

**ISLAMIC REPUBLIC OF IRAN****CHALLENGE INSPECTION AND INVESTIGATION OF ALLEGED
USE OF CHEMICAL WEAPONS**

1. While reaffirming the relevant provisions of the Convention on the right of any State Party to request a challenge inspection, it should be noted that no challenge inspection had been requested since entry into force of the Convention. This clearly implies that the current channels of communication amongst States Parties have proven to be effective.
2. Challenge inspection should be an instrument to be used as a last resort and under exceptional circumstances. Considering the sensitive and special nature of the challenge inspection, States Parties should first make every effort to use the consultation and clarification mechanism, as an integral part of Article IX of the Convention, to resolve their concerns before requesting a challenge inspection.
3. Any abuse of the right to request a challenge inspection is an act of violation of the Convention, would jeopardise the trust among States Parties and would be contrary to the letter and spirit of the Convention. States Parties shall refrain from requests that are unfounded or abusive in order not to undermine the integrity of the Convention. Once abuse has occurred, there should be a penalty applied through the unanimous decisions of the States Parties.
4. The OPCW should conclude the outstanding issues regarding challenge inspections. Given the political and potential damage of abusive requests for challenge inspections and at the same time the importance of this mechanism for compliance, we need to address many areas for implementation of the provisions of the Convention as was emphasised by the previous review conferences such as the timing of notification, the inspection equipment, the financial aspects, punishment of abuse, etc.
5. One important point is that the national legislation shall not be in contradiction of the obligations of the States Parties. Reserving the right to deny inspections under any judgment will diminish the implementation of the Convention. If such a procedure is not remedied, it would make a precedent for the others to follow suit.
6. On alleged use, any alleged use investigation both involving a State Party or State not Party to the Convention should be considered merely within the scope of the provisions of the Convention.



7. In the case of investigation of alleged use of chemical weapons involving a State not Party to the Convention or in territory not controlled by a State Party, as it is described in paragraph 27, part XI of the Verification Annex, if the UN Secretary-General requests the assistance of the OPCW, the Director-General shall promptly notify the States Parties of the UN Secretary-General's request and also promptly inform the Council of the request, and the actions that the Technical Secretariat is undertaking to respond to the request, at a meeting of the Council that will be convened¹.

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EC-70/DG.19 dated 27 September 2012.