

# NEXT STEPS



By Ambassador  
Sha Zukang

**T**he new millennium is now with us. If one looks back across the twentieth century, humankind has witnessed tremendous achievements in the field of science and technology. At the same time, however, we should also not forget that the scourge of wars, and especially the two world wars, as they were known, has caused irreparable damage to humankind. The emergence of nuclear weapons, chemical weapons, biological weapons, and other weapons of mass destruction threatens the very survival of humanity.

Shortly after the beginning of the twentieth century, chemical weapons were deployed on a large scale during World War I, resulting in more than a million casualties. This conflict revealed for all, not merely the terrible destructive power of chemical weapons, but also the difficulty of developing effective means of protection against them, and the relative ease with which they can be produced. The cruel devastation that they wrought was overwhelming. World War II, and a number of subsequent regional conflicts,

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were also under the shadow of chemical weapons. We are today, on the threshold of the twenty-first century, still faced with the serious threat posed by many thousand tons of various types of chemical weapons. The international community had, over a very lengthy period, made tremendous efforts to eliminate the threat of chemical weapons once and for all. These efforts resulted in a series of important legal instruments, including the 1925 Geneva Protocol. It was not until April 1997, however, when the Chemical Weapons Convention (CWC) entered into force, that a truly practical and effective legal means was provided for the realisation of humankind's common goal of prohibiting the development,

production and use of chemical weapons, and of completely destroying them.

During the three years since the Convention entered into force there has been a steady improvement in its universality; the number of States Parties now stands at 132. The declared chemical weapons possessor States Parties have already started the destruction of their chemical weapons and related facilities, and have received systematic inspections by OPCW inspectors. Approximately 600 on-site inspections have been successfully conducted at chemical weapons-related facilities and scheduled chemical facilities. Under the leadership of Director-General José Bustani, the Secretariat has been functioning in a proper and orderly manner, and has displayed a high level of professionalism. As this has provided the necessary guarantees for the smooth implementation of the Convention, it is therefore much appreciated by all States Parties.

At the same time, however, there are also some shortcomings in the area of implementation. For example, a few States Parties have yet to submit their obligatory declarations, or have submitted incomplete declarations. The chemical weapons destruction process of certain States Parties is lagging behind in relation to that of some other States Parties. Efforts to promote international exchanges and cooperation in the field of the chemical industry are still faced with various obstacles. If all of these issues are not addressed in a timely and appropriate manner, they will impact negatively on the effective implementation of the Convention. Furthermore, reservations made by certain individual States Parties, in the form of domestic legislation, in relation to some major provisions of the Convention, constitute a violation of the spirit of the Convention, and therefore pose a potential threat to its appropriate and effective implementation.

One major feature of the CWC is the stringent verification regime which it provides. If one reviews this verification regime in the light of the considerable experience gained in the many and varied types of on-site inspections conducted since entry into force, it appears that the relevant provisions laid down by the negotiators of the Convention are basically



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in line with reality and can be made to work effectively, and therefore provide a sound legal and operational framework for the conduct of on-site inspections. At the same time, the States Parties and the OPCW inspection teams have, in accordance with the Convention, addressed the various issues arising during the inspections in the spirit of equality and cooperation, therefore providing an essential guarantee for the smooth functioning of this regime. In the future, the focus of inspections needs to be shifted to an increasing extent towards chemical weapons production, storage and destruction facilities and their activities. The Organisation should formulate its plans for the inspection of various types of facilities in accordance with the risks which they pose to the Convention, in order to achieve the maximum level of cost-effectiveness.

Challenge inspection serves as an important tool for effectively monitoring the implementation of the Convention by its States Parties, and is an indispensable deterrent against non-compliance. It should also be noted that, due to their intrinsic uniqueness, challenge inspections may not, by virtue of their political sensitivity, be handled in the same way as other

types of inspections. They should instead be treated very cautiously indeed, and every effort must be made to prevent their abuse.

In April of this year the provisions of the Convention prohibiting the transfer of Schedule 2 chemicals to States not party to the Convention will enter into force. This will mark the beginning of a significant new stage in the implementation of the Convention. The entry into force of the above-mentioned provisions will further highlight the conflicts between the relevant provisions of the Convention and those of the ‘Australia Group’. Although the regulation, through the Convention, of international trade in the field of sensitive chemicals of relevance to the object and purpose of the Convention, naturally aims first and foremost at preventing the proliferation of chemical weapons, it also aims to ensure that all States Parties have equal rights where international exchanges and cooperation in the field of chemistry are concerned. However, if this is to be possible, a set of universally applicable rules is essential. The existence of the ‘Australia Group’ means that, at this moment, there are two parallel export control mechanisms in the field of chemical trade. This inevitably causes confusion and disputes in what would otherwise be normal trade activities, results in a de facto imbalance in the rights enjoyed by individual States Parties, undercuts the authority of the Convention, discourages the participation of more countries in the Convention’s regime, and compromises its universality. This issue accordingly merits the most urgent attention of all States Parties, and requires early resolution.

As a victim of chemical weapons in its history, China has always supported the total prohibition and destruction of chemical weapons. In the three years since the Convention entered into force, the Chinese Government has fulfilled the obligations which it undertook as a State Party to the Convention in a strict and responsible manner. In addition to its timely submission of high-quality declarations of various types, the active cooperation between China and the Secretariat has, inter alia, contributed to the success of the more than 20 on-site inspections carried out so far in China. In accordance with Article X of the Convention, the Chinese Government last year submitted to the OPCW its list of equipment for protective and assistance purposes. China has actively participated in, and has fully supported, the various meetings and events organised by the OPCW. It provided training facilities for both training groups of inspectors, and, in cooperation with the Secretariat, jointly organised the regional seminar on implementation held in Beijing in 1998. The Chinese Government, in full cooperation with other States Parties, will continue to actively support, not merely the work of the Secretariat, but also the full and smooth implementation of the Convention.

The early destruction of the chemical weapons abandoned by Japan on the territories of China during World War II is an important issue confronted by China in its implementation of the Convention. During this war Japan made extensive use of chemical weapons in its war of aggression against China, committing heinous crimes. Still present on the territories of China are approximately two million items of Japanese abandoned chemical munitions, which continue to pose grave threats to the health and safety of the Chinese people, as well as to its ecological environment.

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In addition to the standard characteristics of ordinary chemical weapons, abandoned chemical weapons, due to their prolonged burial underground, also exhibit various degrees of deterioration, corrosion or even leakage, thus posing a serious threat to the ecological environment and the health and safety of the general public. According to the incomplete statistics that are currently available, the chemical weapons abandoned by Japan on the territories of China have so far caused injuries of various degrees to approximately 2,000 people. This figure is still increasing. Moreover, as these are chemical weapons left behind by the abandoning State Party on the territories of the territorial State Party without the consent of the latter, the discovery of such weapons—especially if the abandoning State Party has submitted only incomplete declarations, or has failed to provide sufficiently detailed information—is both accidental and unforeseeable, and, as such, constitutes a long-term task. When chemical weapons have been abandoned under such circumstances, their destruction is as perilous as it is arduous.

Until the Convention entered into force, States on whose territory chemical weapons had been abandoned by another State lacked any legal context for resolving the many problems frequently associated with such abandoned chemical weapons. The Convention has made it possible for such problems, with their manifold human, political, logistical, and

material ramifications, to be peacefully addressed in a cooperative manner.

In accordance with the Convention, States Parties have an obligation to destroy chemical weapons which they have abandoned on the territory of other States Parties. This destruction is required to be completed within ten years after the entry into force of the Convention for the State Party in question, and must be verified by the OPCW. The Chinese Government attaches great importance to the resolution of issues related to the chemical weapons abandoned by Japan in China, within the context of the Convention and through bilateral arrangements. So far, the ACW sites declared by China have already received several initial and subsequent inspections by the Secretariat. The Japanese Government has also conducted investigations of some of these sites. Last year the Governments of China and Japan signed the Memorandum on the Destruction of Chemical Weapons Abandoned by Japan in China. However, due to delays in the finalisation of such important and critical issues as the destruction plan, destruction technology, etc., the destruction process has yet to be initiated. Such a reality is in line neither with the relevant timelines set forth in the Convention, nor with the urgent need to completely eliminate the threat posed by the abandoned chemical weapons. We hope that Japan will truly honour its obligations as the abandoning State Party by bringing this historical issue to an early and comprehensive resolution.

During the twentieth century, chemical weapons underwent a process of emergence, development, and, finally, gradual elimination. The history of chemical weapons once again shows that, as always, conscience will eventually prevail over evil, and wisdom over ignorance. However, we should also see very clearly that the entry into force of the Chemical Weapons Convention is simply the first step towards the realisation of humankind's common goal of eliminating chemical weapons once and for all. This goal will be realised only if the international community continues to cooperate and to work together to this end. 'A thousand-mile journey starts with a single step.' We have already made a good start in the initial phase of implementing the Convention.

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