

COMMITTEE ON DISARMAMENT

CD/333
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Views of the Chairman of the Ad Hoc Working Group on Chemical Weapons on possible compromise wordings of the elements of a future convention

PREAMBLE

States Parties to this Convention,

Reaffirming their adherence to the objectives of general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction,

Convinced that the prohibition of the development, production and stockpiling of chemical weapons and their destruction represent a necessary step towards the achievement of general and complete disarmament under effective international control,

Determined, for the sake of all mankind to exclude completely the possibility of chemicals being used as weapons,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to eliminate this risk,

Considering that peaceful co-operation among States should strengthen international co-operation in scientific fields, especially in that of chemistry,

In conformity with the undertaking contained in the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their destruction,

Recognizing the important significance of the Geneva 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 also of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, in force since 26 March 1975, and calling upon all States to comply strictly with the said agreements.

Recognizing the important contribution that the Convention can make through its implementation to the social and economic development of States, particularly developing countries,

Desiring also to contribute to the realization of the purposes and principles of the Charter of the United Nations.

Element I: General Provisions

1. Each State Party to this Convention undertakes never, under any circumstances, to develop, produce, otherwise acquire, stockpile, retain, transfer directly or indirectly, chemical weapons as defined in Element II and to destroy or divert to permitted purposes the stocks of such weapons and to destroy or dismantle facilities of the production of chemical weapons. */
2. Each State Party to this Convention undertakes not to assist, encourage or induce anyone, directly or indirectly, to engage in activities prohibited in this Convention.

Element II: General Definition of Chemical Weapons

1. "Chemical Weapons", as referred to in Element I, are defined as the aggregate of the means of chemical warfare comprising:

(a) Super-toxic lethal chemicals and their precursors **/ of special significance for the formation of such chemicals, including binary or multicomponent munitions or similar devices, other lethal and other harmful chemicals, except those intended for permitted purposes in types and quantities consistent with such purposes;

(b) Any munitions or devices, including binary or multicomponent munitions and devices specifically designed to cause death or other harm through the toxic properties of the chemicals released as a result of the employment of such munitions or devices;

(c) Equipment specifically designed for use directly in connection with the employment of such munitions or devices.

2. For the purposes of this Convention any element of the aggregate of the means of chemical warfare mentioned in paragraph 1 of this Element, is considered as a chemical weapon.

Element III: Other Definitions

For the purposes of this Convention:

1. A "Super-toxic lethal chemical" is any chemical with a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m³ (by inhalation), when measured by the methods set forth in CD/CW/WP.30 Annexes III and IV.
2. An "Other lethal chemical" is any chemical with a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m³ (by inhalation) when measured by the methods set forth in CD/CW/WP.30 Annexes III and IV.
3. An "Other harmful chemical" is any chemical with a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m³ (by inhalation) when measured by the methods set forth in CD/CW/WP.30 Annexes III and IV.
4. A "Precursor of special significance for the formation of super-toxic lethal chemicals" is a reactant which predetermines the main characteristics of the mentioned chemical formed in a one pot synthesis:

*/ Alternatives see page 1 of Annex to document CD/334.

**/ Concept of precursors is to be further elaborated.

- in a binary or multicomponent munition or in similar device;
- at a facility of production of super-toxic lethal chemicals.

5. A "Facility" means a plant or part of plant, specifically designed for the production of chemical weapons (as defined in Element II), destruction of such weapons, as well as for production of super-toxic lethal chemicals for permitted purposes.

6. "Capacity" means capacity of a facility to produce or destroy a certain amount of chemical weapons or to produce a certain amount of super-toxic lethal chemicals for permitted purposes during a given period of time.

7. "Permitted purposes" means non-hostile purposes and military purposes not connected with the use of chemical weapons.

8. "Non-hostile purposes" means industrial, agricultural, research, medical or other peaceful purposes, law-enforcement purposes or purposes directly connected with protection against chemical weapons.

9. "Destruction/diversion" means

(a) with regard to chemicals - their change into products which cannot be re-utilized for the purposes of chemical weapons, including their change both into degradation products and into products which can be used for permitted purposes;

(b) with regard to munitions and devices as well as equipment specifically designed for use directly in connection with the employment of such munitions or devices, making them unserviceable for the purposes of chemical weapons.

10. "Destruction/dismantling" with regard to facilities means physically taking apart or disintegration of the facilities with the removal of all parts of the facilities in an unserviceable state for the use for the purposes of chemical weapons, or partial dispersed employment for permitted purposes of some or all parts of the facilities in a serviceable state.

11. An "incapacitant" */

12. An "irritant" */

Element IV: Prohibition of transfer and non-stationing

1. Each State Party to this Convention undertakes:

(a) Not to transfer to anyone, directly or indirectly, any chemical weapons, as defined in Element II.

(b) Not to transfer to anyone, directly or indirectly, even for permitted purposes, except to another State Party, of any super-toxic lethal chemicals or their precursors, incapacitants or irritants.

2. Each State Party to this Convention undertakes not to station chemical weapons, including binary and multicomponent weapons, in the territories of other States and also undertakes to withdraw all its chemical weapons, including binary and multicomponent weapons, from the territories of other States if they were stationed there earlier, not later than **/ after this Convention comes into force for this Party.

*/ To be elaborated.

**/ To be agreed upon.

Element V: Destruction, Diversion of Stocks of Chemical Weapons

1. Each State Party to the Convention undertakes to destroy its stocks of chemical weapons as defined for the purposes of the Convention or divert them for permitted purposes in quantities consistent with such purposes.
2. Each State Party to the Convention undertakes to begin destruction or diversion for permitted purposes of its stocks of chemical weapons not later than ... months/years, */ and complete it not later than 10 years after the Convention comes for it into force.
3. For the purposes of destruction of stocks of chemical weapons each State Party to the Convention shall have the right to convert temporarily facilities previously used for the production of such weapons or construct a specialized facility or facilities for such purposes.
4. Procedures related to the measures to be taken during the fulfilment of the obligations under paragraphs 1 and 2 of this Element should ensure that these measures are interrelated and co-ordinated in scope, sequence and timing. Other matters concerning procedures and conditions are set forth in Annex to this Element.

Element V

(Annex)

Destruction, Diversion of Stocks of Chemical Weapons

Procedures and operations used for destruction or diversion of stocks of chemical weapons:

At initial stage: **/

Submission of plans for destruction or diversion for permitted purposes of stocks of chemical weapons, which shall include indications of:

- (a) quantities of chemical weapons (quantities and types of chemicals) to be destroyed; **/
- (b) time schedule for the stages of the process of destruction for specific types of chemicals;
- (c) methods of destruction excluding the possibility of the re-utilization of final products for the purposes of chemical weapons;
- (d) location of facility or facilities used for destruction of stocks;
- (e) quantities and types of chemicals which will be diverted for permitted purposes;

*/ Alternatives see page 19 of Annex to document CD/334.

**/ Alternatives see page 20 of Annex to document CD/334.

(f) time schedule for the stages of the process of diversion for permitted purposes for specific types of chemicals:

(g) purposes of diversion.

At destruction stage: */

(To be elaborated in connection with the declarations required from Parties relating to destruction or diversion of stocks.)

Element VI: Destruction, dismantling or temporary conversion of facilities for the production of chemical weapons

1. Each State Party to this Convention undertakes to destroy or dismantle facilities for the production of chemical weapons and not to build new facilities for these purposes.
2. Each State Party to this Convention undertakes to cease all activities relating to the production of chemical weapons as well as to the transfer directly or indirectly to anyone of such weapons and technological equipment for their production and relevant technical documentation.
3. Each State Party to this Convention undertakes to begin the destruction or dismantling of the facility (facilities) temporarily converted in accordance with paragraph 3 of Element V for the destruction of the stocks of chemical weapons after the conclusion of the destruction of such stocks.
4. Operations for destruction or dismantling of facilities for the production of chemical weapons shall begin not later than ... months/years, **/ and be completed not later than 10 years after a State becomes a Party to the Convention.

Matters relating to procedures and conditions are set forth in the Annex to this Element.

Element VI

(Annex)

Destruction, dismantling or temporary conversion of facilities for the production of chemical weapons

Procedures and operations used for destruction, dismantling or temporary conversion of facilities:

At the stage before the beginning of actual destruction: ***/

Declarations of plans for destruction, dismantling or temporary conversion of facilities producing chemical weapons, containing indication of:

(a) time frames for destruction or dismantling;

*/ Alternatives see page 20 of Annex to document CD/334.

**/ Alternatives see page 21 of Annex to document CD/334.

***/ Alternatives see page 22 of Annex to document CD/334.

- (b) location of facilities;
- (c) information concerning the use of individual elements of the dismantled equipment:
 - (i) names and quantities of such equipment;
 - (ii) ways of using the dismantled equipment for peaceful purposes;
- (d) location of facility/facilities temporarily converted for destroying the stocks of chemical weapons.

At destruction stage: */

Notifications made ... **/ months before the commencement of implementation of each stage of the plans for destruction, dismantling or temporary conversion of facility/facilities with the indication of the location of the facility/facilities.

Periodic notifications of the process of the implementation of the plans for destruction, dismantling or temporary conversion of such facilities. ***/

Element VII: Permitted activities

1. Each State Party to the Convention has the right to retain, produce, acquire or use for permitted purposes any toxic chemicals and their precursors, in types and quantities consistent with such purposes.
2. The aggregate quantity of super-toxic lethal chemicals for permitted purposes which are produced, diverted from stocks or otherwise acquired annually or are available shall at any time be minimal and shall not, in any case, exceed one metric ton for any State Party to the Convention. ****/
3. Each State Party which produces super-toxic lethal chemicals for permitted purposes shall concentrate such production at a single specialized facility of appropriate capacity. **/

*/ Alternatives see page 22 of Annex to document CD/334.

**/ To be agreed upon.

***/ Other procedures and operations are to be elaborated in connection with the declarations which would be made by the Parties concerning destruction, dismantling or temporary conversion of facilities.

****/ Alternatives see page 20 of Annex to document CD/334.

Element VIII: Protection of the Populations and the Environment

Each State Party to this Convention in the course of the destruction or diversion of the stocks of chemical weapons and destruction, dismantling or temporary conversion for the purposes of destruction of chemical weapons of the facilities for the production of chemical weapons shall take all necessary precautions and utilize safe methods of destruction so as to avoid harm to populations and to the environment.

Element IX: International Co-operation

1. This Convention should be implemented in a manner to avoid hampering the economic or technological development of States Parties or international co-operation in the field of peaceful chemical activities, including the international exchange of chemicals and equipment for production, processing or use of chemicals for peaceful purposes in accordance with the provisions of the Convention:
2. Each State Party to this Convention shall undertake to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of chemicals for peaceful purposes consonant with the aims of this Convention.
3. Each State Party to this Convention shall undertake to allocate a substantial part of possible savings in military expenditures as a result of disarmament measures agreed upon in this Convention to economic and social development, particularly of the developing countries.
4. Any State Party to this Convention with an aim of its implementation shall have the right to transfer chemical weapons to another State Party for the purpose of destruction of those weapons in accordance with the provisions of this Convention.

Element X: Declarations

1. Each State Party to this Convention shall undertake as soon as possible after the Convention's entry into force or the State Party's adherence to it and in any case not later than 30 days thereafter:

(a) to declare whether or not it possesses chemical weapons as they are defined in paragraphs 1 and 2 of Element II, of their production, regardless of their being employed at the entry of the Convention into force for it, counting all facilities providing such capacities which it possesses on its own national territory or beyond its boundaries, or it has on its national territory under ownership of another State including those whose ownership is not defined;

(b) to declare that it has ceased all activities relating to the production of chemical weapons or the transfer to anyone of such weapons, of technological equipment for their production and of relevant technical documentation.

2. Each State Party to this Convention undertakes not later than 30 days after the Convention comes for it into force to declare:

- the magnitude of the stocks of chemical weapons, as defined in Element II of this Convention, in accordance with the provisions set forth in Annex III to this Convention;
- facilities/aggregate capacities for the production of chemical weapons, as defined in Element II of this Convention, in accordance with the provisions set forth in Annex III to this Convention;
- the volume of transfers to anyone of chemical weapons, as defined in Element II of this Convention, of technological equipment for their production, and of relevant technical documentation which took place after 1 January 1946, in accordance with the provisions set forth in Annex ...; */
- whether or not there exist in its territory stocks of chemical weapons, as they are defined in Element II, and with what capacities, which are under control of, or have been left by, any other State, group of States, organization or private person, in accordance with the provisions set forth in Annex */

3. Each State Party undertakes not later than ... days/months **/ after the Convention comes into force or the State Party's adherence to it its plan for the destruction or diversion to permitted purposes of stocks of chemical weapons, in accordance with the provisions set forth in Annex */

4. Each State Party to this Convention undertakes not later than ... days/months/one year before the commencement of the destruction or dismantling of facilities of production of chemical weapons, to declare its plans for their destruction or dismantling, stating the location of the facilities, in accordance with the provisions set forth in Annex */

5. Each State Party undertakes:

- (a) (i) to submit annual periodical notifications concerning the implementation of the plan for the destruction or diversion for permitted purposes of the stocks of chemical weapons;
- (ii) to submit notifications concerning each consecutive stage of destruction or diversion to permitted purposes of stocks of chemical weapons three months before the beginning of each such stage;
- (b) (i) to submit annual/periodic notifications concerning the implementation of the plan for destruction or dismantling of facilities of the production of chemical weapons;
- (ii) to submit notifications concerning each consecutive stage of destruction or dismantling of facilities of production of chemical weapons three months before the beginning of each such stage;

*/ To be elaborated.

**/ To be agreed.

(c) to submit, not later than 30 days after the destruction or diversion of stocks of chemical weapons and not later than 30 days after the destruction or dismantling of facilities of the production of chemical weapons, appropriate statements to that effect.

6. Each State Party to this Convention which carries out the production of super-toxic lethal chemicals for permitted purposes/~~for purposes directly connected~~ with the protection against chemical weapons */ at a specialized facility shall declare its location before the date of the commencement of the facility's operation.

7. Each State Party to this Convention undertakes to submit annual declarations concerning the following substances produced, diverted from stocks, acquired or used:

(a) (i) super-toxic lethal, other lethal and harmful chemicals for purposes directly connected with protection against chemical weapons;

(ii) super-toxic lethal chemicals for industrial, agricultural, research, medical or other peaceful purposes and for military purposes not connected with the use of chemical weapons;

(iii) other lethal and harmful chemicals for industrial, agricultural, research, medical or other peaceful purposes and irritants for purposes of law enforcement;

(b) the chemicals mentioned above as well as the precursors produced, acquired, retained and used for permitted purposes, when they represent a special danger from the viewpoint of their possible utilization for purposes of chemical weapons, must be included in appropriate lists. Each State Party to the Convention undertakes to present annually information on the chemicals and precursors of chemicals included in those lists. **/

8. Each State Party to this Convention undertakes to submit notifications concerning each of its transfers to any other State Party, where not prohibited by the Convention, of super-toxic lethal chemicals, incapacitants and irritants and of other chemicals which could be used as components for chemical weapons with binary or multicomponent charges, including the names of recipient States.

9. The above-mentioned declarations, plans, notifications and statements shall be submitted to the Consultative Committee which informs about these declarations, plans, notifications and statements the States Parties to this Convention.

*/ See alternatives, pages 16 and 17, paras.7 and 8 of Annex to document CD/334.

**/ The Annex, which contains lists and other relevant provisions, is to be agreed upon and elaborated.

Element X
(Annex)

Declarations

Declaration of stocks of Chemical Weapons

Will encompass

(a) quantity (in metric tons) of the stocks of chemicals in bulk and in munitions in accordance with toxicity categories; */

(b) quantity (in metric tons) of precursors, as defined in Element III of this Convention, in accordance with toxicity categories **/ separately as designed for:

- binary or multicomponent munitions or devices;
- unitary munitions or devices;

(c) quantity of munitions or devices ***/ as defined in subparagraph (b) of paragraph 1 of Element II;

(d) quantity of equipment specifically designed for use directly in connection with the employment of the munitions and devices ***/ as defined in subparagraph (b) of paragraph 1 of Element II;

(e) other questions. ***/

Declaration of Facilities/Aggregate Capacities for the Production of Chemical Weapons

Will encompass

(a) facilities/aggregate capacities for the production of chemicals designed for the purposes of chemical weapons by the categories of such chemicals;

(b) facilities/aggregate capacities for the production of precursors, as defined in Element III of this Convention, separately as designed for:

- binary or multicomponent weapons;
- unitary weapons;

(c) timing of declarations of the locations of facilities and other questions. ****/

*/ See alternatives, p. 12 of Annex to document CD/334.

**/ See alternatives, p. 13 of Annex to document CD/334.

***/ To be agreed upon and elaborated.

****/ To be agreed.

Element XI: General Provision on Verification

States Parties to this Convention shall base their activities relating to the verification of compliance with the provisions of the Convention on a combination of national and international measures.

Element XII: National Implementation Measures

1. Each State Party to this Convention undertakes to take any measures it considers necessary in accordance with its constitutional process to implement the Convention and, in particular, to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control.

2. Each State Party to this Convention shall inform the Consultative Committee of the legislative and executive measures it has taken with respect to the implementation of the Convention.

3. Each State Party to this Convention shall, in accordance with its constitutional process, designate an authority which shall be charged with the primary responsibility with regard to overseeing the implementation and to co-operating with the Consultative Committee and the authorities carrying out similar functions in other States Parties.

4. Recommendations and guidelines on the functions of such an authority are set forth in the Annex IV to this Element.

Element XII
(Annex)

National Implementation Measures */

o Recommendations and guidelines on the functions of a National Implementation Authority:

In national aspect:

(a) To oversee the implementation of the obligations undertaken by a State Party under this Convention within its national territory or under its jurisdiction or its control anywhere.

(b) To implement effectively its functions the Authority shall have the right:

- to receive relevant information from the executive organs on the actual state of affairs concerning the implementation of the Convention;
- to be acquainted with the relevant information concerning the research and development as well as production and commercial activities of enterprises of the chemical industry and related branches, including production and commercial documentation of the industrial firms engaged in manufacturing chemical and other products which may be related to the scope of the Convention;

*/ See alternatives, p. 33 of Annex to document CD/334.

- to have access to facilities producing super-toxic lethal chemicals, harmful chemicals and precursors which fall under the scope of the Convention;
- to have access to facilities being dismantled or already dismantled, or temporarily converted to the destruction of stocks of chemical weapons and to the specialized facility designed for the production of the super-toxic lethal chemicals for permitted purposes;
- to have access to sensing devices and instruments in the above-mentioned facilities and to make necessary measurements;
- to have financial resources necessary for the implementation of its functions;
- to submit to the government reports on its activities which may be made public.

In International Aspect

(a) To provide the Consultative Committee with the necessary information on carrying out its tasks in connection with the verification of the compliance with the Convention.

(b) To provide all necessary assistance in on-site inspections, including technical assistance.

(c) To participate in the selection of both technical and other personnel for on-site inspections.

(d) To co-operate with the Consultative Committee, appropriate international organizations and national authorities charged with the supervision of the implementation of the Convention in other States Parties.

Element XIII: National Technical Means of Verification ^{2/}

1. Each State Party to this Convention may use national technical means of verification at its disposal for the purpose of providing assurance of compliance with the provisions of the Convention in a manner consistent with generally recognized principles of international law. ^{22/}

2. Monitoring in accordance with paragraph 1 of this Element may be carried out by each State Party to this Convention by the employment of its own national technical means of verification or with full or partial assistance on the part of any other State Party.

3. Each State Party to this Convention shall not impede, including through the use of deliberate concealment measures the national technical means of verification of other States Parties operating in accordance with paragraph 1 of this Element.

^{2/} See alternative, p. 36 of Annex to document CD/334.

^{22/} See alternatives, p. 36 of Annex to document CD/334.

Element XIV: Consultations and Co-operation

1. The States parties to this Convention undertake to consult one another and co-operate in solving any problem which may arise in relation to the objectives of the Convention or in connection with the application of its provisions.
2. The States parties to this Convention shall exchange, bilaterally, multilaterally or through the Consultative Committee, information which they consider necessary to provide assurance of fulfilment of the obligations assumed under the Convention.
3. Consultation and co-operation shall also be undertaken through appropriate international procedures within the framework of the United Nations, in accordance with its Charter. Such procedures may include the use of the services of appropriate international organizations in addition to those of the Consultative Committee.
4. In the interests of enhancing the effectiveness of this Convention the States parties of this Convention shall not take any actions aimed at deliberately falsifying the actual state of affairs with regard to compliance with the Convention by other States parties.

Element XV: Consultative Committee

1. For the purpose of carrying out broader international consultation, co-operation and exchanging necessary information among States parties, providing expert opinion and promoting in other fashions the verification of the compliance with the provisions of the Convention the States parties shall establish a Consultative Committee within 30 days after the Convention's entry into force. Any State party shall have the right to appoint its representative to the Committee.
2. The Consultative Committee shall be convened as necessary and also at the request of any State party to the Convention within 30 days after the request has been received. */
3. Other questions relating to the organization and procedures of the Consultative Committee, its subsidiary bodies, their functions, rights, duties and methods of work, its role in on-site inspections, forms of co-operation with national implementation authorities, funding of its activities and other matters are set forth in Annex .. **/
4. In order to ensure the establishment of the Consultative Committee at the time given in paragraph 1 of this Element, after the signature of the Convention by .. ***/ States there shall be established a Preparatory Committee open for all signatory States.

*/ See Options, p.41 of Annex to document CD/334.

**/ To be elaborated.

***/ To be agreed.

Element XVI: Fact-finding procedure

1. Each State party shall have the right to request, bilaterally or through the Consultative Committee, from another Party which is suspected of violating the Convention information on the actual state of affairs. The State to which the request is sent shall provide the requesting State party with information in connection with the request.
2. Each State party may, bilaterally or through the Consultative Committee, send to another State party which is suspected of violating the Convention a request for an on-site inspection. Such request may be sent after the possibilities of fact-finding within the framework of paragraph 1 of this element have been exhausted and shall contain all relevant information and all possible evidence supporting the validity of the request. The State party to which such a request is sent may treat the request favourably or decide otherwise. It shall inform the requesting State party in good time about its decision, and if it is not prepared to agree to an inspection, it shall give appropriate explanations.
3. Each State party, which is suspected of violating the Convention, shall have right to request an on-site inspection on its territory or anywhere under its jurisdiction or control.

Element XVII: On-site Inspection

1. The States parties to this Convention shall verify the destruction of stocks of chemical weapons at a converted or specialized facility (facilities) within a period of time envisaged for these purposes pursuant to provisions of Element V of this Convention through carrying out international on-site inspections on the basis to be agreed upon. */
2. The States parties to this Convention shall verify the production of super-toxic lethal chemicals for permitted purposes at a specialized facility (facilities) through carrying out international on-site inspections on the basis to be agreed upon. */

Element XVIII: Procedures with regard to possible violations of obligations under the Convention

1. Any State party which has reason to believe that any other State party has acted or may be acting in violation of obligations deriving from the provisions of the Convention shall have the right to lodge a complaint with the United Nations Security Council. Such complaint shall include all relevant information and all possible evidence supporting the validity of the complaint.
2. Each State party undertakes to co-operate in carrying out any investigation which the Security Council may initiate in accordance with the provisions of the Charter of ..

*/ See alternatives, pages 42 and 43 of Annex to document CD/334.

the United Nations, on the basis of the complaint received by the Security Council. The Security Council shall inform the States parties of the results of the investigation.

3. Each State party to the Convention undertakes to provide assistance or support assistance being provided, in accordance with the provisions of the Charter of the United Nations, to any State party which requests it if the Security Council decides that such party has been exposed to danger as a result of the violation by another State party of obligations assumed under this Convention.

Element XIX: Relationship with Other Treaties

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under 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, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the Convention on Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.

Element XX: Amendments

1. Any State party to this Convention may propose amendments to the Convention. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States parties.

2. An amendment shall enter into force for all States parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States parties. Thereafter it shall enter into force for any remaining State party on the date of deposit of its instrument of acceptance.

Element XXI: Review Conference

1. years */ after the entry into force of this Convention, or earlier if it is requested by a majority of parties to the Convention by submitting a proposal to this effect to the Depositary, a conference of States parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the Convention are being realized. Such review should take into account any new scientific and technological developments relevant to the Convention.

2. Further review conferences shall be held at intervals of ... years */ thereafter, and at other times if requested by a majority of the States parties to the Convention.

*/ To be agreed.

Element XXII: Duration and Withdrawals

1. This Convention is of unlimited duration.
2. Each State Party to this Convention in exercising its national sovereignty has the right to withdraw from the Convention, if it decides that extraordinary events related to the subject matter of the Convention, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary three months in advance. Such notice shall include a statement of extraordinary events it regards as having jeopardized its supreme interests.
3. The Depositary on its part shall immediately inform the Security Council of the United Nations of the submission of a notice of withdrawal from a State Party to the Convention.

Element XXIII: Signature, Ratification, Accession

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this Element can accede to it at any time.
2. This Convention is subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.
3. This Convention enters into force upon the deposit of instruments of ratification by ...*/ Governments, in accordance with paragraph 2 of this Element. **/
4. For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it enters into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary shall promptly inform all signatory States and States Parties of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of this Convention and of any amendments thereto, as well as of the receipt of other notices.
6. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.
7. Annexes to the Convention shall be considered an integral part of this Convention.

Element XXIV: Distribution of the Convention

This Convention of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the States Parties to the Convention and to Specialized and Associated Agencies of the United Nations system.

*/ To be agreed.

**/ See options p.31 of Annex to document CD/334.