



## CHAPTER SEVEN

# CONFERENCE OF THE STATES PARTIES OF THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

### PURVIEW OF THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

The Organisation for the Prohibition of Chemical Weapons (OPCW) is responsible for implementing provisions of the Chemical Weapons Convention and monitoring compliance with the Convention. Therefore, the OPCW focuses on demilitarisation, non-proliferation, assistance to victims and protection against chemical weapons, and encourages international cooperation in the peaceful uses of chemistry. Each delegation may place one representative on this body. For more information, please see page 8 in the AMUN *Rules and Procedures* handbook. For the purposes of this simulation, all United Nations Member States will be considered to have a seat in the special session. The body will draft resolutions to cover the issues before it.

**Website:** <https://www.opcw.org/>

### IMPLEMENTATION OF ARTICLE X: ASSISTANCE AND PROTECTION AGAINST CHEMICAL WEAPONS

The Chemical Weapons Convention (CWC) aims to eliminate the use and production of chemical weapons. Article X of the Convention establishes mechanisms for States to provide and receive assistance to protect against chemical weapons. The Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW) is charged with coordinating implementation of Article X. Assistance includes technical support for dismantling chemical weapons stockpiles, provision of detection and monitoring equipment, and support to those attacked by chemical weapons. With the decline in recent years of actual weapons attacks, there has been renewed focus on the longer term issue of prevention through shared technology and protection programs. Many developing States have started their own advanced chemical production centers, which could produce chemical weapons if not monitored and regulated. Many States still have weak regulations, and expert training is vital for responding to industrial emergencies or countering the misuse of technology, especially given increased threats from non-state actors.

Following the use of poison gas during the First World War, the 1925 Geneva Protocol established a norm against chemical warfare. Efforts to eliminate all chemical weapons did not gain traction until the 1980s, when Iraq used chemical weapons in its war with Iran. The international community made a renewed commitment to creating a ban, leading to the 1993 Chemical Weapons Convention. Upon ratification, the OPCW was formed.

At the first Conference of the States Parties of the OPCW in 1997, the Conference approved a data bank for sharing information on chemical weapons protection programs. The next few years saw the creation of a series of technical training programs, ranging from field lab set-up instruction to exercises on delivering assistance in the event of a chemical emergency. The OPCW coordinates direct assistance to the requesting State. Iran was the first State to enter into an agreement for the provision of emergency medical teams, offering the use of hospitals for any casualties of weapon attacks. Switzerland entered into a similar

agreement, making equipment and training available through jointly organized courses with the OPCW.

The chemical weapons protection regime continued to improve between 1997 and 2003. The number of new States Parties to the convention posed a challenge. Major CWC review conferences in 2003 and 2008 assessed the work completed in fulfilling the CWC's goals and decided on future courses of action. The conferences noted the need for further assistance despite an increase in bilateral agreements and contributions. The reviews also pushed continued development and training of the assistance response mechanism under the OPCW: the Assistance, Coordination, and Assessment Team (ACAT). The OPCW has held several international exercises, most recently in 2010, aimed at testing the immediate readiness of the OPCW in the event of the use or threat of use of chemical weapons.

The latest CWC review in 2013 encouraged more active cooperation with regional and international groups, asking States Parties to participate in joint exercises and training programs. The most recent States Parties conference in 2016 noted that the OPCW Secretariat carried out 38 major capacity-building projects in the preceding year. It highlighted training focused on first responders and military defense personnel. These training programs continue to broaden, with assistance targeted toward the increasing number of developing countries with expanding chemical industries. Without updated training, and without updated supply line protections, Member States run the risk of chemical components and equipment falling into the hands of non-state actors. The rise of terrorism means that this form of capacity building is highly important to both domestic and international security.

In recent resolutions, the OPCW has also called for increased attention to the International Support Network for Victims of Chemical Weapons. The Network is charged with providing material, medical and financial support to the victims of chemical weapons. This has rounded out the task of prevention and assistance, although support from States Parties is still needed to fully implement the Network. The Network helped create the Practical Guide for Medical Management of Chemical Warfare Casualties, released in 2016. While many Member States speak out in support of chemical weapons victims, the support is too often rhetorical. Countries where attacks occur often receive little aid.

The actions of non-state actors also remain at the forefront of planning and preparation for chemical weapons attack responses. The ongoing Syrian Civil War illustrates many of the fears held by the international community, marking the first major poison gas attacks since the Iran-Iraq War. The weakened Syrian government has been unable to maintain control of its arsenal, with at least one documented use of mustard gas by the terrorist Islamic State in 2016. With the increasing spread of scientific information and the ease with which any person can have access to readily-available chemicals, new adaptations are needed against non-traditional threats. Responding to chemical weapons attacks by non-state actors requires coordination in, generally speaking, combat or otherwise hostile zones in areas often devastated by munitions attacks. In 2016, the OPCW hosted another training for chemical terrorism emergencies in South Korea, but much more is needed.



The OPCW has a number of areas to address to fully implement Article X. The OPCW focuses on supporting members through capacity building projects like training Member States on ways to secure chemicals and on providing for responses to chemical weapons attacks, primarily through educational initiatives and technology and tactical trainings. As non-state actors become an increased threat, States Parties will need additional assistance in both areas, especially in preventing attacks and breaches in supply chains. The Article X mandate to both prevent attacks and assist the attacked requires a well rounded approach that incorporates the widespread availability of chemicals and equipment, the inconsistencies in regulation between Member States and the emergency response capability of Member States.

Questions to consider from your government's perspective on this issue include the following:

- In what areas could the OPCW coordinate with other UN bodies or international organizations to improve chemical weapons protections?
- Are there more active roles or safety areas that the OPCW can explore or expand on in assisting States Parties with chemical threats from non-state actors?
- How should the OPCW balance its focus between helping States with chemical weapons protections and bolstering national regulations and industry standards?

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## IMPLEMENTATION OF ARTICLE XI: ECONOMIC AND TECHNOLOGICAL DEVELOPMENT

The 1993 Chemical Weapons Convention (CWC) seeks to strike a balance between preventing the use of toxic chemicals as weapons and supporting the use of chemicals for beneficial purposes. Article XI of the Convention supports the States Parties' right to "the fullest possible exchange of chemicals, equipment and scientific and technological information relating to the development and application of chemistry" for peaceful uses. In the twenty years since the CWC came into force, the international community has substantially reduced chemical weapons stockpiles. Today, an increasing focus is placed on the longer-term preventative and technological aspects of the CWC. Because chemicals and technology are necessary for industrial production, medical practice, and other peaceful uses, eradicating their use is both impractical and undesirable. Ensuring that dual-use technologies are still available for their peaceful purposes, but are also regulated to prevent weapons development and use, is key. An important part of the OPCW mission under



the Convention is improving States Parties' ability to implement the CWC and supporting the development of chemistry for non-prohibited purposes. Several barriers continue to hamper the aims of the Convention. First, fear of illicit chemical weapons programs makes many developed countries maintain strict chemical export controls, holding back technological progress in developing States. Second, the slow pace of the destruction of current chemical stocks keeps attention directed at non-proliferation.

Article XI has its origins in the Eighteen Nation Committee on Disarmament (ENCD) negotiations of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT declares that all parties have the right to use nuclear energy for peaceful means while benefiting from international cooperation. The Conference on Disarmament, the successor to ENCD, agreed upon similar language in the Chemical Weapons Convention. This aspect of disarmament treaties was important for attracting the support of many developing countries. Before the CWC was signed, export controls and other barriers to free trade of chemicals were a point of contention between developed and developing States. The Australia Group, a 1985 export control group of industrialized States, arose in response to chemical weapons use in the Iran-Iraq War. Their cooperation in reviewing trade barriers and supporting Article XI helped pave the way for the passage of the CWC.

After the end of the Cold War, scientific research boomed, including chemical capacity and use in science and industry. The widespread use of chemical precursors and components in chemical weapons, namely in multinational manufacturing and business, meant the international community's ability to regulate where chemicals are located, in what amounts and in whose possession they remain is compromised. The logistics of regulating chemical components and precursors is highly complex. In addition to the increased use of chemical agents, civilian technical capacity has vastly increased.

In 2003, the OPCW reaffirmed its collaborative and coordinating efforts at its First Review Conference. The Review Conference stated again the OPCW's commitment to spreading peaceful technology and the free flow of information and to creating a widespread and accessible resource. This led the OPCW to build additional financial assistance and coordinating resources for its States Parties. In a 2005 follow-up to the Review Conference, the OPCW began its coordinating efforts in earnest. It began maintaining databases of coordinating efforts and offers, offering increased funding for capacity-building programs and providing annual reports from the Director-General on the implementation of Article XI.

In its Midterm-Plan for the Period from 2010-2012, the OPCW outlined its course of action and focused in on four main areas for the implementation of Article XI: integrated chemicals management, enhancement of chemical analytical skills, chemical-knowledge promotion and exchange, and chemical-industry outreach. In 2011, the OPCW formalized these goals in the Agreed Framework for the Full Implementation of Article XI. The Midterm-Plan focused on regulation and self-reporting. As chemical industries grow worldwide, the number of potential security gaps increases and the desire to protect intellectual property rights and to protect production secrets has prevented full reporting. The Midterm-Plan focuses on encouraging member states to implement better reporting systems and to enforce those systems across new chemical industries. Some Member States are resistant to do so if it detracts from a trade advantage.

In the past five years, the OPCW has continued to foster international cooperation to effectively implement Article XI. The need for increased awareness about the dual use of chemical weapons and the CWC's role in enforcement and fostering technological growth in particular is also necessary among practicing chemists. Unfortunately, these topics are not extensively covered at universities worldwide. The OPCW has taken steps to counter this problem. In 2015, the Secretariat continued to organize activities to promote the peaceful uses of chemistry through capacity building, knowledge sharing, and industry outreach. This has included a number of workshops and industry development events, with four more workshops worldwide in 2013. Most notably, the OPCW has created regional and individual action plans for its States Parties, including the Programme to Strengthen Cooperation with Africa.

Future implementation of Article XI will greatly depend on how Member States resolve numerous divisive issues, including information exchange and self-reporting, expanding industrial development, the potential for civilian chemicals use to compromise Article X of the CWC, and trade barriers that limit the free flow of information and technology. The OPCW will need to continue to foster cooperation between chemical industry associations, non-governmental organizations, and regional and international institutions on technological development and information exchange. The rapid pace of development of new, previously unregulated chemicals with potential weapons applications and new production processes will also need to be kept up to date by the OPCW Technical Secretariat. While its regional developmental efforts and its coordinating and educational programs have made headway, States Parties still resist information exchange on the grounds of potential threat to international security and to trade secrets and intellectual property rights.

Questions to consider from your government's perspective on this issue include the following:

- What chemical research and development areas are seeing the most and least progress? In what ways can collaborative efforts improve or leverage this growth without harming the need for trade protections?
- What resources are necessary to improve collaboration in chemical and technological growth?
- How can the OPCW overcome information sharing resistance in the face of intellectual property and trade protections?

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