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POSITION PAPER

1. Status and role of the Chemical Weapons Convention

1.1 The Chemical Weapons Convention (hereinafter “the Convention”) represents the outcome of years of painstaking efforts by the international community. It is a significant milestone in the process towards peace for humanity and an important component of the current legal framework of arms control and disarmament and of the collective security framework which has the United Nations at its centre. The Convention is the first international disarmament treaty which provides for the complete prohibition and thorough destruction of a whole category of weapons of mass destruction and which is supported by a stringent verification regime. Its entry into force and implementation have played an important role in maintaining and promoting international peace, security and stability.

2. At present, the security challenges faced by the international community are not only multiplying, but they are also becoming more and more unpredictable. Because non-traditional threats to security, such as terrorism, proliferation of weapons of mass destruction, and cross-border crime, are intertwined with the more traditional threats, individual countries are becoming increasingly interdependent on issues related to security. It is imperative to develop a new security concept that is based on mutual trust, mutual benefit, equality and cooperation. Under these circumstances, it is particularly important to maintain a regime for disarmament, arms control and non-proliferation, and fully to understand the Convention’s importance and profound significance to world peace and security. States Parties must continue to protect the authority of the Convention, strengthen and improve its effectiveness, give due regard to and strictly fulfil their obligations, and remain unremitting in their efforts for the early realisation of its noble objectives by completely eliminating the threat of chemical weapons and preventing their proliferation.

2. National implementation measures

2.1 By ratifying the Convention, States Parties have made a political commitment; to fulfil it, they will need to follow up with enacting and enforcing national implementation measures.



- 2.2 The comprehensive enforcement of national implementation measures involves the following major aspects: (a) establishing and continuously improving the National Authority, and developing the national implementation measures; (b) enacting national legislation under Article VII of the Convention and setting up a stringent legal framework, in order to ensure effective implementation; (c) developing a professional team of personnel for implementation and providing adequate resources, both human and material; and (d) improving the knowledge and understanding of the Convention by the industry, particularly the facilities, and enhancing their awareness of implementation, in order to facilitate the enforcement of national implementation measures.
- 2.3 The ability of the States Parties to implement the Convention has significantly improved over the past six years, due to the progress made by many of them in the above-mentioned areas. It is hoped that the Technical Secretariat (hereinafter “the Secretariat”) will submit a report to the Eighth Session of the Conference of the States Parties (hereinafter “the Conference”) on the progress achieved towards establishment of National Authorities and enforcement of national implementation measures in the States Parties, so that States Parties can learn from each other’s experiences and unite their efforts better to implement the Convention.
- 2.4 The comprehensive and effective enforcement of national implementation measures also requires cooperation and coordination among States Parties and between the States Parties and the Secretariat. States Parties should be encouraged to give legal and technical assistance to those which have not yet enacted implementation measures. The Secretariat should also cooperate with States Parties in providing support and assistance aimed at enhancing the national implementation capacity of the countries concerned. Activities such as regional meetings of National Authorities and seminars on topics relating to implementation should be continued, in order to encourage these countries to adopt measures and establish effective implementation mechanisms at an early date.

3. Matters relating to the destruction of Chemical weapons

- 3.1 The destruction of chemical weapons is one of the core tasks set by the Convention and a fundamental obligation undertaken by the possessor States. The Organisation for the Prohibition of Chemical Weapons (hereinafter “the OPCW”) faces a major challenge in trying to destroy all chemical weapons within the deadlines prescribed by the Convention. The total destruction of chemical weapons has a crucial bearing not only on the realisation of the object and purpose of the Convention but also on the elimination of the root cause of the proliferation of chemical weapons, on the prevention of chemical terrorist activities, and on the protection of the ecological environment.
- 3.2 The government of China takes the following position: firstly, possessor States must strictly honour their obligations under the Convention to destroy their chemical weapons, and make genuine efforts for early destruction by increasing both the intensity of work and the input of financial resources; secondly, the destruction of chemical weapons and chemical weapons-related production facilities must be carried out in strict compliance with the procedures set out in the Convention; thirdly, such destruction must be carried out with even greater transparency, with progress being

reported to the Executive Council (hereinafter “the Council”) and the States Parties in a timely manner; fourthly, requests for conversion of chemical weapons production facilities for civilian use should be submitted only under exceptional circumstances, which means that economic or commercial considerations should not be used as a justification for such a request; fifthly, the Council must play a greater role in monitoring destruction activities, in order to ensure that they are done in compliance with the Convention; and sixthly, chemical weapons awaiting destruction must be kept under strict control, to prevent them from falling into the hands of terrorists.

4. Chemical weapons abandoned by Japan in China

- 4.1 States Parties which have abandoned chemical weapons have a fundamentally important obligation under the Convention, i.e., to achieve the complete destruction of the chemical weapons abandoned by them within the timeline set forth in the Convention. As in the case of the destruction of existing chemical weapons, the smooth and timely completion of the destruction of abandoned chemical weapons also has a direct bearing on whether the Convention can realise its fundamental objective of eliminating the threat of chemical weapons once and for all.
- 4.2 After approximately 60 years of exposure to the elements, a large number of chemical weapons abandoned by Japan on Chinese territory is seriously eroded; some of them have been leaking. These abandoned weapons pose an even greater threat to the environment and the safety of the human population than the chemical weapons which are accounted as chemical weapons stockpiles. Early destruction of these weapons is therefore a matter of particular urgency. In fact, many instances of casualties caused by the chemical weapons abandoned by Japan have been reported in China. At present, these weapons continue to pose a serious threat to the environment and the safety of the population of China.
- 4.3 The government of China has always attached importance to this matter, and has been actively working towards an early elimination of this serious hazard to the environment and population of China. For almost six years since entry into force of the Convention, the government of China has been honouring its obligations under the Convention in an active and conscientious manner. It has done much work in order to assist the government of Japan in excavating, identifying, sealing and storing the chemical weapons abandoned by it in China, and in deciding on the appropriate technology for destroying them. The government of China has also researched and set the environmental standards to be observed. Of course, as the abandoning State Party, Japan has also made considerable efforts, which have yielded some good results. Nevertheless, it remains the concern and hope of the government of China that actual destruction can start at an early date. In view of the urgent need to eliminate the threat posed by these weapons and of the deadline set forth in the Convention, there is still much substantive work to be done. The government of China urges the government of Japan to intensify its efforts and increase its contribution, so that preparations for destruction can be completed and destruction can be started as soon as possible. China will continue to provide the necessary assistance and support.

- 4.4 The government of China appreciates and welcomes the active role of the Secretariat in addressing this matter, to ensure the strict implementation of the relevant provisions of the Convention. The government of China will continue to inform the Secretariat of the schedule of relevant bilateral activities between China and Japan, actively cooperate with the Secretariat and assist it in its on-site inspections, and duly submit subsequent declarations on any newly-discovered chemical weapons abandoned by Japan.
- 4.5 The government of China hopes that the States Parties will continue to show interest in and attach importance to the matter of abandoned chemical weapons by combining their efforts to meet the common obligation of the States Parties, with a view to eliminating the hazard of abandoned chemical weapons at an early date.

5. Declaration and verification matters

- 5.1 The government of China takes the view that it is the States Parties' basic obligation to meet declaration requirements, since declarations serve as the basis for routine inspections and give concrete expression to the implementation of the Convention. The various types of declarations should be submitted accurately and on time, and should be updated in a timely fashion. The OPCW and the States Parties could help the relevant States Parties in this area through various means, including awareness-raising and training activities intended to help the personnel in charge of declarations to resolve their practical difficulties. In order to improve efficiency in the preparation of declarations, States Parties are encouraged, if necessary and when they have the available means, to set up a declarations database system and an electronic data transmission network. With regard to problems such as discrepancies in the declared data, the States Parties concerned should conduct timely consultations and provide the necessary corrections or explanations.
- 5.2 The stringent verification and monitoring mechanism unique to the Convention is playing a highly positive role in facilitating the destruction of chemical weapons, overseeing the relevant facilities of the States Parties, and preventing the illegal diversion of facilities and chemicals. In the past six years, thanks to the common efforts of the Secretariat and the States Parties, over 1200 inspections of chemical weapons and industrial facilities have been carried out by the OPCW with good results. While no instances of non-compliance have been observed, these inspections have served to increase confidence among States Parties and to demonstrate their good will in implementing the Convention. The verification mechanism has proven to be viable and effective, and its application should continue to receive due attention and support from State Parties.
- 5.3 The OPCW's verification activities should emphasise existing chemical weapons, old chemical weapons, abandoned chemical weapons, and chemical weapons-related facilities and activities, as these pose the greatest risk to the Convention. In accordance with the relevant provisions of the Convention, inspections of Schedule 1, 2, 3 and discrete organic chemicals facilities should be carried out in direct proportion to the assessment, arranged in decreasing order of magnitude, of the risk they represent, and should follow the principle of equitable geographic distribution, so as to rationalise the allocation of inspection resources. The fact that risk ratings may change under certain conditions should also be taken into account. For example, in a

country where there are only a small number of facilities subject to inspection, any one of these facilities may pose a higher risk than those in countries with a large number of facilities subject to inspection. This should be given full consideration when applying any method or methodology for selecting sites for inspection.

- 5.4 The functions of the Council in supervising verification activities should have the full respect of the Secretariat. In developing and modifying the way in which facilities are selected for inspection, it is necessary to take into account the views of all States Parties and to obtain the Council's approval. Regular reports on the conduct of verification should be submitted to the Council, and the form and content of the Verification Implementation Report should be further improved and expanded to make it more comprehensive and specific. The outstanding matters relating to verification should be resolved in the Council as soon as possible on the basis of full consultation, in order to achieve more effective and comprehensive verification.

6. Matters relating to challenge inspections

- 6.1 Challenge inspection is an important element of the verification regime of the Convention. When properly applied, it will play a unique role in deterring and checking any possible violation of the Convention. It is also necessary to prevent any abuse of the right to request a challenge inspection, in order to maintain the solemnity and authority of the Convention. Those who abuse this right should bear the political, legal and economic consequences of the abuse. The Conference and the Council should consider the outstanding problems relating to challenge inspection with a view to finding solutions at an early date.
- 6.2 Article IX of the Convention provides an effective instrument whereby the States Parties may resolve among themselves any concern relating to non-compliance through consultation, cooperation and fact-finding. Within this framework, and without prejudice to State security and confidentiality, the States Parties should make every possible effort in dialogue and consultation on implementation-related matters to increase confidence and eliminate doubts, thus promoting mutual understanding and cooperation in their common undertaking to achieve the effective implementation of the Convention. As a complementary tool to the verification mechanism of the Convention, this provision plays a unique and important role in the process of implementation. It could help, on the one hand, to clarify ambiguities and remove concerns about non-compliance, and, on the other, to avoid political confrontation following on a request for a challenge inspection.

7. International cooperation

- 7.1 International cooperation is one of the pillars of the Convention and a key obligation if national implementation is to be accomplished. International cooperation should aim at furthering the exchange among States Parties of chemicals and related equipment and technologies, and facilitating the free trade in, and development and application of, chemical technologies in the industrial, agricultural, research, medical, the pharmaceutical and other fields, especially as concerns the vast number of developing countries, thereby promoting sustainable economic development. Effective international cooperation will benefit both the developed and the developing States Parties. It will certainly contribute to the universality of the Convention and

raise the profile of the OPCW on the global stage, thereby giving a positive impetus to the early realisation of the object and purpose of the Convention.

- 7.2 In the past years, with the support of the States Parties, the efforts of the Secretariat have resulted in a number of OPCW international cooperation activities, which is commendable. However, substantive work is yet to begin. We have taken note that the Secretariat has recently initiated a series of activities, such as the programme to support Convention-related research projects and the laboratory assistance programme. This is a good beginning, which should gradually lead to more in-depth endeavours.
- 7.3 The government of China maintains in the first place that, in order to meet their obligation undertaken under the Convention in the area of international cooperation, the States Parties should work to promote the comprehensive and effective implementation of this obligation. Those that are in a position to do so should increase their financial contribution, and those in need should make proposals on cooperation projects to the OPCW. Secondly, it is necessary to continue improving the international cooperation mechanism of the OPCW and ensuring that it has the appropriate human and financial resources. Thirdly, the OPCW should serve as a clearing-house for the States Parties, to facilitate exchanges on implementation-related matters, technological cooperation, and trade in chemicals. Fourthly, the Secretariat should submit regular reports to the Council and the Conference on the international cooperation, and should work together with the States Parties in facilitating decision-taking at meetings on ways further to promote the same. Fifthly, China requests Member States to report to the Council on their work in implementing the international cooperation provisions.
- 7.4 The government of China is of the view that the topic of international cooperation, including ways of making it effective, should be addressed at the Review Conference with a view to making practical and feasible recommendations.

8. Promoting universality of the Convention

- 8.1 It is universality that gives the Convention its vitality and constitutes the foundation for the ultimate achievement of its objectives. The past six years have witnessed remarkable progress towards universality of the Convention: adherence has grown from 87 States Parties at entry into force to the current 151, with the result that its effect in the field of international disarmament and arms control has been felt ever more strongly. However, bringing more states to join the Convention remains a challenge for the OPCW and the States Parties and one of the major objectives of their joint efforts.
- 8.2 The government of China believes, firstly, that the earnest and strict implementation of the Convention by all States Parties and their contribution to maintaining international security will surely elevate the international standing and reputation of the Convention and the OPCW, thereby attracting more states to join; secondly, that realistic international cooperation with positive, tangible results will also certainly serve to attract more states; and thirdly, that the Secretariat and the States Parties should take concrete measures to raise the awareness of those outside the Convention

about its object and purpose, and provide them with the necessary legal, economic or technical assistance to create the conditions necessary for them to join.

- 8.3 China is ready to work with the Secretariat and the States Parties in a continued effort to promote universality of the Convention.

9. Non-proliferation issues and the fight against terrorism

- 9.1 The government of China attaches great importance to non-proliferation and the fight against terrorism. It is of the view that the effective implementation of the Convention is fundamentally instrumental in preventing the spread of chemical weapons and placing a check on chemical terrorism.

- 9.2 The government of China believes that comprehensive and stringent compliance with all obligations under the Convention represents the most effective way to fight terrorism at the national level. The speedy destruction of chemical weapons is the primary task in preventing the spread of such weapons and defeating chemical terrorism; and the proper conduct of routine chemical weapons destruction and industry-related inspections is an effective measure to prevent toxic chemicals from falling into the hands of terrorists. It is necessary to tighten national implementation legislations, so that acts involving terrorist use of toxic chemicals can be duly punished. Through their implementation activities, the States Parties should increase confidence and common understanding, and expand cooperation in order truly to achieve non-proliferation. The States Parties should also be encouraged to engage in international cooperation and free trade in the field of chemistry for peaceful purposes in order to promote sustainable development in their countries, thereby eliminating the breeding ground in which terrorism thrives.

- 9.3 As some States Parties to the Convention are chemical weapons possessors and countries with important chemical industries, China is of the view that there ought to be further discussions among the States Parties and the Secretariat on ways to bring the Convention and the OPCW to play an even greater role in the fight against terrorism.

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