

production of chemical weapons, all efforts should be concentrated on finding the best possible ways and means of eliminating the stockpiles from the arsenals of those States which possess them.

The principle of the verification system proposed in document CCD/400, which is based on a combination of three important elements—the self-control of States, national means of verification and international means of verification—seems to meet with a favourable response on the part of the Committee. Although considerable efforts were made by the sponsors of working paper CCD/400 with a view to presenting a comprehensive framework of verification and system of control, the complexity of the problem points to the necessity of further elaborating some specific areas. The United States representative, Mr. Martin, in his statement of 17 July 1973, indicated a number of such areas to which further efforts should be directed.¹⁸

What is needed now are not generalities or abstract comments but precise and concrete proposals. This concerns particularly the issues in regard to which substantial differences still exist. We should like to believe that the United States delegation will find it possible to make its effective and concrete contribution to this end by submitting specific proposals. The time to do it—is now. Any further delay, after four years of extensive discussion of the problem of chemical weapons, could hardly be understood and accepted by the United Nations membership and by world public opinion in general.

Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: International Organ for the Support of a Chemical-Weapons Convention and Other Disarmament Agreements, July 31, 1973¹

I

1. In recent discussions concerning the possible form and contents of a CW convention, the creation of a standing organ for the operational support of such a convention has been suggested by several delegations. The subject was first broached in the United States working paper CCD/360.²

2. The present working paper contains an elaboration of Netherlands views expressed on this subject in the past and it is submitted with a view to stimulating further discussions on this important aspect of a ban on chemical weapons.

3. The paper is mainly of an illustrative nature. In part II it

¹⁸ *Ante*, pp. 446–454.

¹ CCD/410, July 31, 1973.

² *Documents on Disarmament, 1972*, pp. 98 ff.

ENT, 1973

should be concentrated
ans of eliminating the
which possess them.

proposed in document
on of three important
al means of verification
seems to meet with a
Committee. Although
nsors of working paper
prehensive framework
omplexity of the prob-
laborating some specific
fr. Martin, in his state-
of such areas to which

s or abstract comments
ncerns particularly the
ferences still exist. We
tes delegation will find
ete contribution to this
time to do it—is now.
ensive discussion of the
dly be understood and
ip and by world public

to the Conference of
ernational Organ for
ons Convention and
ly 31, 1973¹

possible form and con-
standing organ for the
has been suggested by
broached in the United

n elaboration of Nether-
the past and it is sub-
ner discussions on this
apons.
ve nature. In part II it

briefly describes some organizational aspects of the establishment of a standing organ and deals in part III with the functions to be allocated in an international organ as envisaged by the Netherlands delegation. Part III is based on a number of working hypotheses, which could be modified if found to be unsatisfactory. This part is also mainly illustrative, but it could stand on its own if, rather than discussing the concept of an "embryonic IDO", the CCD would prefer to focus attention on organizational arrangements in the context of a CW convention.

II

4. The Organ could be constructed along the familiar pattern of many international organizations, i.e., a plenary Conference, a Board and a Secretariat.

5. Membership of the Conference would raise no problem if the Organ would function in the context of a CW convention only; members would be the parties to the convention. Taken as the nucleus of an international disarmament organization with future responsibilities also in other fields, the Organ should be open-ended. Rights and duties of individual members, except for the right of speech, would then have to be limited and determined by their adherence to the treaties (or their review conferences) which specifically provide for certain tasks of the Organ.

6. While the Conference, as a rule, would only meet at certain intervals, the Board would have to be so organized as to be able to function continuously. Members of the Board would be elected by the Conference. Its main functions could be envisaged as providing practical guidance to the work of the Organ on the basis of a programme to be established by the Conference.

7. The Secretariat, headed by an Administrator, would consist of a permanent staff and such additional panels of experts as may be required for the performance of *ad hoc* or highly specialized activities such as special investigations or technical studies.

III

8. It is assumed that a CW convention will have an annex containing a list of agents that would specifically be forbidden. This assumption is based on the insufficient precision of the purpose criterion by itself. It may be noted that the assumption is consistent with a comprehensive approach towards chemical disarmament as well as with a phased or partial one. The Organ would have to do the up-dating of the annex if necessary. Whenever a party would dispose of information which, in its opinion, would require an amendment to the annex, it should notify the Administrator of the Organ and furnish him with the information in support of the notification. Appropriate procedures would be

needed to enable the Board to amend the annex provisionally, pending a definitive decision to be taken by the Conference.

9. It is assumed that, even under an unconditional prohibition of certain agents, parties will be entitled to keep small quantities of these agents for prophylactic, protective or other peaceful purposes. Parties would undertake to supply to the Administrator on a regular basis all information on the kinds and quantities of the agents concerned and on the purpose of their use. The Administrator should make this information available to all other parties.

10. A provision of a CW convention for the destruction of existing stockpiles of chemical means of warfare or their diversion to peaceful purposes, should call for the declaration of these stockpiles and for international observation of their destruction or diversion. The Administrator could be the addressee of the declarations as well as the originator of observational activities, in which experts of the Secretariat could take part together with observers from interested parties. The Administrator should keep all parties informed concerning matters pertaining to the destruction or diversion of military stockpiles.

11. A CW convention will probably contain a non-transfer and a non-assistance clause. The Conference, on its own initiative, or upon recommendation by the Board or by the Administrator, could give guidance for its implementation, e.g. by means of import and export regulations.

12. An article of a CW convention could call for national legislation to ensure the fulfillment of the basic obligations under the convention. Such measures could be reported to the Organ and coordinated by the Organ.

13. Should a CW convention provide for the exchange of economic data, the Organ would be the indicated clearing house for such an exchange.

14. In general, parties could undertake to furnish to the Administrator such information as the Board might request for the performance of its functions, and in particular an annual report on the working of the convention within their respective territories stating *inter alia* if any activity prohibited under the convention has occurred.

15. Upon decision by the Board the Administrator could be authorized to request any party to provide complementary or supplementary information regarding any event or circumstance connected with compliance with the convention, setting out his reasons for the request. Parties should undertake to cooperate with the Administrator.

16. This procedure could also be initiated upon a request to the Board by a party.

17. Confidence in the information to be supplied would significantly be enhanced if the Administrator could be given standing authorization to carry out random checks.

18. If reasonable doubts would remain whether a party has fully

the annex provisionally,
n by the Conference.

unconditional prohibition
d to keep small quantities
ive or other peaceful pur-
to the Administrator on a
nds and quantities of the
f their use. The Adminis-
ilable to all other parties.
or the destruction of exist-
fare or their diversion to
eclaration of these stock-
n of their destruction or
be the addressee of the
f observational activities,
d take part together with
Administrator should keep
pertaining to the destruc-

tain a non-transfer and a
on its own initiative, or
y the Administrator, could
g. by means of im- and

uld call for national legis-
asic obligations under the
ported to the Organ and

for the exchange of eco-
licated clearing house for

ke to furnish to the Ad-
ard might request for the
rticular an annual report
their respective territories
ted under the convention

Administrator could be au-
complementary or supple-
ent or circumstance con-
vention, setting out his
l undertake to cooperate

ted upon a request to the

be supplied would sig-
tor could be given stand-
ecks.

whether a party has fully

complied with his obligations under the convention, these doubts could only be removed by a special investigation. Such a special investigation should be decided upon by the Board, which should formulate the procedure for the organization and execution of the investigation. As a rule, such investigations would have to be carried out by experts to be appointed by the Board from a list of experts drawn up every year by the Administrator upon recommendation by parties. Parties should undertake to render all assistance to the investigators as necessary for the performance of their duties. A copy of reports resulting from such an investigation should be transmitted to all parties and to the Secretary-General of the United Nations for transmission to the Security Council.

19. A special investigation might also be carried out at the request of a party suspected of having violated the convention or at the request of a party which is of the opinion that certain activities on its territory could give rise to suspicion.

20. The Board might decide, or any party might request, the convening of a special session of the Conference for the purpose of considering the reports resulting from any special investigation. The Conference might make recommendations to the parties and submit reports to the Secretary-General of the United Nations for transmission to the Security Council.

21. If the Organ would be available, a CW convention could dispense with a provision for a review conference.

Statement by the Japanese Representative (Nisibori) to the Conference of the Committee on Disarmament: Comprehensive Test Ban, July 31, 1973 ¹

First of all, I would like to associate myself with you, Mr. Chairman, and the previous speaker in extending a cordial welcome to Dr. Fred C. Iklé, the new Director of the Arms Control and Disarmament Agency, and also in welcoming back again among us Mrs. Myrdal of Sweden. I also join you Mr. Chairman, in wishing Ambassador Natorf of Poland, who is leaving us shortly, the best of luck in his future career. As you have mentioned, Mr. Chairman, Dr. Iklé's name has been familiar to us all through his writings on disarmament problems. We are glad that a man of his calibre and background has been appointed to the highest policy-making post of the United States in the field of our common concern. I hope that his personal attendance at our meeting will serve to enhance all the more his interest in the task we are tackling.

It is my great pleasure to note that the informal meetings with the participation of experts on CTB were held as scheduled from

¹ CCD/PV.617, pp. 8-11.