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Subject: Second Reading Speech by Prof S Jayakumar, 25 April 2000

Singapore Government

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Second Reading Speech by Foreign Minister Prof S Jayakumar in Parliament, Tuesday, 25 April 2000 on Chemical Weapons (Prohibition) Bill

Sir, I beg to move, "That the Bill be now read a Second time."

Singapore is a party to the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, or CWC for short. We need to enact this law to implement our obligations under that Convention. The Convention banned a whole category of weapons of mass destruction and established a comprehensive verification regime to ensure that member countries comply with their obligations under the Convention. The CWC is the result of 20 years of negotiations in the United Nations Conference on Disarmament. It has, to date, been ratified by 129 countries, including the US, China, Indonesia and Russia. Singapore signed the CWC in 1997.

I need not spell out for Members the horrifying effects chemical weapons have on human life. To make matters worse, chemical weapons are cheap and can be easily produced, requiring little by way of technical expertise and raw materials. Unlike nuclear weapons, they can easily be disseminated using commercially

available equipment.

Chemical weapons have been used in a number of armed conflicts in the past causing death and injury to millions. The best known examples are during World War I, the Holocaust and the Iran-Iraq War. A few years ago, the Aum Shinrikyo cult released Sarin gas into a Tokyo underground, causing five thousand casualties. It highlighted the fact that a country remains at risk from a chemical attack even during peacetime.

Singapore ratified the CWC in 1997. Besides the obvious security benefits in a world that is free of chemical weapons, there are also other advantages to ratification. The Convention established the Organisation for the Prohibition of Chemical Weapons (OPCW). As a member of that organisation we can obtain technical assistance from other member countries if threatened with an attack by chemical weapons. Ratification is also expected to facilitate trade in chemicals which are controlled by the Convention. The CWC progressively prohibits transfers of these chemicals to States that are not parties to the Convention. However as a State Party our chemical industries are able to freely import or export these chemicals to and from other State Parties for legitimate purposes.

Singapore does not produce or possess chemical weapons, nor does it have chemical weapons facilities or stocks to destroy, as required by the Convention. The verification measures required by the Convention have limited implications on parts of our chemical, pharmaceutical and other industries which I will elaborate on shortly. The verification measures, which consist of periodic declarations of activities involving chemicals controlled by the Convention and inspections of facilities producing or using such chemicals, are necessary as a number of chemicals produced or used for normal commercial activities also have applications in the manufacture of chemical weapons. Therefore these activities have to be constantly monitored to ensure that countries do not use their commercial chemical industry for the clandestine production of chemical weapons.

Let me now touch, sir, on the salient provisions of the Bill. Clause 8 of the Bill makes it an offence to use, develop, produce, acquire, stockpile, retain or transfer a chemical weapon. Singapore is obliged under the Convention to prohibit the carrying out of these activities. As required by the Convention, this clause also

applies to acts and omissions of our citizens overseas and persons on board ships and aircraft registered in Singapore. Penalties for committing the offence are severe to reflect the seriousness and the devastating effects of the use of chemical weapons on lives and property.

Clause 9 creates a licensing system for the use, development, production, acquisition, stockpiling, retention or transfer of scheduled chemicals for permitted purposes. Permitted purposes include protective, research, medical, pharmaceutical and law enforcement purposes. The licensing system is administered by the National Authority (CWC), an office created as part of the Trade Development Board. The system will facilitate the gathering of information from chemical facilities to enable Singapore to make periodic declarations to the organisation established by the Convention. For the same reason, clause 12 requires those carrying out activities involving such chemicals to keep appropriate records and provide certain information to the Director of the National Authority, and Clause 13 empowers the Director to require any person with information relevant to such declaration to furnish the information to the Director. Any information so provided is protected from disclosure under clause 26. This is to give our chemical industry the assurance that commercially sensitive information will always be kept confidential.

Part V of the Bill provides for two types of inspections of premises: national and international inspections. National inspections are carried out by the National Authority and police officers to determine if the Act and regulations have been complied with at the premises. International inspections are carried out by international inspectors of the organisation, OPCW, which can be of two types. It can be either routine or challenge inspections. Routine inspections are carried out at facilities using controlled chemicals to ensure that such use is consistent with legitimate purposes and with annual declarations made by a State Party. A challenge inspection is carried out when a State Party requests the OPCW to conduct an inspection in any other State party. A request may be made if the requesting State Party has good reason to suspect that the other State Party has violated the Convention. However, to allay any concern over the intrusive nature of such an inspection, the Bill provides that an inspection may only be carried out with the consent of the person in control of the premises or with a court warrant. Other safeguards are set out in clause 24 of the Bill.

Sir, the Bill will have limited impact on the commercial operations of our companies in the chemical and other industries. In fact, since 1997, they have actually been making annual declarations to the National Authority voluntarily and have already factored the making of such declarations into their work schedules. From information obtained in 1999, less than 60 companies will require licences for activities involving chemicals controlled by the Convention. Of these, only 8 will be subject to routine inspections by the international agency set up under the Convention. Trial inspections here and elsewhere have shown that they cause only minimal disruptions to the operations of companies.

Sir, I beg to move.

National Archives of Singapore