

WORKING PAPER SUBMITTED BY THE ARAB REPUBLIC OF EGYPT

Proposals to promote respect for the Chemical Weapons Convention  
and compliance with its provisions

The accession of the greatest possible number of States to the Convention on the Prohibition of Chemical Weapons is a prerequisite for the successful elimination of such weapons throughout the world since the reluctance of some States to accede to the Convention is likely to induce other States to adopt the same attitude.

Accordingly, it is important that the Convention should embody principles, provisions and measures that would inspire widespread confidence in its credibility and effectiveness and foster the conviction that the Convention would further the real interests rather than endanger the security of the States Parties thereto.

For this reason, the Arab Republic of Egypt firmly believes that the Convention should make provision for the establishment of an effective verification system, including the possibility of on-site inspection. It is gratifying that the Committee on Disarmament currently appears to be more aware of the need for the incorporation of such a system within the provisions of the Convention.

At the same time, however, we do not regard the establishment of an effective verification system as being, in itself, sufficient to inspire the requisite degree of confidence in the face of misgivings regarding what would happen if it were found that one of the States Parties had committed a serious breach of the provisions of the Convention, thereby jeopardizing the security of another State Party, or if such a State refused to co-operate with the bodies responsible for verification.

The endangered State Party could obviously resort to the Security Council. However, such resort to the Security Council, despite its significance, is a method of recourse available to all States Members of the United Nations regardless of whether they have acceded to the Convention. Moreover, the constraints imposed on action by the Security Council, particularly the right of veto enjoyed by the five Superpowers, are well known.

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\*/ Reissued for technical reasons.

In our view, a reciprocal undertaking by the States Parties to relinquish the chemical weapons option would, in effect, create a joint obligation on the part of all States Parties to uphold the Convention and promote its objectives and would place each State Party under a special responsibility towards all other States Parties fulfilling their obligations in good faith. Such responsibility should be invoked in the event of any State Party being endangered as a result of violation of the provisions of the Convention by another State Party thereto. It is a two-fold responsibility involving, on the one hand, the need to support and assist the endangered State Party and, on the other hand, the duty of Member States to take the measures that they deem appropriate, with a view to upholding the objectives and ensuring the credibility of the Convention.

Furthermore, it is possible to envisage certain situations, which may not necessarily emerge from a violation by a State Party to the Convention, but which could endanger the Convention or the legal principles that it may create. This is a matter which may lead to convening the Security Council or any other body concerned, but it may also necessitate a special meeting of the Consultative Committee if, in this respect, a request was presented to the depositary by a number of States Parties to the Convention. Such a provision could be embodied in the Convention.

In the light of the above, we believe that the Convention should include provisions to the following effect:

1. All States Parties should undertake to respect the Convention, to promote its objectives, and to observe both the letter and the spirit of the Convention in their international relations.
2. An urgent meeting of the Consultative Committee should be convened in any of the following circumstances:
  - (a) An established violation of the provision of the Convention by any of the States Parties thereto.
  - (b) The refusal of any State to fulfil its obligations with regard to co-operation with the body responsible for verification and inspection.
  - (c) The emergence of any situation which, in the opinion of a number of States Parties (five Members, for example), posed a threat to the Convention or impeded the achievement of its objectives.
3. When meeting in any of the above-mentioned circumstances, the Consultative Committee should consider the measures to be taken by Member States in order to ensure respect for the Convention and its objectives and the provision of assistance for any endangered Member State.