



ISLAMIC REPUBLIC OF IRAN

SOURCES OF VERIFICATION (PUBLIC AVAILABLE INFORMATION)

1. Introduction

1.1 Since entry into force of the Chemical Weapons Convention (hereinafter “the Convention”), a confidence based approach between the Technical Secretariat (hereinafter “the Secretariat”) and States Parties, as well as sticking to the provisions of the Convention, led the Organisation to unique and unprecedented achievements in the history of disarmament treaties and made the Organisation one of the most successful disarmament bodies. In this regard, protection of the achievements of the Organisation and prevention of any efforts to damage the existing interaction and cooperation between States Parties and the Secretariat is the greatest responsibility of all.

2. Request for clarification (Article IX, paragraphs 1-7)

2.1 The States Parties may enter into a consultation and clarification process at the bilateral level to raise their concerns with a view to ensure compliance with the provisions of the Convention if there is “any matter which may cause doubt about compliance with this Convention or which gives rise to concerns about a related matter which may be considered ambiguous”¹.

(a) Consultations, cooperation and fact-finding (at the bilateral level):

“States Parties shall consult and cooperate, directly among themselves, or through the Organization or other appropriate international procedures, ... , on any matter which may be raised relating to the object and purpose, or the implementation of the provisions, of the Convention.”²

¹ Paragraph 2 of Article IX

² Paragraph 1 of Article IX



In this context:

“... States Parties should, whenever possible, first make every effort to clarify and resolve, through exchange of information and consultations among themselves, ...”³

(b) Role of the Executive Council:

“A State Party shall have the right to request the Executive Council to assist in clarifying [to obtain clarification from another State Party⁴] any situation which may be considered ambiguous or which gives rise to a concern about the possible non-compliance of another State Party with this Convention.”⁵

2.2 According to the provisions of Article IX of the Convention a “request of a State Party” is the main cause for involving the Executive Council in this process. Thereupon, the responsibility⁶ [and accountability as well] of accuracy of the information which leads a State Party to request for the Executive Council to consider its concerns is enough of a burden in itself.

3. Sources for verifications

3.1 The declarations of the States Parties are the only sources for verifications of the chemical facilities. In this regard, paragraph 8 of Article VI of the Convention stipulates that:

“Each State Party shall make annual declarations regarding the relevant chemicals and facilities in accordance with the Verification Annex.”

3.2 In this regard, the following paragraphs indicate that the only sources for verification of chemical facilities regime are the States Parties’ declarations:

“The aim of verification activities at the single small-scale facility shall be to verify that the quantities of Schedule 1 chemicals produced are correctly declared and, ...”⁷

“The general aim of inspections shall be to verify that activities are in accordance with obligations under this Convention and consistent with the information to be provided in declarations.”⁸

“At plant sites declared under Section A, the general aim of inspections shall be to verify that activities are consistent with the information to be provided in declarations.”⁹

³ The same source

⁴ Article IX, paragraph 4

⁵ Article IX, paragraph 3

⁶ Bearing any of the financial implications.

⁷ Paragraph 21 of Part VI of the Verification Annex

⁸ Paragraph 15 of Part VII of the Verification Annex

⁹ Paragraph 14 of Part IX of the Verification Annex

4. Public information

- 4.1 The verification system of the OPCW has been implemented properly and efficiently during the last 15 years. On the other hand, no diversion has been reported in the process of verification of chemical activities of Member States. Therefore, introducing and bringing some issues such as “public information” or “open source” that originated from the media or particular unknown sources with specific political wills and intentions would seriously endanger the integrity and credibility of the Convention. This issue can also undermine trust among States Parties themselves and the Secretariat. The impartiality of the Secretariat would also be seriously affected.
- 4.2 Use of public information in verification activities by the Secretariat is not only a violation of the provisions of the Convention, but would also impose large costs on the Organisation which is contrary to the saving policy that has been approved by all States Parties.
- 4.3 According to the provisions of the Convention, the only source for verification of the States Parties’ chemical activities is their declarations and no other sources can be used in this regard.

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