

and the dismantling of production plants, the presence of some international technical experts. For the activities to be produced, stockpiling and use, the production on a routine basis by an international logistic difficulties. Information to be routinely exchanged through an on-site inspection could be limited to certain situations. For challenge inspections, and some sampling must be permitted and stockpiles intrusion will be greatest with continuous on-site monitoring with expert international inspectors.

INTERNATIONAL VERIFICATION AGENCIES

A signatory would be required to maintain this need not be a separate permanent purpose, but could be an existing environmental or health control function. It would require inspection personnel both technical and administrative on permanent staff unless a variety of functions the national agency would be responsible for by the treaty and for the provision of information to the international control and sampling were required either for challenge for others, all arrangements should be provided by the national agency. This should be done in triplicate using laboratories elsewhere.

Measures indicated in the preceding paragraphs would be required for most activities would not warrant placing staff of an international agency. The role of each signatory to nominate one inspector who would then be available should be encouraged though not necessary where the analysis of samples techniques on request. An international agency need consist only of a committee at the political level which would be challenged, supported by a small staff to determine the verification measures to be made through the secretariat

which would also provide for routine measures. From the foregoing analysis it is clear that much of the verification emphasis will be placed on challenge mechanisms and the treaty must specify them in some detail.

CONCLUSIONS

An analysis of verification requirements based on specific activities to be undertaken or banned under a treaty has suggested that the minimum levels needed for adequate assurance to the international community are not extensive and should be achievable by available means. However, it is clear that remote technical means will not provide the necessary measures and for most activities some form of on-site inspection will provide the only realistic evidence of compliance. For only one activity, stockpile destruction, inspections have to involve a significant level of intrusiveness. In all cases, for publicity purposes, inspections should be to the advantage of the nation being inspected unless that nation has been guilty of non-compliance, or for some other unexplained reason denies an inspection.

An international verification agency will require only a controlling (consultative) committee at the political level supported by a small secretariat, with inspectors drawn from nominees provided by each signatory. National agencies will be required to provide most routine monitoring and would collect data within the nation for exchange.

It is hoped that this analysis of verification factors on the basis of activities has provided some insight into the minimum levels essential for international assurance of compliance with a chemical arms treaty and appears to have provided useful guidelines for the establishment of national and international verification agencies.

Statement by the FRG Representative (Pfeiffer) to the Committee on Disarmament: Chemical Weapons, March 26, 1981¹

Mr. Chairman, today I want to offer a few remarks on item 4 of our agenda, namely on chemical weapons. Before turning to questions of substance, however, I want to express my Government's satisfaction that the *Ad Hoc* Working Group on Chemical Weapons has taken up its work at an early date and that, under the guidance of the distinguished representative of Sweden, Ambassador Lidgard, the definition of issues to be dealt with in the negotiation on a convention on chemical weapons is proceeding in a business-like manner. My delegation is of the opinion that the discussion in the Group has not yet exhausted the present mandate and that further useful work can be done within its scope.

One need hardly stress the importance of a convention on a comprehensive, effective and verifiable ban on chemical weapons. All delegations

¹ CD/PV.118, pp. 6-9.

around this table have spoken out in favour of it. I have on several occasions had the opportunity to point out the priority which my Government accords to such a ban on an already existing and particularly insidious weapon of mass destruction.

Among others, the agreement on the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction² showed that multilateral negotiations can lead to substantive results, if they are focused on a specific disarmament measure. It is true that the Convention which I just mentioned cannot serve as a model for a ban on chemical weapons. This applies to various fields, but in particular to that of verification. Nevertheless, this important achievement should encourage us to solve the problem—much more difficult but, at the same time, much more important—of a chemical weapons convention.

As early as 1954, the Federal Republic of Germany unilaterally renounced the production and possession of nuclear, biological and chemical weapons.³ Together with the majority of States, it is a party to the 1925 Geneva Protocol⁴ banning the use in war of bacteriological and chemical weapons to which it adhered without reservations. That is why, after there had been several reports on the use of chemical weapons in various regions of the world, it co-sponsored resolution 35/144 C which was adopted by the General Assembly at its last session. My Government hopes that the impartial investigation which the General Assembly in this resolution decided to carry out will get under way at an early date.

I should like to focus my observations on some aspects of a chemical weapons ban which have been the object of a particularly detailed discussion in the chemical weapons Working Group.

One of these aspects is the question of the activities to be prohibited. For those familiar with the jargon of the Working Group, I can summarize my Government's position as being in favour of "Alternative 1". Let me briefly outline the reasons for this position.

A chemical weapons convention must, in our opinion, be comprehensive. Parties to it should undertake never to develop, produce, otherwise acquire, stockpile or retain munitions or devices specifically designed to cause death or other harm to man through the toxic properties of chemical agents which have been released as a result of the employment of these munitions or devices.

Furthermore, the convention should provide for the destruction of existing stockpiles within a reasonable period. In this connection, and with reference to certain reports in the press alleging a very high cost of the destruction of chemical weapons, I should like to mention that in the Federal Republic of Germany an installation has been developed and constructed to destroy toxic agents remaining from the first and second world

² Printed in *Documents on Disarmament, 1972*, pp. 133-138.

³ See *American Foreign Policy, 1950-1955, Basic Documents*, vol. I, pp. 979-984.

⁴ Printed in *Documents on Disarmament, 1969*, pp. 764-765.

avour of it. I have on several occasions emphasized the priority which my Government attaches to the existing and particularly insidious

Convention on the Prohibition of the Stockpiling of Bacteriological and Chemical Weapons and Their Destruction² showed that preliminary results, if they are focused on substantive results, if they are focused on the Convention which I have in mind for a ban on chemical weapons, are particularly to that of verification. It should encourage us to solve the problem at the same time, much more importantly.

The Federal Republic of Germany has unilaterally renounced the use of nuclear, biological and chemical weapons. A majority of States, it is a party to the Convention on the Prohibition of the Use in War of Bacteriological and Chemical Weapons without reservations. That is why, in the use of chemical weapons in the Convention, the General Assembly in this resolution 35/144 C which was adopted at its last session. My Government has always been in favour of which the General Assembly in this resolution under way at an early date.

My Government has always been in favour of the activities to be prohibited. For the Working Group, I can summarize my view of "Alternative 1". Let me

emphasize, in our opinion, be comprehensive to develop, produce, otherwise than for devices specifically designed to exploit the toxic properties of chemical weapons. The result of the employment of these

provide for the destruction of chemical weapons. In this connection, and with a view to alleviating a very high cost of the Convention, I would like to mention that in the Convention has been developed and concluded from the first and second world

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wars, which have inadvertently not been destroyed and are occasionally still being discovered today. This installation allows a destruction at a reasonable cost and without danger to the environment.

A repetition as such of the prohibition contained in the 1925 Geneva Protocol, namely, not to use chemical weapons, would in our opinion not enhance a future convention. We feel that a duplication of this prohibition might lead to doubts concerning the obligation of States which have adhered to the Geneva Protocol but not yet to the Convention. Both agreements should complement rather than be in concurrence to each other. Moreover, the prohibition of the use of chemical weapons is universally accepted as international customary law.

This position is, furthermore, in agreement with the general view of the Federal Government that purely declaratory measures such as, e.g. the mere duplication of legal obligations should be avoided. We therefore welcome that our opinion is shared by many delegations, and we hope that this policy will also be pursued in other areas.

We feel, however, that there could be one connecting link between the two instruments; but that is a question to which I shall come back later in this intervention.

My Government does not support the view that a chemical weapons convention should include the prohibition of protective activities, facilities and materials. In our opinion, the convention should aim solely at the prohibition of the munitions and devices defined above without undermining elementary protective measures.

I hope that the presence of experts will facilitate our work concerning the difficult question of the definition of chemical weapons. In this connection I should like to refer to a working paper dated 22 July 1975 (CCD/458)⁵ in which the Federal Republic of Germany outlined a definition of chemical warfare agents.

The most important and, at the same time, the most difficult problem to be solved is that of adequate verification. We feel, however, that the time has come seriously to try to find a solution which is acceptable to all States. We are encouraged by the fact that two important and comparatively recent documents mention the need for verification.

First, the joint USSR-United States report on progress in the bilateral negotiations on the prohibition of chemical weapons of 7 July 1980 (CD/112)⁶ states that both negotiating parties "believe that the fulfilment of the obligations assumed under the future convention must be subject to the important requirement of adequate verification".

Secondly, the report of the *Ad Hoc* Working Group on Chemical Weapons to the Committee on Disarmament of 4 August 1980 (CD/131/Rev. 1)⁷ refers to a general convergence of views among the delegations who participated in the discussion in recognizing "the importance of adequate verification" and believing that "verification measures

pp. 133-138.
c Documents, vol. I, pp. 979-984.
pp. 764-765.

⁵ Printed *ibid.*, 1975, pp. 269-274.

⁶ *Ibid.*, 1980, pp. 285-289.

⁷ *Ibid.*, pp. 328-334.

should be commensurate with the scope of the prohibition and other aspects of a convention".

Unfortunately, there still seems to be a rather wide gap between those delegations favouring an approach which primarily relies on national verification measures and those which are of the view that verification should be essentially based on international measures. This question will be further discussed in the Working Group but it is pertinent to express one important point already now: as long as the signature of a State under a treaty is not sufficient to convince all parties that it is indeed observing all the stipulations of the treaty—and if this were not the case today and in the foreseeable future, there would be no need for verification at all—so long will the signature of the president of a national verification agency confirming that the State which employs him is not cheating have just as little value. One may deplore this state of affairs, but one cannot deny it.

That is why my Government is firmly convinced that only international verification measures can give States a credible assurance that a ban on chemical weapons is indeed being observed by all parties. To be effective, however, such measures have to include mandatory on-site inspections, which are, as of today, indispensable if a verification body is to satisfy itself as to the non-existence of activities contrary to a convention. My Government therefore welcomes the convergence of views, stated in the report of the Working Group on Chemical Weapons, that on-site inspections under certain conditions and procedures should be included in the convention.

Under the Brussels Treaty of 1954, the Federal Republic of Germany renounced the manufacture of chemical weapons.⁸ Since then, a special Treaty agency has verified the observance of this commitment. Regular checks are being carried out in chemical plants in the form of on-site inspections in order to verify that no substances which are classified as chemical weapons are produced. The experience of well over twenty years shows that it is possible adequately to verify a ban on the production of chemical weapons with reasonable means and without prejudice to the commercial interests of the chemical industry.

My Government has, in a workshop which was held in the Federal Republic of Germany in 1979, acquainted a group of 55 experts from 24 States with our experience in the field of on-site verification. The results of this workshop have been submitted to the Committee on Disarmament as a working paper (CD/37 of 12 July 1979).⁹ Some more recent considerations were presented last year to the *Ad Hoc* Working Group on Chemical Weapons as CD/CW/WP.5 entitled, "The impact of on-site inspections of current civilian production on the chemical industry". Furthermore, my delegation had the occasion to give a detailed account of the experience of the Federal Republic of Germany in the field of on-site inspections in an informal meeting outside the purview of the Working Group.

⁸ See footnote 3 above.

⁹ *Documents on Disarmament, 1979*, pp. 412-417.

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There is a rather wide gap between those which primarily relies on national measures. This question will be discussed in the Working Group but it is pertinent to express our views as the signature of a State under the Geneva Protocol. It is indeed observing the Geneva Protocol. This were not the case today and in the future there is no need for verification at all—so as to avoid the need of a national verification agency which is not cheating have just as much as of affairs, but one cannot deny it. We are convinced that only international verification can provide credible assurance that a ban on chemical weapons is observed by all parties. To be effective, verification requires mandatory on-site inspections, and the role of a verification body is to satisfy the requirements of a convention. My delegation is in convergence of views, stated in the Geneva Protocol, that on-site inspection procedures should be included in the

The Federal Republic of Germany renews its commitment to chemical weapons.⁸ Since then, a special conference of this commitment. Regular inspections of plants in the form of on-site inspections of substances which are classified as chemical weapons. Experience of well over twenty years has shown that to verify a ban on the production of chemical weapons, on-site inspections are necessary and without prejudice to the sovereignty of the industry.

The conference which was held in the Federal Republic of Germany had a group of 55 experts from 24 countries to discuss on-site verification. The results of the conference are contained in the report of the Committee on Disarmament as well as in the report of the Working Group on Chemical Weapons.⁹ Some more recent considerations are contained in the report of the Working Group on Chemical Weapons. The impact of on-site inspections of chemical weapons on the chemical industry". Furthermore, my delegation has provided an account of the experience of on-site inspections in an informal meeting of the Working Group.

From the considerable interest with which these activities have met, we can infer a growing appreciation of our position. We hope that the discussions in the Working Group will lead to a further narrowing of the still existing gap between opinions on this matter.

Let me come back to the connecting link—which I mentioned earlier—between the Geneva Protocol and a chemical weapons ban. My Government feels that this link could be provided by an inclusion in the Geneva Protocol of a verification procedure ensuring the observance of the Protocol. Considering the widespread recognition of the necessity of adequate verification and the fact that the Geneva Protocol does not, in fact, provide for any verification at all, such a provision should not pose insuperable difficulties.

A verification mechanism concerning the Geneva Protocol would, in particular, be of importance in two events:

During the period necessary for the destruction of chemical weapons there could be allegations that a State had used chemical weapons; these would require verification.

After the expiration of this period there could be a need for verification that States had not used any stockpiles which inadvertently or on purpose had not been destroyed.

My delegation would welcome any suggestions which delegations might have concerning this very preliminary proposal which I have just put forward.

Before concluding, I should like to make one remark with reference to the organization of our work. Already in my intervention in plenary on 7 August 1980¹⁰ I expressed some doubts as to whether the Committee made the best possible use of the time available to it. Even with the presence of experts, and even with a duplication of the sessions of the Working Group, I wonder whether we will be able to solve all the existing problems within an appropriate span of time. If we really think that we are nearing a solution of the outstanding problems, we should perhaps consider setting aside some time of the Committee to deal exclusively with a chemical weapons ban. I know that there are other items on our agenda, and I know that these also are to be dealt with on a priority basis. But if a different organization of our work could significantly accelerate progress in this field, I think it would be worth considering it.

Statement by the Soviet Representative (Issraelyan) to the Committee on Disarmament: Nuclear Disarmament, March 26, 1981¹

Today the Soviet delegation would like to speak on item 2 of the agenda.

¹⁰ CD/PV.98, pp. 29-33.

¹ CD/PV.118, pp. 10-20.