1170, and both are an integral part of this report."

Mr. FRANCESE (Italy): As you see, Mr. President, the diversity of versions is being slimmed at the moment, and we cannot but express our satisfaction at that. I believe that this re-reading given by Ambassador Ledogar satisfies all the requirements of all delegations which have spoken up to this point. I would just suggest a minor addition. In the first sentence of paragraph 73, when you reach the point when you mention the appendix, you should clarify "and the draft convention appended to it". I think there you want to have the full title of it for the first time, because this I think is going to be one of the many innovations we are now rendering to this draft, by mentioning the title of the main object we are pursuing, and it would be quite unusual if we omitted it.

The PRESIDENT (translated from French): I thank Mr. Francese. I think this specific mention also appeared in the constructive proposal made by Ambassador Hyltenius - it is true that at no point was the convention referred to in full. I give the floor to the representative of the United Kingdom.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): It seemed to me that we had not given proper consideration to Ambassador Kamal's proposal, which I thought was very clear and really much simpler than anything else we have come up with.

The PRESIDENT (translated from French): I thank the Ambassador of the United Kingdom. I was ready to do so, but the delegations have been constantly coming to put their names on the list of speakers and keep the debate going. At this stage, before I give the floor to the representative of the Russian Federation, I would like to ask this assembly whether it agrees with what Sir Michael Weston has just said and whether it wishes to adopt the proposal that Ambassador Kamal has just made. Ambassador Ledogar has the floor.

Mr. LEDOGAR (United States of America): I would need to hear it again. It seemed to me there was an important missing element - I would need to hear it again, please.

The PRESIDENT (translated from French): Could Ambassador Kamal re-read the proposal he made?

Mr. KAMAL (Pakistan): My proposal would read as follows:

"73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above), as well as its appendix. Both the report and the appendix form integral parts of this report. The report reads as follows: [reproduction]. The appendix to the report of the Ad Hoc Committee on Chemical Weapons, which contains the draft text [etc. etc.], is attached as appendix I to this report."

The PRESIDENT (translated from French): I thank Ambassador Kamal - I wasn't able to note everything but I think we are coming closer to the solution. Does the latest reading of the paragraph by Ambassador Kamal dispel the fears of Ambassador Ledogar?

Mr. LEDOGAR (United States of America): It seems to me that the missing element is that which was first identified by our Swedish colleague, namely, when you referred to "and its appendix", the very last part, Ambassador Kamal said "both the report and its appendix from an integral part" - you need to put in there "both the report and its appendix containing the draft convention", etc. The words "containing the draft convention" are necessary as Ambassador Hyltenius pointed out so that the next thought in the second sentence of paragraph 74 will make sense when we come to it.



The PRESIDENT (translated from French): I think we are all in agreement on referring to the convention. I do not think Ambassador Kamal has any objection to identifying the appendix, saying that it contains the draft convention. I give him the floor straight away to respond to that specific point.

Mr. KAMAL (Pakistan): I have no problem with Ambassador Ledogar's formulation. I have used the clarification of the appendix in the next sentence, but if you want it in the first sentence, there is no problem, in which case, sentence one stays as it is but we add at the end: ", as well as its appendix containing the draft convention [etc. etc.]. The report reads as follows: [reproduce]. The appendix to the report of the Ad Hoc Committee is attached as appendix I of this report." I'm sorry - there is a middle sentence which is: "Both the report and its appendix are integral parts of this report."

The PRESIDENT (translated from French): I thank Ambassador Kamal - I am trying to note everything. We seem to be heading gradually towards a solution. First on the list of speakers is Mr. Calderón of Peru.

Mr. CALDERON (Peru) (translated from Spanish): Very briefly, I simply wish to express my support for what has just been said by Ambassador Kamal in relation to the addition at the end in which the title of the convention is mentioned.

Mr. FRANCESE (Italy): We also view this as an excellent structure. I would just say that stylistically, the word "appendix" recurs a bit too often in this text. I would like to see, in place of what is now the first sentence of paragraph 74, "the appendix attached as an appendix", I would rather like to see again the title of the convention - "The draft convention is attached as appendix I to this report", which would very well match with the following sentence making a reference to the convention. I think that would also, grammatically, be more acceptable.

Mr. von WAGNER (Germany): I would hate to make your life more complicated, Mr. President, but there are one or two elements which maybe are neglected. First, the text which Ambassador Kamal just read out, which starts a new sentence with the words "Both the report and its appendix" and so on, should make reference to document CD/1170, and therefore I would recommend to have it read "Both the report and its appendix, as contained in document CD/1170", and then go on. Secondly, whenever you quote what is in the appendix and quote only the convention, there is a risk that somebody might read into that that the annexes to the appendix are left out, or are not mentioned, or whatever. They are, however, very important because they make reference to the Prepcom and to the headquarters, and therefore I would recommend that if you make this reference to the convention you also mention the annexes to appendix I of the report of the Ad Hoc Committee. With these two amendments, I think that the text which was read out by Ambassador Kamal is absolutely acceptable to us.

The PRESIDENT (translated from French): Does the proposal by Ambassador Kamal, as improved on by contributions from various delegations, seem acceptable? I will reformulate my question: Is Ambassador Kamal's proposal, as refined and supplemented by Ambassador von Wagner, accepted? Ambassador Batsanov asked for the floor before Ambassador Kamal.

Mr. BATSANOV (Russian Federation) (translated from Russian): It is true that I have been waiting for the microphone for a long time, but as it happens it wasn't only Ambassador Weston who asked for the floor before me but a number of other representatives too. When I asked for the floor, before you gave it to Ambassador Weston, I wanted to support the concept put forward by Ambassador Kamal and to focus attention on the same thing as Ambassador von Wagner had just drawn attention to, that is that the annex contains not only the draft convention but also material for the preparatory commission and a list of material to be transmitted to the preparatory commission. With this addition I cannot yet imagine how the text will look in concrete terms, and probably somebody can read it out taking this nuance into account; as for the addition relating to the fact that in Ambassador Kamal's formulation there is no reference to document CD/1170 and that a way will have to be found to refer to it, I would be ready to agree with that.

The PRESIDENT (translated from French): I owe Ambassador Batsanov an apology because earlier on I did overlook him. I cross the names of speakers off the list as we go along, and since his name had already appeared four times I must have struck it out once too often. I apologize to Mr. Batsanov. I certainly did not intend to prevent him from speaking. In fact I am happy to have made that omission, because the position he has just taken is an extremely constructive one and should enable us, I think, to agree on Ambassador Kamal's proposal as refined by Ambassador von Wagner. I would like to ask the Secretary-General of the Conference whether he is in a position to re-read the text of what I will call the Kamal/von Wagner proposal, to be sure that we agree. I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): I think it would help if I read out my proposal once, so that it is clearly understood.

"73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above), [and here is the addition] as well as its appendix, which contains the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, and its annexes. Both the report and its appendix, as contained in document CD/1170, are integral parts of this report. The report reads as follows: [reproduction]. The appendix to the report is attached as appendix I to this report."

The PRESIDENT (translated from French): I thank Mr. Kamal. I managed to note down more or less everything this time. After so much effort and in view of the late hour (I think Ambassador Shannon is going to curse me if we continue our discussions!), I will ask the question: At this stage would

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there be any objection to the adoption of the text of paragraph 73 as formulated by Ambassador Kamal? I give the floor to the representative of Poland.

Mr. GIZOWSKI (Poland): Probably this reference to annexes is a little bit misleading, because we have a number of annexes in an appendix. So maybe a simple fix will be to add "as well as its appendix, which contains, inter alia," - and we will refer just to the draft convention. This will make clear that it is not the only content of the appendix itself.

The PRESIDENT (translated from French): But I think the solution was found by Ambassador Kamal when he said "the draft convention [and we quote the whole convention] as well as its appendix and its annexes". Was that not it? It seems to me that this formula covers everything. I give the floor to the representative of Peru.

Mr. CALDERON (Peru) (translated from Spanish): I merely wish to point out that if we look at page 2 of the appendix that appears in document CD/1170, we have, in addition to the convention and its own annexes, two texts relating to the preparatory commission and material to be transmitted to the preparatory commission. That is why my delegation supports and endorses, inter alia, what has been proposed by the colleague from Poland, inasmuch as we take into account the elements referred to, which are not to be found in the draft convention.

Mr. BATSANOV (Russian Federation) (translated from Russian): I support Mr. Gizowski's proposal.

Mr. LEDOGAR (United States of America): I support the last three speakers: simply add the words "inter alia" to Ambassador Kamal's formulation.

Mr. GEVERS (Netherlands): I am sorry, Mr. President, to prolong your agony this afternoon, but the points I was about to make have been made by the last four speakers.

The PRESIDENT (translated from French): The proposal made by the representative of Poland has received wide support, but I still cannot see how it is going to be incorporated into Ambassador Kamal's text. If I take the English text, the only difference is that we would have "containing inter alia the draft convention", "inter alia" being supposed to cover the other annexes in the text. I give the floor to the representative of Algeria.

Mr. SEMICHI (Algeria) (translated from French): I did not actually intend to speak but it seemed to me that the President's job was being made needlessly complicated. It will be enough to give the number of the document since we have all the documents available that we need. I think that by adding the full document number, CD/1170, in Ambassador Kamal's proposal, we will not need to refer to all the appendices.

The PRESIDENT (translated from French): I thank the Ambassador of Algeria. I admire his concern for simplification, which I fully share, but as he has been able to observe the delegations are concerned for their suggestions, which they want to maintain and see adopted. I also understand this concern, and I think that everybody will find his own child in the proposal made by Ambassador Kamal, as amended by various delegations, including Ambassador von Wagner, who honed it. The text is certainly more cumbersome, but I have long since abandoned any aspirations to elegance in the matter before us. Are things clear to everybody? We are talking about the latest version proposed by Ambassador Kamal, with the addition of "inter alia" between "containing" and "the draft convention ... as well as its appendix ...". I repeat: we are not in the process of producing a work of great literature; we will not be awarded the Nobel Prize for Literature and certainly not the Goncourt prize when it is reproduced in French. But we must take into account the concerns of all the delegations. So I put the following question to the Conference: can Mr. Kamal's proposal, as amended by Ambassador von Wagner and re-read one last time by Ambassador Kamal, be adopted, in everybody's opinion? I observe that it can and that the miracle has happened.

I hope that this will continue, because, counting on your weariness, I am going to try to get you to accept the second part of paragraph 74, which reads as follows in English:

(continued in English)

"Hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date."

(continued in French)

Are there any objections to adopting this sentence? I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): It is my understanding that we are now referring to paragraph 74, which is only the second sentence of the old paragraph 74. I have already presented the view of my delegation that this reference to a "widely expressed hope" has germs of divisiveness in it because the search here is for consensus and we should concentrate on elements on which there is consensus. Consensus is an important part of the working procedures of the CD; it is consecrated in rule 18 of the rules of procedure and notwithstanding the precedents to which reference has been made, I think it would be fairer to all concerned to concentrate on an agreed consensus language. And the proposal that I have put forward is a sentence which replaces this existing sentence and reads:

"74. It was agreed that the draft convention as contained in the annex to the report of the Ad Hoc Committee should be transmitted to the General Assembly of the United Nations for its consideration."

The PRESIDENT (translated from French): I take note of that proposal, because the discussion is going to cover texts we have not got in front of us and that is not always the easiest thing to do. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): No, we could not accept anything like the alternative that Ambassador Kamal proposes. We, at a minimum, would like to see this section reflect accurately the true situation that obtains here in this room. Indeed, right now. Now it's true as Ambassador Kamal pointed out that historically this sentence in previous reports to the General Assembly of previous treaties - treaty texts - was preceded by comments about whether or not there was consensus. Again I go back to the notes on the 1970 seabed Treaty. It began: "Delegations expressed satisfaction with the general consensus achieved and the spirit of compromise which resulted in the inclusion in that draft of amendments responsive to their suggestions", and then it went on: "Hope was widely expressed that the draft treaty would" and so forth. And in 1971 on BWC: "Delegations expressed satisfaction with the general consensus achieved and with the process of negotiation and the spirit of accommodation which resulted in the inclusion" and so forth. "A number of delegations pointed out that final decisions of their Governments would be taken at a later stage". I think if we could replicate that kind of approach it would be historically consistent and perhaps would more broadly, more accurately express the sentiments in this room on our endeavour.

The PRESIDENT (translated from French): I understand Ambassador Ledogar's concern to present the United Nations in New York with a text containing an encouraging note and I must say that personally I would prefer that, because I will have the honour to present the Conference's report to the First Committee. I would prefer to be able to report our satisfaction and our hope to the august Assembly of the United Nations, but we have to satisfy everybody here. I give the floor to the representative of Egypt.

Mr. OMAR (Egypt) (translated from Arabic): On paragraph 74 or what is left of it I will be very brief. My delegation gives its full support to the amendment submitted by Mr. Kamal concerning the second phrase in paragraph 74 because we believe that a factual text not expressing a specific position should be sufficient. If we express specific positions then we will also have to mention the satisfaction and apprehensions expressed by other delegations concerning the draft convention.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): My Government's position on the draft convention on the elimination of chemical weapons is well known. We have been talking about minor drafting points for two hours; we now realise the good sense of the suggestion made by the distinguished representative of Pakistan that this kind of discussion should be pursued in an informal meeting. What has occupied us this afternoon is far from being of historical importance or worthy of appearing in the verbatim record of this plenary. We are now coming to the heart of this question, and the problem is: how do we go from here to the General Assembly of the United Nations with a draft convention in our hands? This is what is important. Various precedents

(Mr. Marín Bosch, Mexico)

have been cited showing how the predecessors of the Conference on Disarmament passed or transmitted various draft treaties or conventions to the General Assembly. And it is a good idea to mention the cases of ENMOD or the CCD, because regrettably the Conference on Disarmament has set no precedents on this subject. We hope that it will do so today. Allow me to cite another precedent: exactly 16 years ago, on 3 September 1976, the CCD discussed its draft report to the General Assembly. At least three of us who are here today doing exactly the same thing were also present at that meeting in 1976: the Personal Representative of the Secretary-General, at that time representative of Argentina, Ambassador Vicente Berasategui, Mr. Ian Kenyon of the United Kingdom and myself. The report was approved on that day and appears in document CCD/520. In paragraph 375 the document says the following concerning the draft convention known as the ENMOD Convention, and I will quote it in English:

(continued in English)

"At [its] meeting on 3 September 1976, the [CCD] considered the report of the Working Group containing the draft convention" [on environmental modification techniques] ", as well as comments, dissenting views and reservations thereon, which is transmitted to the United Nations General Assembly and the United Nations Disarmament Commission" [as an annex to this report].

(continued in Spanish)

Then follow all the dissenting views and all the rest. But I think if we want to ensure that what is said is a faithful reflection of the facts we have to look for a formula which is neutral. What matters here is not to decide on things that we are all going to decide together, I hope, at the General Assembly. I am not arguing for wording similar to the 1976 wording, but I thought it relevant to draw the attention of the other delegates to another precedent with which, as I said, Ambassador Berasategui, Mr. Kenyon and myself are very familiar.

The PRESIDENT (translated from French): We are going to find ourselves involved in a battle of quotations: this convention said this, that convention said that. That will not go very far in solving our problem. I see that the representative of Hungary, Ambassador Tóth, has asked for the floor. I give it to him, in the hope that he will give us the magic formula.

Mr. TOTH (Hungary): I am not a magician. I don't have the rabbit, or even the hat with me. I think that we might re-run the exercise we had when we adopted the report of the Ad Hoc Committee. At that time we had a lengthy discussion and I think the main elements on which we focused our efforts were those we tried to draft jointly besides the national contributions or national statements and the Chairman's statement. And these are the last three paragraphs in the report of the Ad Hoc Committee. As a result of lengthy hours of discussion I think we could strike a balance between different interests. My suggestion would be not to re-run that exercise but to try to take over those elements which might be appropriate here in the report of the Conference. And I would suggest taking over paragraphs 41 and 43 with a

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slight modification of 43; 42 in a way is reflected in the paragraph we have just drafted - 73. My suggestion would be to modify slightly 41, dropping the reference to document CD/CW/WP.400/Rev.2, and to modify slightly 43, there to have a reference that the Conference agreed to transmit this report - and to take over those two paragraphs.

The PRESIDENT (translated from French): I thank Ambassador Tóth for his proposal, but as regards paragraph 43 I didn't quite understand. Is he proposing that we replace "the Ad Hoc Committee" by "the Conference on Disarmament"? I give the floor to Mr. Tóth again.

Mr. TOTH (Hungary): I would suggest the following formulation, as I mentioned, with a certain modification: "The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly."

The PRESIDENT (translated from French): Here again the Hungarian proposal seems to do justice to the proposals that have been made so far. I think his proposal is a constructive one. I am only worried about whether I will have as much trouble in getting it adopted as for paragraphs 73 and 74. Ambassador Tóth's proposal is extremely simple. We would reproduce here the text of paragraph 41 of document CD/1170, which contains the report of the Ad Hoc Committee on Chemical Weapons, and instead of referring to the document we adopted (CD/CW/WP.400), we would say of document CD/1170 that it

(continued in English)

"met with the support of most delegations, who were of the opinion that ...".

(continued in French)

Nothing else would be changed. As Mr. Tóth quite rightly said, there is no point in reproducing paragraph 42, because the information given there already appears in paragraphs 72 and 73. Then we would take up and modify paragraph 43, so that the text would read as follows:

(continued in English)

"The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly of the United Nations for its consideration."

(continued in French)

Is this solution accepted? It is not. I am having more trouble with this small paragraph than with the biggest ones.

Mr. TOTH (Hungary): May I just read that again? Under paragraph 41, the formulation would be the following: "The draft convention met with the support of most delegations, who were of the opinion ...", and then according

(Mr. Tóth, Hungary)

to the text in paragraph 41. In paragraph 43 we would have the following formulation: "The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly of the United Nations".

The PRESIDENT (translated from French): Does this proposal meet with the approval of the delegations? I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): No, Sir, and I hope that it will not be the effort of anybody in this body to test the patience of the Pakistani delegation or its commitment to the fact that we would not like a divisive idea to come in. Paragraph 41, to which Ambassador Tóth has referred, is not part of the conclusions and recommendations of the report. All that we can agree with is a formulation on the lines of the conclusions and recommendations of the report of the Ad Hoc Committee. If there is an effort to bring in the concept of wide support of one type, then there would have to be a counterbalancing by a phrase, "despite the reservations and concerns expressed by many delegations". And I do not think it is in the interest of the CD to come forward with a formulation which uses a sentence of that type. But if that is the desire, one can sit in a drafting exercise and draft a balanced paragraph which talks of the reservations and concerns of many delegations and the wide support of others. And then go on to the agreement part on which hopefully there will be total consensus, which is the agreement to transmit. But if we can just refrain from that, then there is no problem; we'll just stick to that part on which hopefully, as I said, there is an emerging consensus.

The PRESIDENT (translated from French): I thank Ambassador Kamal. It is not only his patience which is being severely tested, but the patience of everybody here. I hope he will forgive me for saying so, but I cannot refrain from making an observation: on listening to him one really has the impression that the convention was adopted by a few delegations rather reluctantly and that the vast majority opposed it. That is not what happened, after all. I think that, to be perfectly objective it was rather the opposite that happened - the great majority of delegations approved the convention, despite their reservations, and nobody really opposed it. Hence the roles should not be reversed. However, when Mr. Kamal seeks to assert his point of view in the interests of balance, I fully agree with him and we are going to try to find a solution. I give the floor to the representative of Canada, Mr. Robertson.

Mr. ROBERTSON (Canada): I agree with your last remark, but that's not what I wanted to speak to. I think there's a different sort of problem posed by Ambassador Tóth's suggestion of repeating essentially what is said in paragraph 43, because that action of transmitting the report of the chemical weapons Ad Hoc Committee is already subsumed, I believe, in paragraph 119. We've just finished putting the Ad Hoc Committee report into this report. We've added its appendix to it, and in 119 we adopt the totality of the CD report and we transmit it; so that I think that it's causing not only duplication but it might also cause some additional later confusion.



The PRESIDENT (translated from French): Mr Robertson is certainly right on that point. I take paragraph 119:

(continued in English)

"The annual report to the forty-seventh session of the General Assembly of the United Nations, as adopted by the Conference on 3 September 1992, is transmitted by the President on behalf of the Conference on Disarmament."

(continued in French)

It seems to me that Mr. Robertson is in complete agreement with Ambassador Kamal, who suggested a sentence saying: "It was agreed that the draft convention should be transmitted to the General Assembly for consideration." That would more or less coincide with paragraph 119. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): I join you, Mr. President, in agreeing that I hope we can avoid expressions of exasperation. The facts over the last months and weeks and days I think speak for themselves. Everyone in this room knows how many delegations give support to the convention, and even we know precisely how many have warm support, lukewarm support, cold support, begrudging support, barely-make-it support, but the sum total of all of that support is a very substantial proportion of the membership of this Conference. We also all know how many delegations are not in a position at this time, unfortunately, to give support to the convention. Now what we're seeking for, all of us I think, is an accurate reflection of the reality. And if the proposal is that we have a sentence which simply says to New York: "Dear General Assembly, we didn't make it. We're transferring our problems to you for consideration. Here is a list of our disappointments, and these are the unsatisfied wishes. Please make with it what you will", that's not an accurate reflection of the feeling in this room. It's not a question of the majority trying to impose a view on the small minority who unfortunately at this time are unable to give support to the convention. What we're seeking is an accurate reflection, and I think New York deserves it, and I think the public deserves it. This will, I hope, by the end of the evening become a public document, and it ought to be known what the accurate circumstance is. So it's not simply a question of - here we say with no judgement whatsoever, "We're sending our problem to New York. Thank you very much. Please help us out", which is what the Kamal statement sounds to me as though we're trying to do. I think what we ought to do is maybe combine these two thoughts. And as was pointed out, if we want an accurate reflection, then maybe paragraph 74 should read something along the following lines: "While consensus on the draft convention unfortunately could not be reached, hope was expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date". That, I think, is the kind of statement that reflects. And as our Canadian colleague pointed out, we don't need to say here that we're transferring it; that's done by the whole report itself.

The PRESIDENT (translated from French): I am grateful to Ambassador Ledogar for his concern for flexibility. It is my hope that the other representatives that have asked for the floor, beginning with the representative of Chile, will also demonstrate flexibility.

Mr. GONZALEZ (Chile) (translated from Spanish): That was just what my delegation had in mind. First of all, Mr. President, we wish to support you explicitly in the sense that we agree with your judgement that not all the statements which have been made in favour of the adoption of a draft convention on chemical weapons were half-hearted. We have been following this negotiation process closely and I think that here we need to clearly separate two things. This afternoon we have been involved in a lengthy procedural discussion which we feel is overshadowing the basic fact and the crucial issue, which is the following: we cannot ignore such a substantive aspect as the enormous number of statements made by the various countries on behalf of their Governments in support of the convention or the draft convention on chemical weapons; many of them bilateral, others trilateral - in short, of all kinds. Consequently we believe that it would not reflect the facts if, simply because a small number of delegations have problems with certain procedural aspects and not problems with matters of substance, a draft is sent to the General Assembly with an absolutely neutral phrase. Everybody with experience in negotiations in the General Assembly of the United Nations and in the context of the First Committee knows full well that if a draft is sent like that, it can turn into a real Pandora's box from which new amendments, new drafts, new alterations will emerge, and that the upshot will be that we will probably "recommence" a period of negotiations which could go on for another 20 years. My delegation at least is not prepared to start the process again and, as we have said publicly we think it is necessary to adopt this draft convention once and for all.

Mr. CALDERON (Peru) (translated from Spanish): I wish to speak very briefly just to state for the record the positive feelings with which my delegation viewed the second sentence in paragraph 74, in so far as it was drafted with the utmost care. That paragraph per se reflects the fact that there is not necessarily a consensus on the text, and that state of affairs could of course easily be acknowledged by this Conference. Nevertheless, my delegation, aware of the difficulties that some delegations have, thinks we could use the elements that appear in paragraph 18 of the Ad Hoc Committee's report, somewhat along the lines of what was stated by Ambassador Ledogar. However, my delegation would prefer not to go so far in that direction and, while keeping the existing sentence, in other words, the second sentence in paragraph 74, we suggest adding a first line which would read as follows:

(continued in English)

"Despite the positions expressed by some delegations, ..."

(continued in Spanish)

and then we would continue with the sentence as it is. The word "positions" is important since it is the word which we employ in paragraph 18 of the Ad Hoc Committee's report, strictly following the rules of procedure. So if we begin

(Mr. Calderón, Peru)

begin with that ingredient, which is a statement of facts, we then also refer to the facts, namely paragraph 2, I beg your pardon, the second sentence in paragraph 74. So I appeal for consideration to be given to this proposal since, in fact, in this way we are better reflecting what has taken place in this Conference.

The PRESIDENT (translated from French): Before giving the floor to Ambassador Kamal, I would like to focus the debate on the two proposals which have been made. Ambassador Ledogar, if I understand correctly, suggests saying

(continued in English)

"While consensus on the draft convention unfortunately could not be achieved, hope was expressed that the draft convention would be commended by the General Assembly."

(continued in French)

This would amount to recording the reluctance of some delegations, since, following Ambassador Kamal, we would drop the word "widely". We would therefore say: "The hope was expressed that this convention would be approved by the General Assembly." Under Mr. Calderón's proposal, we would say, if I have understood correctly:

(continued in English)

"Despite the positions expressed by some delegations, hope was expressed that the draft convention would be commended by the General Assembly".

(continued in French)

That's right. So we have before us two proposals, which are really quite similar. I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): We could go along with the proposal of Ambassador Ledogar as read out by you, Sir, but after dropping the word "nevertheless" which we think is a tendentious word and a value judgement. So, "While consensus could not be achieved, hope was expressed", etc., etc. Alternatively, Sir, I can give you another formulation, if my agreement with Ambassador Ledogar is disagreeable to others. Then my alternative formulation would be a simpler one. It says: "At the same plenary session, the Conference on Disarmament adopted the report of the Ad Hoc Committee and agreed to transmit it for consideration to the General Assembly of the United Nations"; or to say, "and agreed to transmit to the General Assembly the report as well as the draft convention for consideration". Either of these formulations would be preferable, but since I think we are working on the same wavelength now with Ambassador Ledogar, perhaps some thought could be given to Ambassador Ledogar's formulation, after dropping the word "nevertheless". I'm sorry, the word is "unfortunately", not "nevertheless"; the word "unfortunately" has to be dropped.

The PRESIDENT (translated from French): We are moving painfully in the right direction. The representative of France, then the representative of the United Kingdom have asked to the floor; I now give it to Ambassador Errera.

Mr. ERRERA (France) (translated from French): We too are very keenly aware of the fact that, while recognizing the difficulties experienced by a number of delegations that are well known to us, we need here to have a minimum conveying the tone of reality - I do not even say an exact image, but at least the tone of reality. I am not certain that a wording saying, in black and white, "... noted the absence of consensus ..." is a happy wording, because it is negative. What we wish to see is a minimum position, yes, but at least a positive position. That being the case, we could not accept such a wording and we would not regard it as a good thing, either for the Conference or for the goal we are attempting to achieve. That is why we consider that the proposal made by Mr. Calderón is a good one, that is, we would begin by expressing and noting a fact and then continue by expressing this widely felt hope. For the same reasons, we could not accept Ambassador Kamal's formula whereby we would say that the members of the CD are in agreement to transmit the draft convention to the General Assembly for consideration. In short, it is with considerable reluctance, for the reasons which we have set forth at length, particularly last week - it is late and I will not repeat them - that we could, while very much regretting it, go along with a minimum wording, provided that it is positive rather than negative.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Earlier, as you know, I expressed a preference for Ambassador Kamal's formulation rather than Ambassador Ledogar's. Well, again, I'm afraid, in this case I would express a preference for Mr. Calderón's formulation rather than Ambassador Ledogar's, and I would ask Ambassador Kamal whether he would not consider this formulation, which seems to me to represent the facts very clearly indeed. The word "positions" is used very carefully and the formulation is the same as in the report of the Ad Hoc Committee, "Despite the positions expressed by some delegations", and then, as we have it, "hope was widely expressed". I would ask Ambassador Kamal's views on that please.

The PRESIDENT (translated from French): From the trend in the debate I conclude that the positions are moving more towards Mr. Calderón's proposal than towards the others that have been put forward. The representative of Nigeria was asking for the floor; I give it him.

Mr. AZIKIWE (Nigeria): Mr. President, you just expressed the opinion that my delegation was about to put forward. We find the proposal by Dr. Calderón of Peru acceptable to my delegation.

The PRESIDENT (translated from French): Thank you, Mr. Azikiwe. I did not intend to make a value judgement. I simply noted that a movement was emerging in favour of Mr Calderón's proposal. I give the floor to Mr. Kamal.

Mr. KAMAL (Pakistan): I would like to repeat what I said earlier. I can go along with Ambassador Ledogar's formulation, which is: "While consensus could not be achieved, hope was expressed", etc., etc. I can give an

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alternative formulation, which is that "At the same plenary session, the CD adopted the report of the Ad Hoc Committee and agreed to transmit it to the General Assembly of the United Nations, the report as well as the draft convention, for consideration" And I would suggest that we work on the basis of either of these two. The fact is that despite the wide hope and the many reservations and concerns which have been expressed in no uncertain terms, despite that I think we are at a point where rule 80 has to be read and understood clearly. And I think Ambassador Ledogar's formulation is a correct recognition of that fact. But if, as I said, that is not a line of thinking which is acceptable to others, then there is a clear alternative which has been mentioned by me, which, to paraphrase the words of the distinguished Ambassador of France, is a positive formulation because it clearly says that the CD adopted the report of the Ad Hoc Committee, and that is as positive as one can go.

Mr. AZIKIWE (Nigeria): I listened very carefully to the suggestion of Ambassador Ledogar. I'm afraid it is not acceptable to my delegation and it doesn't capture the minds of most delegations that participated in the negotiations. I still believe that we have a compromise solution, and the compromise solution was already suggested by the delegation of Peru. I would only appeal to some of our colleagues to realize that they are sending a message to the General Assembly which would try as much as possible to reflect the true position. I don't think that is a statement of fact that our work should be regarded in a negative way. So I believe that the suggestion put forward by Dr. Calderón captures the minds of most delegations here.

Mr. LEDOGAR (United States of America): Well, there doesn't seem to be much support for the joint Pakistani/American proposal. The alternative that Ambassador Kamal put forward I think may offer a way out. It's a disappointing one, but it is straightforward and has a positive note to it rather than a negative note. We would have to eliminate the words "for consideration", however, because that suggests that there will be further work on the treaty in New York, which my delegation is opposed to. As I understand it - or maybe we should ask Ambassador Kamal to repeat it - but it would be something as follows: "At the same plenary meeting, the Conference adopted the report of the Committee and agreed to transmit it to the United Nations General Assembly ... agreed to transmit the report of the Conference on Disarmament containing the draft convention on chemical weapons". Perhaps I could get Ambassador Kamal to read it out without the words "for its consideration", and see whether we can gather support around it.

The PRESIDENT (translated from French): There is a risk that the text proposed by Mr. Ledogar in a spirit of reconciliation will lead to duplication, since paragraph 73 states that the Conference adopted the report and its annexes; indeed, we had enough trouble reaching agreement on paragraph 73. But I am willing to accept it if that is the price to pay to reach agreement. If I have understood correctly, Mr. Ledogar suggests that we should say that, at the same meeting, the Conference on Disarmament adopted the report of the Ad Hoc Committee on Chemical Weapons - which has already been said in paragraph 73 - and agreed to transmit it to the United Nations General Assembly.

Mr. KAMAL (Pakistan): My understanding is that what Ambassador Ledogar has read out on the basis of what I myself had put forward reads roughly as follows: "At the same plenary session, the Conference on Disarmament adopted the report of the Ad Hoc Committee containing the draft convention" (we can use any formulation there) "and agreed to transmit it to the General Assembly of the United Nations". My delegation will be happy to go along with that formulation.

The PRESIDENT (translated from French): If so, we are probably moving towards a solution.

Mr. CALDERON (Peru) (translated from Spanish): I am sorry to contradict you, Sir, but that doesn't seem to me to be a solution. First of all, why ignore the majority position in this multilateral negotiating forum in favour of the draft convention? If consensus is what we are seeking, then let us make an effort to ensure that this majority position is reflected in the final paragraph. What we cannot do is end by sending an unduly lukewarm message with practically no signal to the General Assembly of the United Nations, because this text is going to be read not only by delegates in the United Nations but also by the entire international community - hence the major responsibility we bear to ensure that we send a signal concerning the majority position among the delegations accredited here. So that in that regard, in the first place, as you have said, Sir, there is no point in repeating what we have already said in paragraph 73. In paragraph 73 we have already spoken of the fact that the Conference has adopted the report. What is the point of saying it again? Where is the concession? I would like to see the concession made by the delegations which have difficulties in reaching consensus. And in the second place, referring to the transmittal to the General Assembly: pour quoi faire? What has been suggested is totally tasteless, colourless and insipid. So that this is not a reflection of the aspiration of the majority of the delegations represented here. So that if there are difficulties in finding a formula, then perhaps a short break may be more advisable: a temporary suspension of the meeting in case inspiration strikes us in the corridors. At all events, if we continue in plenary, my delegation does not agree with this wording.

Mr. AZIKIWE (Nigeria): I have very little to add to the views already expressed by my delegation. Perhaps if it will be helpful the Peruvian suggestion could be slightly modified. If you don't mind, Mr. President, I'll read out the suggestion. We could use this formulation: "Different positions were expressed. None the less hope was widely expressed that the draft convention" - and then continue with the sentence. But this is the minimum that my delegation will accept.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I must say I continue to believe that the wise suggestion of Dr. Calderón is the one on which we ought to concentrate, and I agree with Ambassador Azikiwe about this. I had another variant of it to see if it helped, which was to add to Dr. Calderón's phrase, which I will read out again for the sake of clarity: "Despite the positions expressed by some

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delegations, which are spelled out in detail in the report of the Ad Hoc Committee, hope was widely expressed" - and continue like that. May I see if that meets with any enthusiasm?

Mr. KAMAL (Pakistan): Mr. President, before I address that point, may I ask you for your ruling on the proposal made by Ambassador Calderón for a suspension of this meeting? It is my understanding from the procedures adopted in this Conference and the Ad Hoc Committee that when a delegation asks for a suspension that request is normally acceded to immediately. Would you like to give us your ruling on that point, Sir?

The PRESIDENT (translated from French): I put before the Conference for approval the request made by Mr. Calderón and supported by Ambassador Kamal. Do the delegations agree to our suspending the meeting for a limited period of time, let us say 10 minutes? Is there any objection?

Mr. AZIKIWE (Nigeria): From all indications we are making progress. My distinguished colleague from the United Kingdom just modified the suggestion put forward by our colleague from Peru. I believe that we should work along that line. My delegation is not in favour of a suspension of this meeting at this moment.

The PRESIDENT (translated from French): Are there any other delegations which have an objection to the suspension? I give the floor to the representative of France.

Mr. ERRERA (France) (translated from French): I wanted earlier to support the substance of what the Ambassador of Nigeria suggested on the basis of the Peruvian proposal. I fully support what he has just said with respect to procedure. We are making progress: hence this is not the moment to suspend the meeting unless, of course, a delegation were to insist. But it was not my understanding that Mr. Calderón was asking for that; I thought he was wondering about the desirability of a suspension - I must have been mistaken.

Mr. CALDERON (Peru) (translated from Spanish): Since Ambassador Errera speaks Spanish perfectly, he understood me. I did not request a short break - I wondered whether such a break would be desirable. But in any event, the Ambassador of Nigeria's comment is very important. My delegation is prepared to work on what Ambassador Weston has just suggested to us, in other words, a revised version of what I originally proposed, but it is not prepared to discuss the - what shall I call it? - the "American/Pakistani" proposal at this moment.

The PRESIDENT (translated from French): So the representative of Peru did not formally request a suspension of the meeting - he was simply wondering whether a suspension might be contemplated. Several delegations have said that they saw no need for a suspension. I give the floor to the representative of Cuba.

Mrs. BAUTA SOLES (Cuba) (translated from Spanish): I just wish to say that my delegation felt encouraged by the joint Pakistani/American proposal since it thought that the two delegations, in the proposal they were making, had demonstrated sufficient intelligence, political sensitivity and tact to help us emerge from the situation in which we found ourselves. My delegation, for that reason, would be prepared to support a fresh consideration of that formulation. And before concluding, I wish to say that, just as the Pakistani/American proposal is unacceptable to the delegation of Nigeria and the delegation of Peru, the proposal made by the Peruvian delegation is an absolutely unacceptable proposal for the delegation of Cuba because it tends to shift the balance of responsibility which we face, or which we bear, in any decision we take on transmitting this report to the General Assembly, to a group of delegations which have expressed reservations with respect to the draft convention and whose proposals are to be found in the report which we are adopting today. Consequently, the Peruvian proposal is not acceptable to the delegation of Cuba.

Mr. GONZALEZ (Chile) (translated from Spanish): Very briefly, I wish to say that we share with the distinguished representative of Cuba the sense of encouragement to speak after this debate, but we do not share what might be called her apprehension with respect to the Peruvian proposal. On the contrary, we would like to make it quite clear that the proposal made by the distinguished representative of Peru constitutes a very clear solution, since it reflects a very specific aspect of the discussions which have taken place over many years with respect to this convention. And in that regard, we do not find the proposal that has been termed American/Pakistani or Pakistani/American satisfactory at all, because it is really a very impaired signal of what was truly a widespread feeling expressed here by many countries during the discussions on this convention.

The PRESIDENT (translated from French): Perhaps it is because the representative of Australia is too close to me that I forgot to give him the floor when he asked for it. I do apologize for that oversight, and give him the floor now.

Mr. O'SULLIVAN (Australia): It seems to me it's a matter of fact that hope has been widely expressed that this draft convention would be commended by the General Assembly and opened for signature at an early date. I don't know whether anyone in the room disputes that as a fact. If it is not disputed, I want to know on what basis a thought along those lines would be excluded from our report. Of course, I accept willingly that other thoughts can be included as well, and there are various formulas being put forward to cover that, and if they're not adequate, well fine, let's find them. But I say to Ambassador Kamal, on what basis do I and the others who express this thought not have a chance to have it reflected in the CD's report? It's a fact that these views have been widely expressed, and the people who expressed them I think have the right to have those thoughts reflected.



The PRESIDENT (translated from French): I must get my list of speakers in order, otherwise I am going to offend some of my colleagues. The representative of the United Kingdom is the first on the list, followed by the representative of Italy and then the representative of Hungary. I give the floor to Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Mr. President, I'm now going to ask if you would consider suspending the meeting for 10 minutes. We believe that we are making progress here, but we would find it easier to do in a corner. So if you would give us 10 minutes, I believe we could come back with something useful.

The PRESIDENT (translated from French): I was ready to suspend the meeting a while ago, when the request was made, but the representative of Nigeria objected, as well as the representative of France, if I understood correctly. Now the representative of the United Kingdom, in a spirit of understanding, is proposing that we suspend the meeting for 10 minutes. It would seem that an agreement is within reach. Are there any objections? There are no objections. I note that the representative of Brazil had asked for the floor; I give it to him.

Mr. FELICIO (Brazil) (translated from French): Mr. President, it seems I have the same problem as the representative of Australia: I am very close to you in this room, and in my feelings too. The Brazilian delegation has no objections to the suspension of the meeting, but wishes, at this stage, to place its position on the record of the official meeting. It has not participated up to now in the discussions, which dealt with points which the Brazilian delegation does not feel to be very important. What is important is that the draft convention on chemical weapons has been supported by a very large number of countries. When we have the opportunity to read the proceedings of this session, we will realize that it is actually a very large majority of States members of the Conference on Disarmament, and observer States too, that support the draft convention on chemical weapons - all those States would undoubtedly like to transmit the draft with a positive recommendation to the General Assembly.

The PRESIDENT (translated from French): The representatives of Italy and Hungary have asked for the floor. Can they wait and speak after the meeting is resumed, or do they really want to do so before the suspension? I give the floor to the representative of Italy.

Mr. FRANCESE (Italy): My delegation wants only to make a point of principle in the debates in which it has refrained from taking part so far, because it feels that the word "consensus" is being grossly abused in this instance. The consensus about the basic decision to take is being taken, the decision to transfer this document to the forty-seventh General Assembly of the United Nations. What we are now discussing is whether we have to present the kind of atmosphere prevailing in this body now in a proper and descriptive manner or not. In other words, we are looking for consensus to describe correctly the situation here, or on the contrary, we will draw consensus from describing the situation as it is here. It is this that I want you to make clear for the memory of those present in this room. But certainly my

(Mr. Francese, Italy)

delegation hopes the draft convention should be commended by the General Assembly and subsequently opened for signature at an early date. And I understand it is the feeling largely shared by most delegations here. This has nothing to do with consensus on the transfer to the General Assembly of this text. It is just about describing correctly and appropriately the situation prevailing here. This is why we strongly hope that Sir Michael Weston's views as presented earlier will find an appropriate place in the solution which will eventually prevail.

Mr. TOTH (Hungary): My delegation would have no difficulty if there is a solution along the lines of the Peruvian proposal or the United Kingdom proposal found in any corners of this room. I think that the Pakistani/American proposal found no difficulty on the part of Pakistan and the United States though there were some difficulties raised in connection with that by other delegations. I would like to raise the possibility that in the recess, if consideration is given to other proposals as well, the following formulation might be considered if it is of any help, and this is based on the American/Pakistani proposal. The formulation is very simple: "While there was no full consensus, hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date".

The PRESIDENT (translated from French): I thank Ambassador Tóth. This will certainly be taken into consideration by the delegations. Before suspending the meeting I give the floor to one last speaker who is the representative of the Russian Federation.

Mr. BATSANOV (Russian Federation): This won't take long. I think it's really time to suspend the meeting.

The PRESIDENT (translated from French): The meeting is suspended for 10 minutes.

The meeting was suspended at 7.40 p.m. and resumed at 8.05 p.m.

The PRESIDENT (translated from French): As my colleagues will have realized, minutes in Belgium last longer than anywhere else. The 10 minutes were stretched out somewhat, but I think it was in the interest of all the delegations present here to let matters take their course, because the thorny question of the drafting of paragraph 74 has apparently been resolved, thanks to an understanding attitude on all sides. I am told it is Ambassador Semichi who will submit to the wisdom and, I hope, the approval of the Conference the compromise on which the delegations concerned have reached agreement. I therefore give the floor to Mr. Semichi.

Mr. SEMICHI (Algeria) (translated from French): The short suspension of the meeting was used by a group of delegations to attempt to present to all the members of the Conference a consensus text based on all the proposals which had been made at the present meeting before its suspension. This group of delegations agreed on the following drafting for paragraph 74. I will read out the English text as negotiated by several delegations.

(Mr. Semichi, Algeria)

(continued in English)

"74. It was agreed by consensus that the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction adopted by the Conference on Disarmament be transmitted to the United Nations General Assembly."

(continued in French)

That was the text on which a number of delegations reached agreement taking into account, once again, all the ideas which were put forward in the course of the discussion.

The PRESIDENT (translated from French): I thank Ambassador Semichi. I am very grateful to him for taking on the role of spokesman for what I hope is a large group of delegations that agreed on this text. Everyone, I hope, has noted the proposal that has been made. Does any delegation wish to take the floor? I give the floor to the representative of the Netherlands.

Mr. GEVERS (Netherlands): Of course my delegation can agree to that formulation. I just wanted to ask whether it wouldn't be better to specify the forty-seventh General Assembly.

The PRESIDENT (translated from French): I thank Mr. Gevers for that suggestion, which I do not think need give rise to lengthy discussions, in addition to the fact that it clarifies matters usefully. Is the text proposed by Ambassador Semichi acceptable to the Conference? There are no objections. This is a second miracle for which I thank my colleagues - if some people wish to applaud I authorize them to do so.

Now we will continue to go through the overall report section by section, and we come to section E (Prevention of an arms race in outer space). Does any delegation wish to make any comments? The delegation of Iran was asking for the floor.

Mr. MASHHADI (Islamic Republic of Iran): Mr. President, as it was said at the beginning that it was agreed, you made the ruling that following the work on these paragraphs 72, 73, 74, the request of my delegation would be heeded, and that is the suspension in order to finalize the consultation in the Asian Group on the adoption of this part which my delegation's agreement will be contingent upon. My delegation has not yet agreed to the adoption of part D as was said earlier, which is somehow related to the composition of the executive council. Some consultations are going on, so I would like to renew my request that we have a suspension so that the Group will make their agreement on that.

The PRESIDENT (translated from French): I thought that agreement had been reached and that everybody was consulting on every possible and conceivable subject. I certainly saw the Asian Group in particular withdraw to a corner of the room. I thought that it had reached agreement, but that does not appear to be the case. But I doubt that a suspension of 10 minutes would be sufficient to resolve the problems that have arisen, unless

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Mr. Mashhadi can give me an assurance to that effect. I give the floor to the representative of the United Kingdom, who wishes to speak concerning the Iranian request.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I wonder if we could have some precision from the Iranian delegation whether they think it would be possible in a short space of time to settle things, because alternatively I would suggest that it might be better if we were to continue with a - I think you described it as second reading of the report and try to get through the rest of it at least, so that we would then come back to the one issue which seems to be the problem of Iran.

The PRESIDENT (translated from French): I thank Sir Michael Weston for his very constructive proposal. Before we take any decision I should like to give the floor to the Ambassador of Japan, Mr. Tanaka.

Mr. TANAKA (Japan): I support what the British Ambassador said. It would take more time than 10 minutes to conclude consultation among the Asian Group, so we prefer to go through the other parts and then come back to section D.

The PRESIDENT (translated from French): That seems to me the wisest thing to do. I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): Perhaps we can separate the idea of the drafting of paragraphs 72, 73 and 74 in section D, on which there seems to be agreement, from the crucial question of their adoption, which is where my understanding is the distinguished delegate of Iran has a problem. Perhaps what we can do is, having finished the drafting of 72, 73, 74, to put them aside for adoption as a whole at the end and go on for the present so that we reach the end of the report and then come back to section D, and hopefully by that time some ideas may have come. And this is on the assumption that the drafting has been agreed and the only problem now left is the final adoption.

The PRESIDENT (translated from French): I was probably being a little optimistic and precipitate in bringing my gavel down on this section, since there is clearly still a problem. I suggest we accept Ambassador Weston's proposal, leave section D pending and move on to the other sections. That should not take up an enormous amount of time anyway - in less than 10 minutes we will again find ourselves face to face with this problem which we seem unable to settle. I give the floor to the representative of Nigeria.

Mr. AZIKIWE (Nigeria): I quite agree with the suggestion put forward by our distinguished colleague from the United Kingdom, but I have a suggestion. While we go on with the other sections, perhaps it would be more helpful if the group of interested States that are affected should meanwhile be holding their consultations, so that when we do come back to section D they should be able to give us the outcome of their consultations, because we don't want to come back and be faced with the same problem again.

The PRESIDENT (translated from French): Ambassador Azikiwe is right, but the President cannot let one delegation hold up the work of the Conference.

(The President)

If delegations wish to get together and can do so while continuing to be represented in the room, so much the better, but I am afraid that that is not possible for them. Hence I suggest that we examine the few remaining sections. Perhaps our thinking will then be a little clearer when we come back to the question of chemical weapons.

Mr. BATSANOV (Russian Federation) (translated from Russian): No, Mr. President, Ambassador Weston and I independently spoke - or rather wanted to speak - in defence of the English language. But I did have a few other comments on this particular section. If you think that Ambassador Weston's comments, so to speak, require further discussion, I am prepared to wait with my own proposals. Otherwise, I would like to make them. My comments have to do with paragraph 109 on page 43. Here there is a list of international

(continued)

(Mr. Batsanov, Russian Federation)

agreements such as the NPT, the BW convention and the future convention on the prohibition of chemical weapons. And although in this paragraph the views of individual delegations are set forth, I would nevertheless take the risk of proposing that the Treaty on the Non-Proliferation of Nuclear Weapons should be given its correct name.

(continued in English)

I would suggest that the name of the non-proliferation Treaty is spelt correctly here, that is, the Treaty on the Non-Proliferation of Nuclear Weapons, that the title of the biological weapons Convention is put correctly, especially since we use capital letters here, which I think invites the use of the proper name of this Convention. And if possible as well the future convention on the prohibition of - as we agreed - the development, production, stockpiling, etc. In short, my proposal is to use correct names of the treaties and conventions mentioned in this paragraph.

The PRESIDENT (translated from French): The representative of the Russian Federation is quite right, but I plead indulgence for the secretariat personnel, who, as you know, have been subjected to great nervous strain for the past three weeks, if not more - the simultaneous production of the overall report of the Conference and the report of the Ad Hoc Committee on Chemical Weapons was certainly no picnic. Having said that, Ambassador Batsanov's request will be complied with: in the matter of conventions or treaties, it goes without saying that they must be mentioned using their correct titles.

... We have thus concluded our reading of document CD/WP.428/Rev.1, which contains the various sections of the annual report of the Conference to the General Assembly. It remains for us to adopt this report with the amendments that have been made. We must now return to section D on chemical weapons and the problem raised by the representative of the Islamic Republic of Iran. Has the situation changed while we were examining the other sections of the annual report? Would Mr. Mashhadi have good news to announce to us? I give him the floor.

Mr. MASHHADI (Islamic Republic of Iran): The paper is being typed, and by the time it arrives here we can resume the meeting, so my previous request is valid, that we go for a recess, a suspension, and by the time that the paper is typed up and brought here then we can resume our meeting.

The PRESIDENT (translated from French): We are all impatient to acquaint ourselves with this text. In fact I do not know whether it will be submitted to the Conference as an official document, since it is an internal matter for

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the Asian Group. In the meantime, I propose that we turn to the last question to be examined during this plenary meeting before the formal adoption of the annual report, one that I referred to last week: the question of the dates of the three parts of the 1993 annual session. In accordance with rule 7 of the rules of procedure,

"The Conference shall have an annual session divided into three parts of 10 weeks, 7 weeks and 7 weeks respectively. The first part shall begin the penultimate week of the month of January. The Conference shall decide the actual dates of the three parts of its annual session at the close of the previous year's session"

- which is today. The opening date of the 1993 annual session would normally be Tuesday, 19 January. The first part of the annual session would conclude on Friday, 26 March. The second part would begin on Monday, 10 May and end on Friday, 25 June. Finally, the third part would begin on Monday, 19 July and the annual session would end on Thursday, 2 September. For reasons with which we are all familiar - for the record: the possibility that the date of the resumption of our session might coincide with that of the signature of the chemical weapons convention - I have suggested to the group coordinators that, in accordance with rule 11 of the rules of procedure, the President should be authorized to modify the opening date, if necessary, during the inter-sessional period. It is understood that all members would be duly informed as appropriate, and that if the opening of the annual session was delayed, we would offset the lost working days by extending the first part of the annual session. In other words, if the signature of the convention on chemical weapons were to take place on 19 January, we would begin our session only on 22 or 23 January, on the understanding that we would extend the first part of the session correspondingly at the end of March so that it would last the full 10 weeks. When I consulted the group coordinators in this regard, they raised no objection. I propose that the Conference should give the President latitude to alter the opening date of next year's session, if, of course, the need arises. Is there any objection? There is none. I thank the delegations for their understanding.

I see that the delegations are still consulting one another on the text of the representative of the Islamic Republic of Iran which is of such concern to us. I find myself in the distressing situation of the broadcaster who has to fill the airwaves while talks continue. I will continue to soliloquize, unless Mr. Mashhadi has a text to submit to us.

Mr. MASHHADI (Islamic Republic of Iran): I think 10 minutes' recess will help all of us. A 10-minute recess.

The PRESIDENT (translated from French): Is there any objection to our suspending the meeting for 10 minutes?

The meeting was suspended at 8.30 p.m. and resumed at 9.20 p.m.

The PRESIDENT (translated from French): The 10 minutes specified became 20, then 30. I went back to see the members of the Asian Group, who asked for a further 10 minutes. I granted them that and now we have gone

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beyond a quarter of an hour. This state of affairs is extremely distressing and, I believe, rather unusual in the annals of the Conference. The entire meeting of the Conference is held up because of the internal problems of one regional group. That group cannot reach agreement, and at the rate things are going it is not my impression that a solution is in sight. In the circumstances, I submit to the Conference for approval the annual report to the United Nations General Assembly contained in document CD/WP.428/Rev.1, as amended. Are there any objections? I give the floor to the representative of Japan.

Mr. YAMAMOTO (Japan): Mr. President, apparently the Ambassadors of the Asian countries are not present, and the way you press us to adopt the report, its impossible for us to accept that. It's clear for us.

The PRESIDENT (translated from French): Have the other delegations any observations to make on this problem? I give the floor to the representative of Nigeria.

Mr. AZIKIWE (Nigeria): Obviously, my delegation would like us to conclude our work as soon as possible, but the observation made by our colleague from Japan is very pertinent. If you don't mind, Mr. President, could you extend the deadline by another 10 minutes, hopefully? - as we are all working towards achieving a common goal.

The PRESIDENT (translated from French): These extensions of 10 minutes at a time are becoming very elastic, and there is a risk that they will carry us well beyond midnight. I give the floor to the representative of Peru.

Mr. CALDERÓN (Peru) (translated from Spanish): My delegation just wishes to point out that we are awaiting the results of the consultations among the delegations in a regional group. However, I should like to mention that here we are also awaiting the adoption of the final report of the Conference on Disarmament to the General Assembly, and that it is the wish of my delegation that, so far as possible, the problems of one region should in no way jeopardize the entire report.

The PRESIDENT (translated from French): Mr. Calderón's wish has been granted. All he had to do was mention the subject, and the delegations in question returned to the meeting. May I ask the members of the Asian Group whether they have managed to reach agreement on the problem which required such a lengthy suspension of our meeting? I give the floor to Ambassador Tanaka, who will speak on behalf of the Asian Group.

Mr. TANAKA (Japan): I'm sorry for keeping all of the delegations here for so long, but now I shall make a statement. On behalf of the Asian Group of countries, I wish to comment on the operation of article VIII provisions on the executive council allocation of seats. It is the intention of the Asian Group that the allocation of seats be done through regional groups, in accordance with the criteria laid down in article VIII. Papers setting out the subregional groupings and allocation of their seats have been prepared and have been distributed to all Asian regional States of the CD for their consideration. This process will continue.



The PRESIDENT (translated from French): If I understand rightly, consultations are to continue in the Asian Group. However, this should not prevent the Conference from adopting its report to the General Assembly: I think that for other regional groups the problem is not fully resolved either, and that they are continuing their negotiations - that is indeed in the spirit of article VIII. The Conference has taken good note of the statement of the Asian Group. I give the floor to the representative of the Islamic Republic of Iran.

Mr. MASHHADI (Islamic Republic of Iran): My delegation has referred earlier to the shortcomings and problems which are inherent now in the text, but because of these shortcomings we have worked hard along with other delegations to remedy them, particularly in the Asian Group. We acknowledge with thanks and appreciation the efforts rendered by Japan and particularly Ambassador Tanaka in the direction of solving the problems of the EC composition in Asia. And with this understanding, that these efforts will be continued until we arrive at a definite result, my delegation will agree to the transmission of the text to New York.

The PRESIDENT (translated from French): I propose that the Conference should now proceed to adopt the annual report to the United Nations General Assembly, contained in document CD/WP.428/Rev.1, as amended. If there are no objections, I shall take it that the annual report of the Conference to the General Assembly is adopted.

It was so decided.

The PRESIDENT (translated from French): I now propose to make my statement closing the session in my capacity as President of the Conference.

We have finally reached the end of our work. Thanks to our joint resolve to succeed and the constructive spirit of each of the delegations, we can transmit to the United Nations General Assembly a positive report on the efforts we have made throughout the present session. This report is the faithful reflection of our hopes, our joys and our disappointments. It is an example of what in my introductory statement I called "the art of the possible". In certain areas in our agenda, the results achieved, it is true, are rather meagre - we should not hide that. In others, however, and I am thinking particularly of the convention on chemical weapons, we may legitimately congratulate ourselves on the result achieved. I was right, I think, in formulating the hypothesis that we would succeed in the formidable task facing us in such a short time. I was right to believe that we could prove to the international community our credibility and our ability to deal with all the disarmament problems to be dealt with following the next session of the General Assembly of the United Nations. And finally, I was right to rely firmly on the spirit of cooperation of each of the delegations in the Conference on Disarmament.

It would be futile to try to mention all those who contributed actively to the success of our enterprise, because I would have to mention the 39 members of our Conference and the great majority of those I cannot bring myself to call the "non-members" and prefer to call the "observers", until we

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find something better. Each valuable contribution was an input to our common work. I would be unjust, however - the delegations will agree with me - if I did not make an exception, once again, for Ambassador von Wagner and his brilliant team, and another for the Secretary-General of the Conference and all his devoted staff, who have been put to a severe test during the last part of the present session.

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