



# OPCW TODAY

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## Visit by the President of the Republic of Turkey

### Remembrance Day

### Focus on National Authorities: India, Singapore and South Africa

## OPCW Meeting of Experts on Chemical Safety and Security



*OPCW Director-General welcomes the President of Republic of Turkey to the OPCW Headquarters.*

**Organisation for the Prohibition of Chemical Weapons**

*Working together for a world free of chemical weapons*

# OPCW Today Impressum

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## **OPCW TODAY**

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# The President of Turkey Visits the OPCW

*18 April 2012, The Hague, the Netherlands*

The President of the Republic of Turkey, H.E. Mr Abdullah Gül, visited the OPCW headquarters in The Hague on 18 April 2012 where he was co-hosted by Director-General Ahmet Üzümcü and the Chair of the Conference of the States Parties, H.E. Paul Arkwright. During his stay, the President delivered an address to a capacity audience of Permanent Representatives accredited to the OPCW, together with Dutch, Turkish and international officials.

President Gül was accompanied by the Turkish Minister of European Union Affairs, H.E. Mr. Egemen Bağış, and a group of Turkish parliamentarians. The OPCW Executive Council Chair, H.E. Mr Peter Goosen, ambassadors and senior OPCW staff members were introduced to the President, who unveiled a plaque commemorating his visit that will be permanently displayed in the Technical Secretariat.

President Gül was in the Netherlands at the invitation of Queen Beatrix on a State visit from 17-19 April 2012, which coincides with the 400th anniversary of the establishment of diplomatic relations between the two countries.

Video and photographic images of his visit to the OPCW can be accessed via the OPCW website at [www.opcw.org](http://www.opcw.org)



*The President of Turkey, H.E. Mr Abdullah Gül and the OPCW Director-General, H.E. Mr Ahmet Üzümcü*



*President Gül and Director-General Üzümcü*



*President Gül's address to OPCW Permanent Representatives and other dignitaries*

# Welcome Address by Chairperson of the Conference of the States Parties to the CWC in Honour of President Gül's visit.

*Ambassador Paul Arkwright of the United Kingdom*

## **EXCERPTS:**

His Excellency Mr Abdullah Gül, President of the Republic of Turkey, distinguished members of the Turkish entourage, Mr Director-General, distinguished representatives of the host government and international organisations,

Excellencies, ladies and gentlemen,

It is a special honour for me, in my capacity as Chairman of the Conference of the States Parties to the Convention to welcome His Excellency President Abdullah Gül to the Headquarters of the Organisation for the Prohibition of Chemical Weapons (OPCW). This is indeed a very special occasion for the Organisation and I thank you all for your presence.

We are indebted to the President for taking the time out of his busy schedule to be with us today.

Mr President, we value your presence here as a testimony of your commitment and that of your country to the goals enshrined in the Chemical Weapons Convention and the mission of the Organisation for the Prohibition of Chemical Weapons.

(...)

The mission of the OPCW is a noble one. It stands out as one of the finest endeavours of the international community marked as it is by a spirit of goodwill and consensus; making the OPCW a model of multilateralism. Aply led by the Director-General and his dedicated staff, the OPCW Secretariat plays its part in carrying forward this important mission.

(...)

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## Statement<sup>1</sup> by H.E. Mr Abdullah Gül, President of Turkey at the OPCW Headquarters

## **EXCERPTS:**

Mr. Chairperson,  
Mr. Director-General,  
Distinguished Delegates,  
Ladies and Gentlemen,

(...)

Today, I take this opportunity to reiterate the importance that Turkey attaches to the Chemical Weapons Convention (CWC).

Turkey's sincere efforts for achieving global disarmament and non-proliferation are well known and appreciated by the international community. We support all initiatives for enhancing international security and stability through arms control, non-proliferation and disarmament. To that end, we are party to all major international non-proliferation instruments and export control regimes. Our geo-strategic position renders us critical for regional and international security, including that of Europe.

Therefore, Turkey's cooperation and support in this field is vital in a wide geography stretching from the Eastern Med-

iterranean, to the Aegean and the Balkans; and from the Middle East to the Caucasus, Central Asia and the Caspian.

Turkey plays a crucial role for international security in the 21st century and, as a G-20 member, pursues an active foreign policy. Her experience with democracy offers insights to neighboring countries and constitutes a source of inspiration for them. Our presence at the Nuclear Security Summit in Seoul is ample proof of our commitment to global disarmament and security. An active participant of the NPT Review Conferences, Turkey is also a member of the Non-Proliferation and Disarmament Initiative. Due to the complexity of our security environment, we also seek protection from Weapons of Mass Destruction, all forms of terrorism and ethnic separatism. By the same token, Turkey does not wish to see any form of Weapons of Mass Destruction in its region and is categorically against the possession of those weapons.

Attempts at developing or acquiring such weapons may well trigger a regional race for its possession, which in turn would lead to further instability threatening international peace and security.



*President Gül unveils the plaque that commemorates his visit*

It is therefore our desire to see universalisation and effective implementation of all multilateral disarmament and non-proliferation regimes. The Chemical Weapons Convention, which stands closest to universality with its 188 States Parties, is certainly one of these. Indeed, this Convention is unique in terms of its capacity whereby it bans an entire category of weapons of mass destruction, as well as monitors implementation by means of a solid verification regime. As such, the Convention plays an important role in effective multilateralism and sets example for other regimes.

Ladies and Gentlemen,

Alongside this great success, there are also challenges. For instance, there are yet eight states that remain outside the regime. The ultimate objective of the Convention can be attained only when these states join the fold and full universalisation is achieved.

In the meantime, there are substantive issues that need to be addressed by the Organisation in the near future. A key challenge is to prevent the reemerging of chemical weapons and misuse of toxic chemicals. Verified elimination of a substantial portion of declared chemical weapons and agents are remarkable achievements. Nevertheless, elimination of all existing chemical weapons is necessary to reach full universality.

(...)



*The President and the OPCW Director-General with members of the delegation of Turkey*



*President Gül attends an OPCW exhibition of inspection equipment*

Turkey has been active in promoting a “weapons of mass destruction free zone” in the Middle East. In this context, I have called upon all Member States to intensify their efforts in creating a “Weapons of Mass Destruction Free Zone in the Middle East”

(...)

It is now crucial to consider the establishment of an OSCE-like “regional security architecture” in the Middle East which comprises a region-wide WMD Free Zone.

Distinguished Delegates,

(...)

I wish to reiterate our view that the Organisation for the Prohibition of Chemical Weapons (OPCW) should play an exemplary role in the field of disarmament.

I can assure you that for its part, Turkey will continue to lend its full support and cooperation to the effective implementation of the Convention. By the help of this Organisation, let us leave a better world to the next generations free from the weapons of mass killing and terror! Let us invest in peace and prosperity, not in death and destruction!

Thank you.

1 [http://www.opcw.org/fileadmin/OPCW/faces/other\\_dignitaries/Gul\\_Turkey\\_Statement.pdf](http://www.opcw.org/fileadmin/OPCW/faces/other_dignitaries/Gul_Turkey_Statement.pdf)



*President Gül with Senior Management of the OPCW*

# OPCW Director-General's Address<sup>1</sup> to Mark the Occasion of the President Gül's Visit

## EXCERPTS:

H.E. Mr Abdullah Gül, President of the Republic of Turkey, Excellencies, Ladies and Gentlemen,

It is a unique and singular honour for me to welcome H.E. Mr Abdullah Gül, the President of the Republic of Turkey to the OPCW. We highly appreciate that he took the time out of his busy schedule for a State visit to the Netherlands to be with us today. This demonstrates his country's strong commitment to the Chemical Weapons Convention which is a source of great encouragement for our work.  
(...)

The Chemical Weapons Convention, the first treaty to ban an entire category of weapons of mass destruction sets an example of what can be accomplished through multilateralism. Our work represents a practical manifestation of the principles and purposes of the United Nations Charter. The unwavering commitment to make the Convention succeed has blessed our endeavours with success.  
(...)

The Organisation needs to begin the process of adapting to a challenging future even as we attend to the unfinished business of destruction, universality and national implementation. The international community has banned chemical weapons for all times to come. This calls for perpetual vigilance in order to ensure that chemical weapons shall never re-emerge. OPCW verification offers the practical tools towards this end.  
(...)

On the whole, we live in a time of change and a time of challenge. As our motto suggests we shall be "working together for a world free of chemical weapons". More than ever before, the Organisation needs support at the highest levels in governments across its membership.

We are therefore extremely grateful to His Excellency, President Abdullah Gül whose presence amongst us today is a source of great encouragement. I thank him once again for his important gesture and express my gratitude to all of you for your kind presence.

1 [http://www.opcw.org/fileadmin/OPCW/faces/other\\_dignitaries/Uzumcu\\_Statement\\_Turkish\\_Visit.pdf](http://www.opcw.org/fileadmin/OPCW/faces/other_dignitaries/Uzumcu_Statement_Turkish_Visit.pdf)



*President Gül with the Delegation of Turkey*

# Remembrance Day

26 April 2012, The Hague, the Netherlands

## Statement<sup>2</sup> of the Chairman of the Conference of the States Parties to the CWC at the Remembrance Day Commemoration

*H.E. Ambassador Paul Arkwright*

### EXCERPTS:

Excellencies,  
Distinguished Guests,  
Ladies and Gentlemen,

I declare open this commemoration ceremony devoted to the Day of Remembrance for all the victims of chemical weapons. We are gathered in memory of those who perished or suffered grievously on account of one of the most inhumane weapons ever produced: weapons that we are striving to eliminate – completely.

It is an honour for me, in my capacity as Chairperson of the Conference of the States Parties to the Chemical Weapons Convention, to welcome Mr Ed Kronenburg, Secretary-General of the Ministry of Foreign Affairs of the Kingdom of the Netherlands, and Mr Jozias van Aartsen, Mayor of The Hague who have joined us today.

We value their presence as a testimony to the continuous commitment of our host country and the municipality of The Hague towards promoting the goals enshrined in the Chemical Weapons Convention and helping fulfil the mission of the Organisation for the Prohibition of Chemical Weapons.

I also extend a warm welcome to the high-level representatives of important international organisations which have their headquarters in The Hague.  
(...)

I value this annual occasion to remember why we are committed to this Convention and to remind ourselves of what is at the heart of our work.  
(...)

The Convention represents a noble ambition: a global ban of a whole category of weapons of mass destruction. This agreement was, and remains, a real achievement. It has brought nations together in pursuit of common aims for a more peaceful and secure world for all its citizens.



*Remembrance Day, 26 April 2012*

Thanks to the spirit of cooperation and consensus in which we work, the OPCW is widely recognised as a model for multilateral disarmament and non-proliferation. There are many challenges ahead of us. But I have no doubt that we will achieve success again – because we must not fail if we are to ensure that there are no more victims of chemical weapons.

But today, through our presence here, let us reaffirm our commitment to the aims of the Convention. Let us rededicate our work to the goal of a world free of chemical weapons, in memory of all their past victims.  
(...)

2 [http://www.opcw.org/fileadmin/OPCW/PDF/CSP\\_Chair\\_Speaking\\_Notes\\_Remembrance\\_Day\\_2012.pdf](http://www.opcw.org/fileadmin/OPCW/PDF/CSP_Chair_Speaking_Notes_Remembrance_Day_2012.pdf)



# Statement<sup>3</sup> by the OPCW Director-General at the Remembrance Day Event

*H.E. Ambassador Ahmet Üzümcü*

## EXCERPTS:

Mr Chairman,  
Excellencies,  
Distinguished guests,

I welcome you all to this solemn observance in memory of all victims of chemical weapons.  
(...)

The Chemical Weapons Convention completes 15 years of its operation. This represents 15 years of progress that has no precedent in disarmament. The Convention embodies a commitment that took a hundred years to codify. An unqualified and unconditional ban on chemical weapons was the only means to prevent the carnage that humanity witnessed time and again. Countless victims of chemical weapons perished in the most painful circumstances. Those surviving a chemical attack continued to suffer from lifelong ailments. By the frequency of their use, chemical weapons proved to be the most cruel agents of death and destruction.

The Convention promised a new era free from the scourge of chemical weapons. The work of the OPCW over the last 15 years has brought that vision closer at hand. Starting as a promise, we have collectively made the CWC a worthy testament of our collective resolve and spirit of international cooperation. It is an endeavor for the sake of humanity. It is an enterprise in the service of peace. And it is the best tribute we can offer to all victims of chemical weapons.



*Wreath placed at the Permanent Memorial for all victims of chemical warfare*



*OPCW Director-General addressing the guests at the Remembrance Day commemoration on 26 April 2012*

The CWC sets out to completely eliminate chemical weapons from the world and to prevent their re-emergence in any form. Today nearly three quarters of all declared chemical weapons stand destroyed under OPCW verification. And although not all chemical weapons will be destroyed by the final extended deadline, States Parties have dealt with this issue with characteristic wisdom and sagacity. Their decision to enable the major possessor States to complete the task within a reasonable period of time confirms the reputation of the OPCW as a cooperative and purposeful multilateral body. Our members have remained focused on the mission and what is best to accomplish it.

The moral and legal authority of the Convention continues to gain strength with every new addition to our Membership that has grown at a pace unprecedented in disarmament history.

The Convention has contributed to the advancement of treaty and customary law. As a multifaceted legal tool, it serves to strengthen both international humanitarian law as well as the global disarmament and non-proliferation objectives.



*OPCW Director-General with dignitaries*

The robust institution – the OPCW – emerging from the commitment and the cooperation of States Parties has the capacity to adapt to the numerous future challenges. But there is no room for complacency.

The prohibitions and proscriptions of the Convention will also be tested in an environment of continual advancements in science and technology. We will need to remain vigilant and ready to reinforce the CWC which will become progressively necessary. After all, the purpose is never under any circumstances to allow exceptions to the general ban on chemical weapons.

The achievements of the OPCW represent an example of how the UN Charter's principles for the promotion of international peace and security can be translated into concrete action.

Today, while remembering the victims of chemical warfare, let us rededicate ourselves to the mission before us which is not just the complete eradication of chemical weapons stockpiles but also making sure that there is never again another victim to suffer the terrible consequences of chemical weapons.

A reaffirmation on this day of a strong commitment to the goals and objectives of the Convention is thus a worthy act of remembrance.

The plight of those victims who suffered unimaginable grief from the use of chemical weapons impelled international action to bring such atrocities to a permanent end. That responsibility now devolves on the States Parties to the CWC. They have, through concerted action, demonstrated consistently that they are equal to the task. I am sure as we renew our determination to make the application of the Convention universally acceptable and effectively enforced, they will once again rise to the occasion to collectively carry the beacon of hope that the CWC has come to symbolise.  
(...)

<sup>3</sup> [http://www.opcw.org/fileadmin/OPCW/PDF/DG\\_Statement\\_Remembrance\\_Day\\_2012.pdf](http://www.opcw.org/fileadmin/OPCW/PDF/DG_Statement_Remembrance_Day_2012.pdf)

# Speech<sup>4</sup> by Mayor of The Hague

*H.E. Mr Jozias Van Aartsen*

## EXCERPTS:

Your Excellencies,

Ladies and gentlemen,

*“Seventeen days of Hades!”* was how John McCrae, army field surgeon and poet described his tour of duty on the front at the Second Battle of Ypres. On Thursday 22 April 1915 he witnessed first-hand the start of modern chemical warfare.

McCrae wrote:

*“At the end of the first day if anyone had told us we had to spend seventeen days there, we would have folded our hands and said it could not be done.”*

John McCrae and his medical staff treated thousands of victims of the chlorine gas attacks in their field hospital. In the end, during the further course of the ‘War to end all wars’, an estimated one million soldiers were exposed to these chemical warfare agents, more than a hundred thousand died. In the light of all the misery caused by these chemical weapons during the First World War, it is especially bitter to note that a ban on such weapons had already been seriously considered 16 years earlier. As early as 1899, during the First Peace Conference, a motion was adopted which included a ban on the use of projectiles which were ‘intended to spread asphyxiating or deleterious gases’.

(...)

Every time, humanity was reminded of how perfidious these weapons are and every time the willingness to actually do something to end the production and distribution of such weapons has grown in order to free the world of this scourge. It was the horrifying pictures of the gas attacks on Kurdish civilians in Halabja in 1988, which proved to be the turning point for a final ban on chemical weapons. This month it is 15 years ago that the OPCW opened its doors here on Johan de Wittlaan and who job is to do a magnificent but arduous task.

The threat of chemical weapons is by no means behind us as lethal poison gas is still stockpiled. That is why it is a good thing that the Chemical Weapons Convention exists and that it has been signed and ratified by the great majority of countries. It is because of the men and women at the OPCW that since 1997 the world has become a safer place. Something we can all be grateful for.

The municipality of The Hague wholeheartedly supports the ultimate aim of the Paris Convention and that of the OPCW: a world without chemical weapons. That is why we do everything we can to serve your organisation and



*Mayor Jozias van Aartsen addressing the guests attending the Remembrance Day commemoration at the OPCW Headquarters.*

staff. You know you can always count on us. At the same time the world is counting on you. The threat posed by chemical weapons is as present as ever.

We therefore have to do everything in our power to hold this threat in check. This is a duty not only to ourselves but to the future generations who will also inhabit this planet.

We have a duty to them as well as to all the victims of chemical weapons since those wretched days in Ypres in April 1915.

(...)

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4 [http://www.opcw.org/fileadmin/OPCW/PDF/OPCW\\_herdenking\\_2012\\_engels.pdf](http://www.opcw.org/fileadmin/OPCW/PDF/OPCW_herdenking_2012_engels.pdf)

# UN Secretary-General Ban Ki-moon's Message<sup>5</sup> on the Day of Remembrance



The Day of Remembrance for All Victims of Chemical Warfare is an occasion to mourn those who have suffered from these inhumane arms and to renew our resolve to eradicate them from our world. When we remind the world of the agony inflicted by chemical weapons, we present the most compelling case for permanently outlawing them and establishing and verifying, through the Chemical Weapons Convention, a comprehensive and legally-binding ban.

This year marks the fifteenth anniversary of the entry into force of the Chemical Weapons Convention. Today, with 188 States parties representing 98 per cent of the world's population, the Convention is standing strong. I call on the eight States remaining outside the Convention to join at the earliest possible date. There is no excuse for delays

in ridding our planet of these instruments of suffering and death.

Through strong provisions, the Convention provides an effective international regime to verify the destruction of all chemical weapons stockpiles and to prevent their re-emergence. This will reduce the threat of chemical weapons terrorism and strengthen the work of the United Nations to prevent the use of weapons of mass destruction by terrorists.

The extended deadline for States Parties to complete the destruction of chemical weapons was 29 April 2012. Almost three quarters of all declared stockpiles have been destroyed. I welcome efforts by the Organisation for the Prohibition of Chemical Weapons (OPCW) to ensure that all chemical weapons are destroyed as soon as possible. OPCW is also continuously monitoring the chemical industry in an effort to prevent the re-emergence of chemical weapons. So far, the Organisation has conducted 2200 inspections in 82 countries.

As we welcome the Convention's achievements, we never let the memory of the victims fade. This Day is a time to remember them in the most meaningful way possible: by pledging to ensure that future generations never endure the scourge that these human beings suffered.

<sup>5</sup> <http://www.un.org/News/Press/docs/2012/sgsm14250.doc.htm>

## OPCW Meeting of Experts on Chemical Safety and Security

*7-8 June 2012, The Hague, the Netherlands*

As a follow-up to the OPCW Conference on International Co-operation and Chemical Safety and Security in September 2011, the OPCW hosted a two-day Expert Meeting on Chemical Safety and Security on 7-8 June 2012.

Twenty diverse and highly experienced professionals from academia, industry, and government were invited to share their views on chemical safety and security and the most suitable role for the Organisation in these areas. This meeting provided a unique platform for discussion and brainstorming in an informal setting, and to consider how best to build on and advance the OPCW's current work in this field.

Some of the salient topics discussed included: Promot-

ing 'best or good' practices in the field of chemical safety and security; identification of needs of States Parties; ongoing international initiatives in chemical safety and security and possibilities to build partnerships with international organisations and the chemical industry in this regard; the potential role of the OPCW in the development and promotion of global chemical security and safety culture; and how to best leverage on the Organisation's extensive network of National Authorities and stakeholder relations to benefit activities in chemical safety and security.

During the meeting, representatives of the Technical Secretariat provided an overview on past and current

OPCW programmes in chemical safety and security; training opportunities in emergency response; as well as initial thoughts on a potential future role for the Organisation. In separate break-out groups with a focus on safety and security, respectively, experts also discussed key issues, the current landscape and the potential OPCW role in these two subject areas.

The group of experts further explored specific themes in chemical safety and security in panel discussion format – the role of the OPCW in promoting “good or best practices” as well as the potential for capacity-building and advice to States Parties. Experts considered opportunities and challenges in these fields, in particular the need to closely collaborate with other international organisations active in these areas as well as the chemical industry. It was also pointed out that policy and programming should be based on the identification of States Parties’ needs.

The exchanges among experts on the various aspects of the potential role of the OPCW in chemical safety



*OPCW Director-General addresses the experts on chemical safety and security*

and security were rich and fruitful and brought forth valuable ideas and insights into the OPCW’s potential role in chemical safety and security. The experts took note of the OPCW’s relevant knowledge and expertise as well as existing unique mechanisms, such as the network of National Authorities and the chemical industry.

The OPCW Director-General in his address to the 69th Session of the Executive Council noted the importance of the meeting of experts whose views and experiences provided the contours for an OPCW role in the field of chemical safety and security. In underlining the importance of this area, The Director-General stated that “the Organisation must remain responsive to both current and future threats”. Placing the meeting in context, he said that, “these efforts provide substance to the decisions adopted by the Conference of the States Parties last year in the context of enhancing the implementation of Article XI of the Convention”.



*Participants of the Expert Meeting held at the OPCW headquarters*

## FEATURE ARTICLES

# National Implementing Legislation for the CWC

*By Angela Woodward<sup>i</sup>*

Article VII of the 1993 Chemical Weapons Convention (CWC) obliges States Parties to take necessary measures to give effect to the Convention, in accordance with their constitutional processes, within their national jurisdiction and to their citizens abroad. These national measures are a powerful tool in preventing and punishing the proliferation of chemical weapons, as long as they are comprehensive, effective and enforced. Challenges remain in ensuring that all States Parties fulfil their Article VII obligations and in improving transparency over the status and effectiveness of national measures adopted. However, substantial progress has been achieved since the

Convention entered into force 15 years ago. The OPCW’s legislative assistance tools and procedures have proved to be useful models for other regimes when considering how to improve national implementation rates.

**National measures required:** CWC States Parties need to adopt a wide range of national measures to give effect to the Convention, including legislation, subsidiary legislation (regulations) as well as administrative and other measures. While existing legislation may give effect to certain Convention obligations, such as the prohibition on chemical weapons use, the Convention’s obligations

are complex, consequently States Parties will require specific and detailed measures.

Such measures include legislation to establish and task a National Authority to oversee national implementation and enforcement; penal legislation providing offences and penalties for breaches of the Article I prohibitions; and laws to facilitate the State's participation in the Convention's verification system. Other laws and regulations are necessary to establish and regulate a transfer control system concerning Schedule 1, 2 and 3 chemicals, to regulate the production and use of such chemicals, and to safely destroy chemical weapons stockpiles and to convert any chemical weapons production facilities to peaceful uses. The form and content of any administrative and other measures will depend on the State's legal system and the extent to which obligations have been addressed through laws and regulations.

**Progress:** It can be derived from recent public OPCW reports that the rate of legislative adoption remains below the ambitious expectations outlined in the Plan of Action on national implementation, adopted at the Eighth Session of the CSP in 2003:<sup>ii</sup> a decision<sup>iii</sup> taken at the Fourteenth Session of the Conference of States Parties (CSP) in 2009 noted that a "sizeable number" of States Parties were yet to adopt measures required under Article VII, while recognizing that this is due to the need for assistance and technical support for national implementation. This "sizeable number" would appear to be at least 53% of States Parties, 100 out of 188, as the OPCW website states simply that 88 States Parties have legislation covering all key areas.<sup>iv</sup>

Interestingly, one helpful source of information on UN Member States' chemical weapons-related legislation indicates that the rate of legislative adoption concerning chemical weapons prohibitions is generally higher than for related obligations concerning biological and nuclear weapons and related materials. The most recent of these UNSCR 1540 Committee reports<sup>v</sup> also indicates that fewer States have national measures to account for, secure and physically protect chemicals and dual-use materials than for nuclear materials, although this data includes CWC non-States Parties which only incurred such obligations through UNSCR 1540 in 2004.

In terms of examining the comprehensiveness and effectiveness of legislation adopted, such opportunities usually arise when enforcement actions are brought or when activities which may constitute a breach of the Convention are reported in the media, at which point any legislative deficiencies may hinder or preclude a successful prosecution.

**Challenges:** The OPCW's annual reports mentions, that many States Parties still require assistance to fulfil their Article VII obligations. The OPCW's Implementation Support Branch and Office of the Legal Adviser have proactively developed helpful tools and activities to assist

States Parties to fulfil their implementation obligations and, on request, respond to their specific assistance needs (as an indication of their utility, all of these activities have been replicated in the biological weapons regime). Overcoming such challenges is usually a matter of allocating adequate resources, as States rarely avoid legislative obligations on matters of principle having agreed to adhere to a Convention.

However, more serious challenges to Article VII implementation – and CWC compliance – relate to varying interpretations of the Convention's prohibitions between States Parties. 'Constructive ambiguities' in the language developed during treaty negotiations can, if not resolved, lead to a gulf between States Parties' modes of implementing a convention. Undoubtedly, the issue of whether the law enforcement, including domestic riot control, exemption to the prohibitions on the use of chemical agents is limited to the use of riot control agents or whether it extends to other toxic chemicals (and if so, what, if any, limits are applicable) is a significant challenge to the tenets of the Chemical Weapons Convention. To date, States Parties have proved averse to settling this perceived ambiguity.

A further challenge to ensuring effective Article VII implementation is the reality that it is an ongoing task. States Parties need to continually review and assess the appropriateness and effectiveness of their national measures and make adjustments as necessary, particularly in light of recommendations and decisions emanating from the Executive Council and the conferences of the States Parties.

**Conclusion:** The OPCW has made remarkable progress in supporting States Parties' adoption of CWC national implementing legislation over the last 15 years, especially compared with related regimes concerning biological and nuclear weapons and materials. However, a "sizeable number" of States Parties still lack measures to implement core obligations under the Convention and transparency concerning the status and comprehensiveness of national measures could be improved. More political will and resources are required to ensure that Article VII is fully complied with and it will enable the object and purpose of the Convention to be realised, although differing treaty interpretations remain a challenge to the goal of a chemical weapons-free world.

i Angela Woodward is Programme Director, National Implementation Measures Programme, at the Verification Research, Training and Information Centre (VERTIC) in the United Kingdom. She is an international lawyer specialising in arms control and disarmament law, policy and verification.

ii Decision, Plan of Action Regarding the Implementation of Article VII Obligations, C-8/DEC.16, 24 October 2003.

iii Decision on National Implementation Measures of Article VII Obligations, C-14/DEC.12, 4 December 2009.

iv "National implementation of the Chemical Weapons Convention", undated, <http://www.opcw.org/our-work/national-implementation/>.

v Report of the Committee established pursuant to Security Council resolution 1540 (2004), S/2011/579, 14 September 2011.

# Towards a Successful Third Review Conference

By John Hart (SIPRI)\*<sup>1</sup>

Planning documents and policy statements -- including extensive lists of principles, objectives and options -- are 'entering the pipeline' as preparations get underway for the Third Review Conference to the 1993 Chemical Weapons Convention (CWC). This short essay attempts to identify several themes under the overarching question of what constitutes a 'successful outcome' and suggests a possible approach for the identification and preparation of draft decisions.

Criteria for a successful outcome might include:

1. To do no harm to the regime (e.g., in terms of not undermining institutional expertise and memory, and ensuring that the legal norm against chemical warfare is not undermined);
2. Well-managed preparations (such as through the holding of constructive meetings and consultations among relevant actors, and the timely availability of relevant documents); and
3. To ensure a Review Conference outcome that maintains and strengthens the relevance of the regime, including the broader public and government communities.

It is important that the States Parties remain focused on the object and purpose of the CWC. The danger of inertia resulting from following the path of least resistance with respect to the drafting and approval of Review Conference decisions also needs to be avoided. A high degree of detailed planning, by those responsible for preparing for the Conference, is therefore critical. A clear understanding of expectations and preferred outcomes needs to be established as early in the planning process as possible. Compromise on non-core elements may perhaps be best left until the final lead-in to the Conference itself. The extent to which Review Conference officials (e.g., the Chair, Committee Chairs, Friends-of-the-Chair) will be able to manage this process will inevitably depend on the willingness of the States Parties to cooperate fully during the planning stage. Ideally, the key decisions need to be identified and broadly agreed on before the start of the Conference. Without such prior understanding consensus becomes difficult.

In 2011 a special advisory panel to the OPCW's Director-General submitted its final report after reviewing the implementation of the CWC which focuses on how the treaty's activities should be structured following the destruction of chemical weapon stockpiles. The Director-General, together with the States Parties and the Executive Council (EC), are considering the report and its recommendations in the lead-up to the Third Review Conference.

One possible approach to the identification and preparation of draft Review Conference decisions would be to evaluate the 45 instances of bolded text contained in the report. This text presents a range and balance of implementation issues that have been flagged as being especially relevant to the treaty's future success. Some are administrative in nature (e.g., on the desirability of a 2-year budget cycle).<sup>2</sup> Some are process-oriented (e.g., the rendering of technical assistance by the Technical Secretariat to the States Parties). Still other texts underline the importance of the further consideration and development of verification concepts in view of an evolving international security environment, including the role of open source information to enhance verification<sup>3</sup> and the modalities for the periodic assessment of the Annex on Chemicals.<sup>4</sup>

Thus a good basis for consultation in the lead-up to the Review Conference would be for the States Parties and relevant officials to develop draft decisions that directly address the implementation of the points referenced in the bolded text. The States Parties could thereby consider further what their preferred 'wish lists' should be. To do so would help to avoid a more proforma process that often leads to inertia. Those responsible for managing the Review Conference preparation process could informally sound out capitals, regional caucuses and other relevant actors on these issues. Shortened options language that enjoy broad geographical support could then be developed during the discussions prior to the commencement of the conference.

The Review Conference outcome would ideally also take into account the report's observations that 'the borders between war, civil war, large-scale violations of human rights, revolutions and uprisings, insurgencies and terrorism...[and]...organized crime are blurred',<sup>5</sup> as well as the implications for the CWC regime of the presence in armed conflict of 'paramilitary groups, warlords and their militias and volunteers, mercenaries and private military companies, terrorists and criminal groups'.<sup>6</sup>

An effort should also be made to draft a text that more closely resembles the standard dictionary definition of a 'decision' (as opposed to de facto recommendations). Decisions need to substantively address the lack of consistency in implementation practice, as well as streamline and strengthen administrative and process-oriented aspects of treaty implementation. Taken as a whole, the decisions should indicate the future nature of the regime following the essential end of destruction of stockpiled chemical weapons.

In the view of this author, two important questions connected to the consideration of how to maintain and strengthen the regime include:

1. Whether the development and use of a new set of incapacitants might undermine the treaty's prohibitions; and
2. The response to allegations of 'use of chemical weapons' that may be brought to the attention of the Technical Secretariat by a State Party may be more transparent in the reporting mechanism for raising awareness in the public domain on the dangers of such weapons.

This set of issues requires continuous serious consideration and consultation within appropriate political and technical fora, as well as at the margins of meetings. Such a process would also help to reinforce the importance of the object and purpose of the treaty in general.

The Review Conference should ideally consider and adopt a set of decisions that are balanced in terms of

scope, focus and operational utility. Finally, taken in their entirety, the decisions should indicate a broader vision for how the regime should operate in coming years.

- 1 \*The author is a senior researcher at SIPRI. The views expressed are the author's and do not necessarily reflect those of SIPRI. See 'Note by the Director-General, report of the advisory panel on future priorities of the Organisation for the Prohibition of Chemical Weapons', OPCW doc. S/951/2011, 25 July 2011, paras. 115-118, p. 28.
- 3 See 'Note by the Director-General, report of the advisory panel on future priorities of the Organisation for the Prohibition of Chemical Weapons', OPCW doc. S/951/2011, 25 July 2011, para. 52, p. 13.
- 4 See 'Note by the Director-General, report of the advisory panel on future priorities of the Organisation for the Prohibition of Chemical Weapons', OPCW doc. S/951/2011, 25 July 2011, para. 11, p. 13.
- 5 'Note by the Director-General, report of the advisory panel on future priorities of the Organisation for the Prohibition of Chemical Weapons', OPCW doc. S/951/2011, 25 July 2011, para. 11, p. 5.
- 6 'Note by the Director-General, report of the advisory panel on future priorities of the Organisation for the Prohibition of Chemical Weapons', OPCW doc. S/951/2011, 25 July 2011, para. 11, p. 5.

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## Future Governance of the CWC

By Jean Pascal Zanders<sup>1</sup>

The Chemical Weapons Convention (CWC) is a *disarmament treaty*. It calls for the total elimination of all chemical weapons (CW) and related equipment and installations. It thereby removes the weaponry from military doctrine: never under any circumstances can a party to the CWC rearm itself with CW, which includes during time of war, use or threats of use of CW by another state, or purposes such as deterrence. From this it follows that 'disarmament' has two dimensions: a backward-looking and a forward-looking one. On the eve of the Third Review Conference, the original expectation had been that first dimension – weapon elimination – would have been achieved by April 2012 and that the Organisation for the Prohibition of Chemical Weapons (OPCW) could shift most of its resources to the second dimension, the prevention of future armament.

In the light of the emphasis given to weapon elimination since entry into force, the strict destruction deadlines came to imply a rather swift shift to other implementation dimensions in 2012. However, a variety of political-technical and fiscal issues in the United States and Russia have pushed final destruction operations back for another decade at least. While one could view this as a major setback affecting the CWC's integrity, it also offers opportunities for designing a gradual transition to armament prevention. This transition will have to exceed mere budget reallocations and changes in staffing levels and

inspector profiles in the Technical Secretariat of the OPCW. Indeed, scientific advances, the ways in which industrial production and scientific research have evolved, the advancement of developing countries to industrial status since the CWC's negotiation, and the emergence of a competitive, polycentric global system instead of the bi- and multipolar world orders of the past decades all point to the need for a more sophisticated governance model.

### The OPCW in a changing global system

The CWC governs interstate relationships. The OPCW is purely intergovernmental. Three major sets of processes permanently shape the context in which CWC must function: science and technology, economy and trade, and security (see chart). The interactions in each of those domains are increasingly transnational and driven by economic actors other than states. In addition, they mutually influence each other and thereby push each other forward. Thus, for example, progress in science and technological innovation yield new products and processes, which can be commercialised and marketed. Market demands, in turn, steer investments in research and development activities. Security concerns evolve with the deployment of new types of weaponry and increased access to them and their underlying technologies as a consequence of the natural diffusion of innovation, the arms trade and other proliferation dynamics. Threats require



countermeasures, which generate their own market demands and so on.

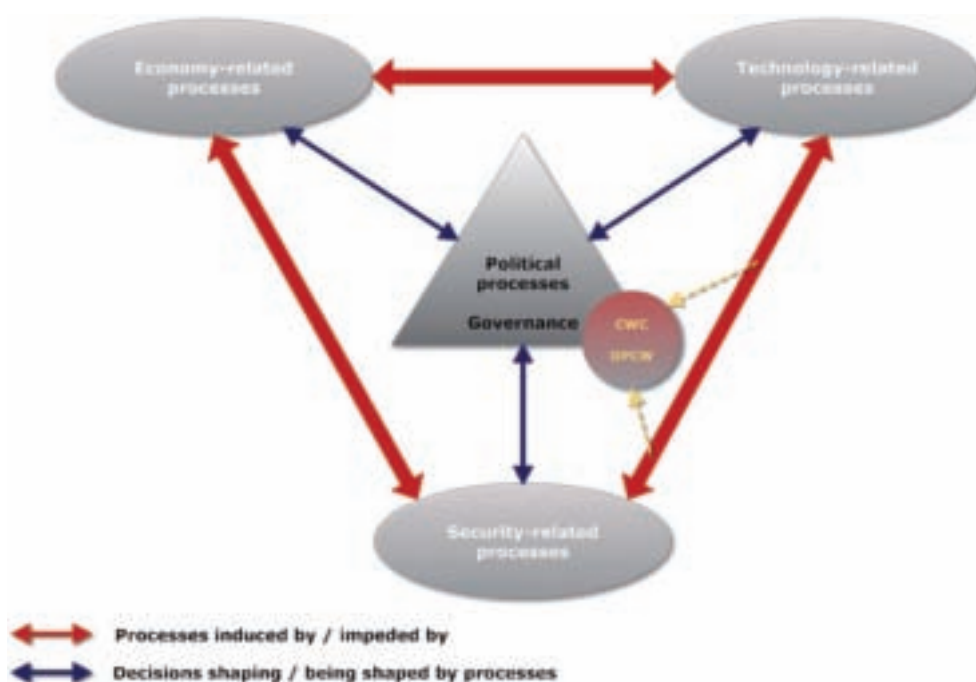
In the post-Cold War era, states are less able and, for reasons of economic competitiveness, less inclined to impose a security imperative on trade. They do not control the processes as much as they previously could during much of the 20th century. At best they can steer them, for example, through the development of non-proliferation policies and other types of regulations establishing basic standards for the quality and integrity of products and processes (including international trade), and use fiscal policies to steer innovation and investments in socially preferred directions. If governments undergo these processes, then the opportunities for the CWC to have an impact on them is arguably even more remote. Discussions internal to the OPCW respond to challenges thrown up by technology- and security-related processes. The quality of their outcome over time, will determine the Convention's enduring relevancy.

Why will the processes sketched out below have a more pronounced impact on the CWC in future? The answer is the implementation of Articles VI and XI: the organisation of the trade in toxic chemicals for non-prohibited purposes and international cooperation in the peaceful application of chemistry. Much of the debate thus far has evolved in the nexus between promotion and regulation. Few people will argue that the Convention is well equipped for the verification of the trade in chemicals, a matter that requires operationalisation of the general purpose criterion and new reporting and monitoring tools. In addition, a different type of verification staff and inspectors will be required. The current tendency, reinforced by the global fiscal crisis, is to cut costs, making it in the short run less probable that people currently overseeing CW destruction operations will be replaced by verification staff with

expertise more in line with future treaty demands. If this disposition were to persist, then the OPCW will have to investigate and develop alternatives to assure its members of compliance. Presently, two major strategies appear viable.

First, the CWC verification system functions on both the international and national levels represented by the Technical Secretariat and the National Authorities respectively. Although each level has its own sets of tasks and instruments, they are interconnected and mutually reinforcing. If the Technical Secretariat will have reduced capacity, then it naturally follows that a greater burden of the monitoring of CWC-relevant trade and other forms of technology transfers will fall on the National Authority. This modification will require different reporting modalities as well as different communication patterns, perhaps with a greater emphasis on interactions between the National Authorities of the trading partners. However, the question is whether all National Authorities will have the capacity to assume such new responsibilities effectively. While implementation assistance programmes could address expertise, limited personnel and financial resources within certain States Parties could prove a far greater obstacle. Furthermore, the current transfer control mechanisms of the CWC (Article VI and corresponding passages in the Verification Annex) may have to be upgraded if States Parties are to assume greater responsibility for compliance oversight. A thorough cost-benefit analysis of both options – reconfiguration of the Technical Secretariat or re-calibration of the division of labour between the Technical Secretariat and the National Authorities – may be required in the short run.

Second, the OPCW forges dense links with stakeholders in industry, the scientific community and other civil society constituencies, as well as international organisations



(e.g., World Trade Organisation, the World Customs Organisation, etc.) to create a future governance model consisting of multiple layers of interconnected networks. It works horizontally (e.g., between states, professional associations, international organisations) and vertically between different actor levels based on the common interest expressed through the core norm in the CWC. Such interaction, which would enable the OPCW to systematically acquire and absorb input from broader society as to the CWC's future direction, may offer practical and cost-effective governance models to promote and oversee trade and technology transfers for legitimate purposes.

Both strategies are not mutually exclusive. Quite on the contrary, they can be integrated in different ways.

#### Future goal

A key consideration is that while the CWC as a legal instrument is of unlimited duration, as a human construct it is not perpetual. If the States Parties just focus on the

norm, but fail to update the processes by which they – together or individually – can have a high degree of confidence in its implementation and application, then the treaty will inevitably become obsolete or irrelevant. The Convention exerts effects on different levels, including security, domestic politics, international cooperation, trade, development, and so on. Each level has states parties expressing specific domestic or international interests. Each level also has different sets of stakeholders. If the OPCW will undertake the task of worldwide social shaping of preferences about treaty-relevant technologies and their application, then it must harness the capacities of all partners concerned in shaping its own future.

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## Cooperation between OPCW and IUPAC – A Natural Partnership in a Chemical World

By Leiv K. Sydnes<sup>1</sup>

**OPCW and the International Union of Pure and Applied Chemistry (IUPAC) have been collaborating for more than a decade. Their cooperation has mainly focused on developments in chemistry and the relevance of chemical technology to the Chemical Weapons Convention (CWC). Other topics have been added to the agenda as well.**

The first formal contact between the two organisations was in 2001 when IUPAC was invited to take on the responsibility for working out a technical report on the impact of scientific developments on the Chemical Weapons Convention (CWC) in preparation of the First Review Conference held in The Hague in April and May 2003. The invitation was welcomed by IUPAC because IUPAC, was (and still is) an independent, non-governmental, international organisation devoted to chemistry and the chemical sciences and their applications in both research and industry.

IUPAC accepted the offer and an international group of specialists, covering relevant fields of chemistry, chemical engineering, and industrial chemistry, was appointed to do the work. Through a workshop in Bergen, Norway, the backbone of a report evaluating the scientific and technological advances that had taken place since

1993 and what might have an impact on the implementation of the CWC, was worked out, and through subsequent electronic communication the report requested by OPCW was finalised and delivered on time. The document was widely distributed within OPCW and among the members of the Scientific Advisory Board (SAB). It was also published in *Pure and Applied Chemistry*, IUPAC's own scientific journal, and as a final element in the dissemination, the report was presented at the Open Forum during the First Review Conference of the CWC on 1 May 2003. Based on a number of reactions IUPAC was left with the impression that the document was found useful and fulfilled its purpose. For instance, in several plenary sessions delegates referred to scientific and technical issues and it was quite rewarding to hear Ambassador Pricilla Jana from South Africa expressing satisfaction with the "report of IUPAC on the impact of scientific developments on the Chemical Weapons Convention".

Within OPCW the IUPAC report was studied more thoroughly than expected and it did not take long before a project proposal outside the technical field emerged. The idea was basically put forward by the then Director-General, Ambassador Rogelio Pfrirer, who in a letter to the SAB noted that "OPCW needs to clearly establish what it

requires in the field of education, outreach, and international cooperation [... and these] activities would benefit from increased cooperation with other international, regional, and national organisations." IUPAC responded very positively to this proposal, and this led to a joint OPCW/IUPAC workshop in Oxford, England in July 2005. A range of topics were discussed: How to increase the awareness of the CWC in the scientific community, facilitate the integration of issues related to the Convention into chemistry teaching, and promote professional conduct of chemists and chemical engineers. Fruitful sessions and lively discussions generated significant ideas (see *Pure and Applied Chemistry* **2006**, 74, 2169), and one idea that was adopted swiftly was the push for a code of conduct.

The need to develop a code of conduct for chemists was not a new idea within IUPAC. A group under the leadership of Grahman S. Pearson had in fact started discussions prior to the Oxford meeting and they acknowledged the need to further strengthen and consider several chemical-weapons related issues, such as the general purpose criterion and the dual use of chemicals. From an IUPAC point of view it was important to carry out the work as a whole organisation and engage the member countries before a proposal, in due course, would be presented. Such a process was carried out by the Pearson group and the resulting document was sent to the IUPAC executive. The process and the recommendations are described in an article in *Chemistry International* (see *CI* **2011**, 33 (6), 7).

As the work on the code of conduct was making progress it was time for OPCW to start the preparation of the Second Review Conference of the CWC. Again IUPAC was approached and accepted the invitation to take the responsibility for working out a report on the impact of developments in chemistry and chemical technology on the CWC. This time Zagreb, Croatia was picked as the venue, but the meeting took place following the Bergen formula which had proved to work well and give the outcome requested by OPCW. The resulting report was structured much like the first, and it is interesting to see that the key issues in the first report, viz. 1) technical challenges to the Convention, 2) advances in analytical techniques, 3) the technical capabilities of the Secretariat, and 4) challenges in education and outreach, were the main themes in the 2007 report as well. It is fair to say that the report was well received and appeared to play a useful role in the second revision of the Convention.

After 2008 there has been regular contact between the two organisations regarding various issues, of which

two, both being developed during United Nation's 2011 International Year of Chemistry (IYC), should be mentioned. The first is the Conference on International Cooperation and Chemical Safety and Security, which was OPCW's contribution to the celebration of the IYC 2011, which was planned jointly with IUPAC. This conference clearly showed that international collaboration between many parties is required if the challenges in this area are going to be met in a productive fashion. For the IUPAC it was rewarding to see that contributions from the Union are regarded as an important part of the cooperative framework.

The other issue is the preparation of the third revision of the CWC which will take place in April 2013. Again the OPCW selected IUPAC and the US National Academies as partners in this work. The preparations commenced with a three-day workshop, following the Bergen format, at Spiez Laboratories, Spiez, Switzerland.

The IUPAC event in Spiez was attended by some 80 participants from 29 countries who analysed the scientific developments in chemistry and chemical technology over the past five years to find areas and trends with (potential) impact on the CWC. Overall, the general conclusion from the workshop is that the main challenges basically remain the same as in 2002 and 2007, but the nature of the challenges has changed because the science and technology relevant to the Convention have been advancing at a very rapid pace. However, the final report from the workshop shows the development since the last revision has been evolutionary rather than revolutionary.

That being said, three facts have to be acknowledged: 1) the convergence of chemistry and biology has continued and can bring about an increased risk potential which might represent a challenge to the current verification systems; 2) significant progress in organic synthesis has made production of toxic agents easier; and 3) the development of new production equipment, such as microreactors which were just over the horizon five years ago, has made it easier to produce chemical weapons without being caught. These facts require focus on chemical safety and security beyond today's level, and here both OPCW and IUPAC have important roles to play on the basis of their competences. A close cooperation between the two organisations in the future is therefore not only desirable, but necessary.

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# The Convergence of Chemistry and Biology: Implications for the CWC

By Robert J. Mathews<sup>1</sup>

In recent years, the scientific community associated with the Chemical Weapons Convention (CWC) has become increasingly interested in the implications of the rapid advances in the life sciences, including the convergence of biology and chemistry.

A number of different issues are included under the general umbrella term of 'convergence' including: the increasing use of biologically mediated processes (catalysts, naturally occurring organisms and genetically modified organisms) for the production of chemicals (biosynthesis); the more recent development of the chemical synthesis of replicating organisms (which has taken place with small viruses so far); and recombinant DNA technology that allows replacement of the original genome in bacterial cells with synthetically produced genomes, to produce bacteria with new capabilities (synthetic biology).

The implications of the convergence of chemistry and biology were considered at the workshop co-hosted by the International Union of Pure and Applied Chemistry (IUPAC) and the Organisation for the Prohibition of Chemical Weapons (OPCW) and in Zagreb in 2007<sup>2</sup> in advance of the 2nd CWC Review Conference held in 2008. These implications were discussed again at the IUPAC/OPCW meeting in February 2012 in Spiez, which also considered more recent developments in Science and Technology (S&T) in advance of the 3rd CWC Review Conference, to be convened in April 2013.

The convergence of chemistry and biology was also one of the scientific and technological developments highlighted in the international workshop, *Trends in Science and Technology Relevant to the Biological Weapons Convention (BWC)*, held in Beijing in November 2010. The Beijing Report highlighted the diffusion of research capacity and knowledge, and the growing numbers of international collaborations in S&T, as well as the increasing integration and convergence of multiple scientific disciplines, including chemistry and biology.<sup>3</sup>

These advances promise many benefits to humankind, including more efficient food production, improvements to medicines and to health care, the generation of renewable energy sources, and the enhancement of pollution management. There are also many potential benefits of the convergence of chemistry and biology (and related aspects of nanotechnology) for the CWC, including developments in detection of toxic chemicals including toxins (biosensors), medical countermeasures, decontamination, and laboratory analysis and identification techniques, including bio-forensics.

The convergence of chemistry and biology has potential implications in the areas of overlap between the CWC and BWC that result from the fact that certain classes of toxic chemicals, including toxins and bioregulators, are covered by the scope of both Treaties. As noted in the Beijing Report, as the life sciences continue to advance rapidly, this 'mid-spectrum' area of overlap between the BWC and CWC may continue to expand in several ways, including the possibility of more molecules being discovered that fall within the mid-spectrum, the possibility of the production of toxins and bioregulators in quantities that may be suitable for large scale use for hostile purposes, and more feasible delivery systems for these types of chemicals.<sup>4</sup>

A number of articles published about the implications of the rapid advances in life sciences for the CWC and BWC have tended to discuss the potential future implications from a theoretical perspective, and there appears to be limited information available as to what is realistically possible to achieve with the current state of development of science and technology. This led to the view by the Director-General of the OPCW (Ambassador Ahmet Üzümcü) that the convergence of chemistry and biology warrants further study at the practical level, and that additional advice should be sought, including from stakeholders in industry and academia.<sup>5</sup>

To this end, the OPCW recently convened the first meeting of a new Temporary Working Group (TWG) on the convergence of chemistry and biology, which had been requested to examine what this convergence means in practical terms to the OPCW. Participants at the meeting included experts from the life sciences and the biotechnological industry. The group discussed advances in the life sciences, the extent of biologically-mediated synthesis of chemicals, the application of chemical DNA synthesis for the production of toxins, bio-regulators and peptides, and other aspects of convergence relevant to the CWC.<sup>6</sup>

The TWG concluded that there has been a recent trend towards the commercial production of an increasing number of chemicals using biological processes, and that the capacity for the synthesis/production of toxins, bio-regulators and peptides is rapidly evolving and is being driven by advances in systems and synthetic biology. The group recommended the continued monitoring of these developments, including through surveys and technical feasibility analysis. To achieve these objectives, the group recommended the establishment of a structured process to continue monitoring the convergence of chemistry and biology, including, for example, by convening meetings of experts in chemistry and biol-

ogy, including through the CWC and BWC meeting processes.

The TWG recommendation of convening meetings of experts in chemistry and biology, including through the CWC and BWC meeting processes, accords with the report of the Advisory Panel convened in 2011 by the OPCW, which notes that the convergence between chemistry and biology calls for closer interaction in the implementation of the CWC and BWC, including through exchanges of experience and joint technical reviews.<sup>7</sup>

While welcoming the outcomes and recommendations of the TWG, the Director-General noted that at its first meeting, the TWG focused primarily on issues relating to production. The Director-General acknowledged the value of this and requested the group to continue to pay attention to this aspect. However, the Director-General also requested that at future meetings, the TWG also address other related issues, particularly those concerning the potential benefits to the Convention of the convergence of chemistry and biology.<sup>8</sup>

The TWG has taken note of the request by the Director-General and is currently adjusting its Terms of Reference and Agenda accordingly as it prepares for its second meeting, currently scheduled for September 2012.

1 Robert Mathews is Head of the NBC Arms Control Unit at the Defence Science and Technology Organisation (Australia) and is an

Associate Professor at the Asia-Pacific Centre for Military Law at the University of Melbourne. He has been involved with the CWC since the mid-1980s. He was a member of the OPCW Scientific Advisory Board from 2005 until 2011, and he chaired the first meeting of the OPCW Temporary Working Group on the Convergence of Chemistry and Biology, which was convened in November 2011. The views expressed in this article do not necessarily represent the views of the Australian Government or any other entity.

- 2 M Balali-Mood et al, Impact of Scientific Developments on the Chemical Weapons Convention, (IUPAC Technical Report), Pure Appl. Chem., Vol. 80, No.1, pp.175-200 (2008).
- 3 National Research Council, Life Sciences and Related Fields: Trends Relevant to the Biological Weapons Convention, National Academies Press, 2011, pp. 81-92.
- 4 National Research Council, Life Sciences and Related Fields: Trends Relevant to the Biological Weapons Convention, National Academies Press, 2011, pp. 88-90.
- 5 Note by the Director-General, Report of the Scientific Advisory Board on Developments in Science and Technology, OPCW-RC-2/DG.1 (28 February 2008), Paragraph 2.6.
- 6 Report of the First Meeting of the SAB Temporary Working Group on the Convergence of Biology and Chemistry, The Hague, The Netherlands (15-16 November 2011), Annex 2 to Report of the Seventeenth Session of the Scientific Advisory Board, SAB-17/1 (23 November 2011).
- 7 OPCW, Report of the Advisory Panel on Future Priorities of the Organisation for the Prohibition of Chemical Weapons, Office of the Director-General, S/951/2011, p.20.
- 8 Note by the Director-General, Response to the Report of the Seventeenth Session of the Scientific Advisory Board, EC-67/DG.11 (9 February 2012), paragraph 10.

## POLICY MAKING ORGANS

# Preparations Begin for Third Review Conference

The Open Ended Working Group (OEWG) in preparation of the Third Review Conference of the States Parties of the Chemical Weapons Convention to review the operation of the Convention held its first meeting on 7 June 2012. The Review Conference will be held from 8 to 19 April 2013 in The Hague.

The Review Conferences of the States Parties are held every five years and the Second Conference was held in 2008. At its 68th Session in May 2012, the OPCW Executive Council appointed an Open Ended Working Group (OEWG) with a Bureau comprising representatives from five geographic regional groups. H.E Nassima Baghli of Algeria (African Group) was appointed to lead the Bureau as the Chairperson and H.E. Mrs Mary Whelan of Ireland (WEOG\*), H.E. Mr Kazem Gharib of the Islamic Republic of Iran (Asia Group), H.E. Mr Roman Kolodkin of the Russian Federation (Eastern European Group),

and H.E. Mr Alvaro Moerzinger of Uruguay (GRULAC\*\*) were appointed as Vice Chairs.

The OEWG will address all issues related to the agenda for the Conference and status of its final documents. The Group's deliberations and proceedings will be guided by the principles of consensus and broad participation of the States Parties.

In its first substantive meeting the OEWG focused on the status of implementation of universality of the Chemical Weapons Convention. The OPCW currently has 188 Member States with eight countries that are yet to join, including Angola, Egypt, Israel, Myanmar, North Korea, Somalia, South Sudan and Syria.

\* Western Europe and Other States Group

\*\* Group of Latin American and Caribbean States

# Official Visits

## BELGIUM

15 March 2012

The OPCW Director-General, Ambassador Ahmet Üzümcü, delivered a speech to the Belgium Section of the Royal Society of Chemistry on 15 March 2012.

In his address, the Director-General highlighted the value of the OPCW's interaction with the chemistry community, and of chemistry's contribution to society and the global economy. During a lively question-and-answer session that followed his prepared remarks, the Director-General discussed the future of the Chemical Weapons Convention, the OPCW's management and monitoring of declarations from States Parties, the status of Scheduled chemicals, and other issues.

## MALAYSIA

7-8 May 2012

Director-General Ahmet Üzümcü visited Malaysia on 7 and 8 May 2012 and met the Deputy Minister of Foreign Affairs, Datuk Richard Riot Anak Jaem, and the Secretary General of the Ministry of Foreign Affairs, Tan Sri Mohd Radzi Bin Abdul Rahman. In these meetings he expressed appreciation for Malaysia's strong commitment to the Chemical Weapons Convention (CWC) and support for the work of the OPCW.

During this visit, the Director-General called on Dato' Sri Dr. Haji Ismail Haji Ahmad, Secretary General of the Malaysian Ministry of Defence. The Secretary General briefed the Director General on regional security mechanisms and ASEAN's role in enhancing security in Southeast Asia.

Director-General Üzümcü also met with Datuk Hamidon Ali, Chairman of Malaysia's CWC National Authority; Datuk Dr. Abdul Ghaffar Ramli, Director General of the Science and Technology Research Institute for Defence (STRIDE); and, Dato' Eisah A. Rahman, Senior Director of the Pharmaceutical Services Division. His programme also included visits to the Department of Occupational Safety and Health (DOSH), the National Defence University of Malaysia (NDUM), and the Chemical Industries Council of Malaysia.

While in Malaysia, Director-General Üzümcü also delivered the keynote address during a seminar on the Chemical Weapons Convention and Chemical Safety and Security Management for Member States in the South-east and South Asia region

## UNITED STATES OF AMERICA

16-17 May 2012

OPCW Director-General Ahmet Üzümcü visited the United States of America on 16 and 17 May 2012 for meetings with senior U.S. Government officials in Washington D.C.

and addressed a ceremony marking the completion of chemical weapons destruction activities at seven facilities by the U.S. Army Chemical Weapons Agency (CMA).

At the Department of Defence the Director-General met with Ms Madelyn R. Creedon, the Assistant Secretary for Global Strategic Affairs (GSA) and other senior officials; at the Department of State the Director-General met with Ms Rose Gottemoeller, the Acting Under Secretary for Arms Control and International Security and the Assistant Secretary for Arms Control, Verification and Compliance. In informative exchanges they discussed the major challenges that OPCW faces both today, and in the next few years.

The closing CMA ceremony was held in the Chemical Demilitarisation Training Facility at Aberdeen Proving Ground in nearby Maryland. The event marked the safe destruction of nearly 90% of the chemical weapons declared to the OPCW by the United States, including almost 28,000 tons of blister and nerve agents and associated munitions.

In his remarks, the Director-General recalled his visits to the CMA destruction facilities at Anniston and Tooele, which gave him a better understanding of the human efforts, technical challenges, regulatory constraints and financial expenses involved in these efforts. He commended the "unwavering commitment" of the United States to uphold its obligations under the Chemical Weapons Convention, and the "openness and transparency" it has demonstrated since the Convention's entry into force.

## SCOTLAND

21-22 May 2012

OPCW Director-General Ahmet Üzümcü visited Glasgow on 21 and 22 May 2012 where he attended the 15th and final international Chemical Weapons Demilitarisation (CWD) Conference, hosted by the UK's Defence Science and Technology Laboratory (Dstl).

In his address to the conference, Director-General Üzümcü reported that nearly three-quarters of all declared chemical weapons have now been destroyed under OPCW verification since entry into force of the Chemical Weapons Convention in 1997. Although this fell short of the final extended deadline, he said the decision of the States Parties on this issue fully preserved the integrity of the Convention and that the three concerned Possessor States have submitted detailed plans to the OPCW for destroying their remaining arsenals, together with planned completion dates.

The Director-General also reported that of the 70 former chemical weapons production facilities (CWPFs) that have been declared in total by 13 States Parties, 43 have

been irreversibly destroyed and 21 converted for purposes not prohibited under the Convention. He added that all converted production facilities remain under systematic verification by the OPCW for a 10-year period following conversion to ensure they are fully consistent with the approved conversion requests.

## **LIBYA** **27-28 May 2012**

The Director-General, Ambassador Ahmet Üzümcü, visited Tripoli on 27 and 28 May 2012 where he met the Libyan Foreign Minister, H.E. Ashour Saad Ben Khaial, and the Under Secretary of the Ministry of Foreign Affairs, Dr Muhammad Abdul Aziz.

The meetings were marked by productive discussions on Libya's planning and preparations to complete the destruction of its remaining stockpile of chemical weapons. The Director-General praised the transparency and openness demonstrated by the Libyan Government and welcomed their constructive and cooperative approach.

The Libyan authorities have reaffirmed their commitment to eradicate the remaining stockpiles of chemical weapons in the shortest time possible, and expressed appreciation for the support of the OPCW Technical Secretariat and assistance provided by some OPCW States Parties.

Both sides agreed to continue to coordinate closely on these operations and to work with other OPCW States Parties.

While in Tripoli the Director-General also held meetings with members of Libya's National Authority, and with H.E. Ian Martin, Head of the United Nations Support Mission in Libya.

## **ARGENTINA** **16-20 April 2012**

The OPCW Deputy Director-General, Mrs Grace Asirwatham, delivered the opening address to the first "Advanced Regional Assistance and Protection Course on Chemical Emergency Response" for States Parties in Latin America and the Caribbean that took place from 16 to 20 April 2012 in Buenos Aires. The course was co-organised by the Government of Argentina and the OPCW and has drawn 24 specialised participants from 18 States Parties in the region.

While in Buenos Aires the Deputy Director-General also held meetings with senior Argentinian officials, including the Undersecretary for Foreign Policy, Ambassador María del Carmen Squeff, and members of the CWC National Authority Directorate. She also met with Ingeniero Eduardo Fabre, President of the Centre for Scientific and Technological Research for Defence.

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# Official Visits to the OPCW

## **28 March 2012**

A group of directors, staff and students of Italy's Institute for High Defence Studies (Istituto Alti Studi per la Difesa - IASD) in Rome, led by its President and accompanied by the Italian Embassy, visited the Technical Secretariat on 28 March 2012 for an educational programme on the Chemical Weapons Convention and the OPCW.

The programme included an introductory address by the Director-General, Ambassador Ahmet Üzümcü, and presentations by senior OPCW officials on the Convention's verification regime, national implementation, and chemical safety and security.

## **4 April 2012**

H.E. Mr. Kostyantyn Gryshchenko, Minister of Foreign Affairs of Ukraine, paid an official visit to the OPCW Headquarters on 4 April, 2012 and met with Director-General Üzümcü. Foreign Minister Gryshchenko was accompanied by H.E. Dr Olexander Horin, Permanent Representative of Ukraine to the OPCW, and Mr Oleg Voloshyn, Director-General for Information Policy from the Ministry of Foreign Affairs, among others.

## **18 April 2012**

The President of the Republic of Turkey, H.E. Mr Abdullah Gül, visited the OPCW headquarters in The Hague on 18 April 2012 and was accompanied by the Turkish Minister of European Union Affairs, Mr. Egemen Bagis, and a group of Turkish parliamentarians.

## **1 May 2012**

Russian Deputy Minister of Industry and Trade H.E. Mr Kalamonov met with the OPCW Director-General, Ambassador Ahmet Üzümcü on 1 May 2012.

## **4 May 2012**

H.E. Mr Mohammad Mahdi Akhondzadeh, Deputy Foreign Minister for International and Legal Affairs of Iran, visited the OPCW on 4 May 2012 and met with Director-General Üzümcü and other senior staff.

## **11 June 2012**

The Minister of Foreign Affairs of the Republic of Azerbaijan, H.E. Mr Elmar Mammadyarov, visited the OPCW Technical Secretariat in The Hague for a meeting with Director-General Üzümcü and other senior staff.

# Canada Provides OPCW its Single Largest Ever Donation to Expedite Destruction of Chemical Weapons in Libya

April 2012



Canada has made a voluntary contribution to the OPCW of CAD 6 million (€ 4.53 million) for the Organisation to support the Libyan Government's efforts in resuming and complet-

ing the destruction of its remaining stockpile of chemical weapons.

Canadian Foreign Minister John Baird first announced the offer of assistance in Tripoli last October, when he visited the city shortly before the end of the eight-month conflict which resulted in the fall of the Gaddafi regime. The donation is the largest the OPCW has ever received from a State Party since it was established in 1997.

"This historic donation reflects the spirit of solidarity and mutual aid that has exemplified the OPCW from its beginning, and which is vital to achieve our goal of ridding the world of all chemical weapons," said the OPCW Director-General, Ambassador Ahmet Üzümcü. "I commend the Government of Canada for its generous support, and we look forward to working closely with Libya to eliminate the last of its chemical weapons as soon as possible."

The Libyan authorities, in turn, highly appreciate the support provided by the Government of Canada to Libya in order to achieve its comprehensive programme for the disposal of chemical weapons.

OPCW will use the funds for three main activities: 1) Project management and training of personnel to operate the destruction facility, 2) purchase of equipment and related materials for destroying sulfur mustard agent and chemical weapons munitions stored at the Ruwagha depot, and 3) provision of support services for OPCW on-site inspectors at Ruwagha.

The OPCW will continuously maintain rotating teams of 5-6 inspectors at Ruwagha throughout the destruction process, which OPCW officials expect should be completed for Libya's Category 1 chemical weapons within 6 months after operations resume.

Libya is one of three States Parties, together with the Russian Federation and the United States, that are unable to meet the 29 April 2012 final extended deadline set by the Chemical Weapons Convention for completing the destruction of their declared chemical arsenals. By decision of the Conference of States Parties in December, the three countries must submit detailed destruction plans to the OPCW with completion dates, by no later than the final extended deadline, and are subject to enhanced reporting and verification measures.

A broadcast-quality video release on the Canadian donation, including interview excerpts with the Director-General, can be viewed and downloaded at: <http://www.opcw.org/signing>.



# The Logistics Support for the OPCW Inspections

The Logistics Section as part of the Operations & Planning Branch (OPB)/ Inspectorate Division (INS) is responsible for the logistical support of OPCW inspections. The section is divided over two buildings, the Technical Secretariat in The Hague and the OPCW Laboratory & Equipment Store in Rijswijk, some 16km east of The Hague. OPB Logistics currently comprises the Technical Support & Procurement Cell and the Equipment Store (ES).

The primary task of OPB Logistics is to provide the OPCW Inspection Teams and other sections of the Technical Secretariat with inspection equipment, the maintenance/calibration of this equipment and material support that is required for their missions and operations, according to the Chemical Weapons Convention (CWC). More than 320 missions were supported in 2011, with equipment weight varying from 2kg to 5 tons, and mode of transportation was arranged accordingly.

Furthermore, the Logistics Section is responsible for the provision of technical expertise and market research on the development of new technologies, as well as the

planning and implementation of a five year replacement plan for inspection equipment. It also prepares the documentation for the notifications of inspection equipment to the OPCW States Parties and conducts inspection equipment familiarisation exercises with OPCW States Parties. This results in approximately 140 procurement cases for goods and services per year with a budget of € 790.000.



*Equipment Store in Rijswijk*

The Equipment Store in Rijswijk provides reliable accessibility and acts as the Organisation's portal for the transportation of freight. It has a storage capacity of over 800 m<sup>2</sup>, holding more than 1.100 pieces of inspection equipment and 260.000 consumables. Additionally, Rijswijk provides a safe area for storage, maintenance and issuing of inspection equipment to end-users (mostly inspectors).

Before inspection equipment can be handed over to the end-users it has to be checked and tested on its reliability. These checks and tests, together with the preparation of the necessary documentation, needed for the Dutch Customs Authorities and for the National Authorities of the respective State Party, as well as the handling of dangerous goods, are performed by one of the eight highly qualified and trained Equipment Specialists working within OPB Logistics.

Upon its return from a mission, the equipment is again checked, tested, replenished and provided with the correct documentation. After these activities, the equipment will be returned to its original storage location unless repair or calibration is needed, then the equipment will be handed in for maintenance. All these activities are a daily routine for the Equipment Specialists.

Some of this equipment is highly sophisticated and consists of detectors for Chemical Warfare Agents (CWA), Sample & Analysis equipment, Non Destructive Evalua-



*Dutch Customs Authorities*

tion (NDE) equipment and a wide variety of medical supplies and personal protective equipment need special care and storage environments.

With their knowledge and expertise, the Logistics Section staff members are also involved in OPCW training activities that are conducted by the Inspectorate's Training Cell. Furthermore, there is a close cooperation with the Labo-

ratory of the OPCW's Verification Division in preparation of Sample & Analysis equipment for inspections to be conducted.

The slogan of the Logistics Section is "keeping the cogs turning" to provide the necessary logistics mission support for OPCW operations in "working together for a world free of chemical weapons".

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## OPCW SCIENTIFIC ADVISORY BOARD

# SAB Focuses on Third Review Conference and New Initiative in Education and Outreach

The Scientific Advisory Board (SAB) met in its 18th session at OPCW headquarters from 16 to 19 April 2012. Comprising 25 independent scientists from all regional groups, the SAB plays an important role in providing the OPCW's Director-General with expert scientific advice on issues related to the Chemical Weapons Convention.

The 18th session's agenda covered developments in science and technology, scientific and technological elements of verification methodologies, emerging technologies and new equipment, and Scheduled chemicals and the Annex on Chemicals, among other issues. The SAB adopted a fact sheet on ricin and a briefing note on fast gas chromatography-mass spectrometry in on-site analysis. It also began work on a report for the Director-General on developments in science and technology in preparation for the Third Review Conference in April 2013, which the SAB will finalise at its next session in September.

The SAB elected a new chairperson, Stefan Mogl of Switzerland, to replace Philip Coleman of South Africa, whose term of office ends in August. New members Roberto Martínez Álvarez, Augustin Baulig, and Ferruccio Trifirò attended the SAB for the first time.

On 12 and 13 April 2012 the OPCW also hosted a first meeting of the SAB's new temporary working group on



*Members of the Scientific Advisory Board*

education and outreach, chaired by Djafer Benachour of Algeria. The purpose of the group is to make recommendations for practical and sustainable activities which the OPCW and its Member States can undertake in this area.

The group's 12 members were briefed on similar work undertaken by organisations such as the International Union of Pure and Applied Chemistry (IUPAC), International Atomic Energy Agency (IAEA) and Comprehensive Nuclear Test-Ban Treaty Organisation (CTBTO). They favourably reviewed a new video film, produced by the OPCW, which profiles a Dutch high school chemistry teacher who dedicated his career to teaching students about the importance of ethics in chemistry. The group's meeting report was endorsed by the SAB.

# International Cooperation and Assistance

## SUMMARY OF ACTIVITIES

### International Cooperation

#### Course on the Analysis of Chemicals related to the CWC in the Framework of OPCW Proficiency Testing

*16 – 27 April 2012, Helsinki, Finland*

The Finnish Institute for Verification of the Chemical Weapons Convention (VERIFIN) and the OPCW organised a two-week course on the enhancement of skills in analysing chemicals related to the Convention using liquid chromatography-mass spectrometry (LC-MS). The course was conducted at VERIFIN, the University of Helsinki, Finland, from 16 to 27 April 2012.

The goal of this course was for laboratories that are active or plan to become active in the analysis of chemicals related to the Convention, and for those that are partici-

pating or intend to participate in OPCW proficiency testing. Practical demonstrations and exercises of LC and LC-MS techniques were given to the participants. The programme also provided information on quality assurance and the maintenance of instruments, the preparation of samples and included a round-table discussion on interpreting the mass spectra emerging from samples testing. The programme also provided participants with an opportunity to familiarise themselves with the maintenance of these instruments to ensure a high standard of performance.

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#### An Analytical Chemistry Course under the Programme to Strengthen Cooperation with Africa

*30 April – 11 May 2012, South Africa*

The fourth Analytical Chemistry Course, specially arranged under the Programme to Strengthen Cooperation with Africa (The Africa Programme) and conducted in English for chemistry practitioners from the Africa region was opened on 30 April 2012 at the Protechnik Laboratories, Pretoria, South Africa. The duration of the course was from 30 April to 11 May 2012 and was attended by 12 participants from as many countries from the Africa region\*.

\* Botswana, Burkina Faso, Cameroon, Ghana, Lesotho, Mauritius, Morocco, Seychelles, Sudan, Tanzania, Zambia and Zimbabwe.



*Analytical Skills Chemistry Course, Protechnik Laboratories, South Africa*

The course was intended both for laboratories that are active or plan to become active in the analysis of chemicals related to the Convention, and for those that are participating or intend to participate in OPCW proficiency testing. The course was aimed at chemistry professionals from industry, government, and the academia who are involved in the analysis, synthesis, or quality control of chemicals related to the Chemical Weapons Convention. The course covered basic training and hands-on experience in sample preparation, and instruction in GC and GC-MS analytical techniques, instrument testing and optimisation, basic maintenance, and trouble-shooting. Aspects on the importance of quality control and validity of analytical data were also covered. The successful organisation of this Course, with the joint efforts of the Technical Secretariat, Protechnik Laboratories, the National Authority of South Africa, and the Finnish Institute for the Verification of the Chemical Weapons Convention (VERIFIN), further strengthened the cooperation in the promotion of both the effective implementation of the CWC as well its provisions relating to international cooperation for the peaceful uses of chemistry.

This course is one of the series of analytical skills development courses (ASDC) specifically designed to enhance the capacity building efforts of the OPCW. Similar courses are also held in French, Russian and Spanish to meet the needs of different geographic regions.



Course at Protechnik Laboratories

## Seminar on the CWC and Chemical Safety and Security Management

8 – 11 May 2012, Kuala Lumpur, Malaysia

The OPCW and National Authority of Malaysia organised the Seminar on the CWC and Chemical Safety and Security Management for Member States of the OPCW in the region of Southeast and South Asia from 8 to 11 May 2012 in Kuala Lumpur, Malaysia. The seminar was attended by 36 participants representing 16 States Parties\* in the region and from Myanmar, which is not a State Party to the Convention. This was the second Chemical Safety Management seminar to be organised in Kuala Lumpur.

The Seminar was officially opened by the OPCW's Director-General Ahmet Üzümcü. In his opening address the Director-General reflected on how taking stock "of the Convention's implementation and operation over the past 15 years, States Parties can look back on continuous and significant progress made." The Director-General also extended his thanks to the National Authority of Malaysia for its "steadfast commitment to our collective vision of a world free of chemical weapons as well as a world in which cooperation in the peaceful uses of chemistry is consistently encouraged and fostered."

During the seminar the participants were familiarised to approaches that can be adopted in relation to chemical

safety and security management, with a particular focus on providing assistance to small and medium sized enterprises. Along with theoretical and practical components, ample time was given for questions and answers. Topics covered included current best practices and concepts relating to the safety and security management of chemical processes, safety and security culture, the history of the subject, modern safety strategies, as well as current trends in safety and security management in the chemical industry. The second day of the seminar was dedicated to a chemical site visit hosted by Petronas Nasional Berhad.

The evaluation of the seminar communicated a great appreciation for the chemical safety and security seminars and reaffirmed their importance as opportunities for regional networking and for discussions on issues vital to current safety and security issues.

\* Cambodia, Germany, India, Indonesia, Japan, Laos, Malaysia, Pakistan, Philippines, Republic of Korea, Republic of Palau, Singapore, Sri Lanka, Thailand, United States and Viet Nam

# Course on the Analysis of Chemicals Related to the CWC

21 May – 1 June 2012, Madrid, Spain

The second course on the Analysis of Chemicals related to the Chemical Weapons Convention in the Framework of OPCW Proficiency Testing was opened on 21 May 2012 in the Laboratorio de Verificación para las Armas Químicas (LAVEMA) at the Instituto Tecnológico in Madrid.

The 2-week course was specially arranged in Spanish for 12 participants from countries in the Latin American and Caribbean region,\* plus another participant from Portugal. In attendance at the opening was the Director of the Instituto Tecnológico, the Secretary General of the National Authority of Spain, and the LAVEMA Director.

The course is intended for specialists from laboratories that are active or plan to become active in the analysis of



Participants at the second Course on Analysis of Chemicals held in Spain



Second Course on Analysis of Chemicals in Spain

chemicals related to the Convention, and from laboratories that are participating or intend to participate in OPCW proficiency testing. It is one of a series of analytical skills development courses specifically designed to enhance the capacity building efforts of the OPCW. Similar courses are also conducted in English, French and Russian to meet the needs of different geographic regions.

The course in Madrid was jointly organised by OPCW, National Authority of Spain and LAVEMA, and strengthened efforts to promote effective implementation of the Convention and its provisions relating to international cooperation in the peaceful uses of chemistry.

\* Argentina, Brazil, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Paraguay, Peru, and Uruguay.

## Analytical Skills Development Course

1 June 2012, Helsinki, Finland

The 14th Analytical Skills Development Course took place at the Finnish Institute for Verification of the Chemical Weapons Convention (VERIFIN) in Helsinki. The 2-week course opened on 1 June 2012 with 20 participants from OPCW Member States\* who are chemistry professionals



Participants at the Helsinki course

involved in the analysis, synthesis, or quality control of chemicals. The course aimed to provide a sound working knowledge of the principles, procedures, and applications of gas chromatography (GC) and gas chromatography-mass spectrometry (GC-MS) for the analysis of chemicals related to the Convention. The first part of the programme provided training and hands-on experience in sample preparation, with instruction in GC and GC-MS analytical techniques, and the second part focused on the preparation of environmental samples and use of GC and GC-MS for sample analysis.

• Algeria, Argentina, Bangladesh, Belarus, Botswana, Brazil, Indonesia, Lesotho, Pakistan, Paraguay, Romania, South Africa, Sri Lanka, St Lucia, Tunisia, Turkey, Ukraine, Uruguay, Yemen and Zimbabwe.

## ASSISTANCE AND PROTECTION

# The Swiss Exercise Course 2

*19 – 23 March 2012, Spiez, Switzerland*

The second Swiss exercise course on protection against chemical weapons was held at the Nuclear, Biological, Chemical Training Centre in Spiez, Switzerland, from 19 to 23 March 2012. This event was jointly hosted by the Government of Switzerland and the OPCW.

The activity is related to the offer made by Switzerland, under Article X of the Convention, to provide assistance and protection against threat or use of chemical weapons and it draws on Switzerland's extensive experience

in this area. The experts attending the course were those who were or are associated with the training of civilians in their home countries in protection against chemical weapons. Detailed information to the first responders was provided on the 'train the trainer' programme, training on the proper use of individual protective equipment, monitoring and detection techniques, decontamination techniques, and sampling and detection methods used by the mobile field laboratory during field exercises.

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# First Advanced Regional Assistance and Protection Course on Chemical-Emergency Response

*16 – 20 April 2012, Buenos Aires, Argentina*

The First Advanced Regional Assistance and Protection Course on Chemical Emergency Response for States Parties in Latin America and the Caribbean was held in Buenos Aires, Argentina, from 16 to 20 April 2012. This event was jointly conducted by the Government of Argentina and the OPCW. The participants who attended this technical course belonged to national emergency response agencies involved in dealing with chemical-related incidents in their respective countries.

The objectives of the course were:

- To facilitate the exchange of information and experience regarding the implementation of Article X of the Convention;

- To provide a forum to discuss future cooperation among participating Member States and what further offers Member States might make to the OPCW under Article X;
- To provide advanced training on the proper use of individual and collective protective equipment, and the monitoring, detection, sampling and decontamination techniques used in different scenarios during field exercises with chemical warfare-agents; and
- To provide training on appropriate responses and countermeasures in complex emergency operations, and rescue techniques during incidents involving chemical-warfare agents.

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# Course on Emergency Medical Assistance for the Victims of Chemical Incidents

*7 – 11 May 2012, Kyiv, Ukraine*

The OPCW and Government of Ukraine jointly organised a course on emergency medical assistance for the victims of chemical incidents or attacks, including chemical-warfare agents, in Kyiv from 7 to 11 May 2012. Eighteen Russian-speaking experts from 14 States Parties\* took

part in the course, which related to Article X of the Chemical Weapons Convention and was held at the Ukrainian Scientific and Practical Centre of Emergency Medical and Disaster Medicine.

The course targeted professionals and managers in the field of medical countermeasures to emergencies involving chemical warfare agents and other toxic chemicals. The agenda included theoretical lectures and practical exercises, with intensive discussion of issues related to national and international responses and medical countermeasures to a chemical attack during a mass gathering event.

A complex field exercise focused on mitigating the consequences of a chemical attack was conducted on the fi-

nal day of the course with more than 200 representatives of different Ukrainian emergency response units participating. The exercise covered all stages from the first response in the incident area to hospital treatment of the victims.

\* Armenia, Belarus, China, Estonia, Hungary, Kazakhstan, Lithuania, Poland, Serbia, Russia, Uzbekistan, Vietnam, Yemen and USA (as a lecturer).

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## Advanced Assistance and Protection Course

*14 – 18 May 2012, Beijing, China*

The OPCW and Government of the People's Republic of China jointly organised an Advanced Assistance-and-Protection Course from 14 to 18 May 2012 at the Institute of Chemical Defence of the People's Liberation Army in Beijing. Experts from 19 States Parties\* took part in the course, which related to Article X of the Chemical Weapons Convention.

The course participants belonged to national emergency-response agencies involved in dealing with chemical-related incidents. The course provided advanced training in the use of chemical protective equipment and in techniques of monitoring, detection and decontamination in

response to attacks with chemical warfare agents, supplemented with table-top and field exercises.

Mr Leslie Gumbi, the OPCW Director of International Cooperation and Assistance, addressed the opening session of the course and held bilateral meetings with representatives of the Foreign Affairs and Defence ministries.

\* Belarus, Burundi, Cote d'Ivoire, India, Jamaica, Jordan, Kenya, Madagascar, Malaysia, Mongolia, Mexico, Pakistan, Peru, Uganda, Uruguay, Vietnam, Yemen, Zambia and Zimbabwe.

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## Advanced Training Course in Civil Defence against Chemical Weapons

*21 – 25 May 2012, Lázně Bohdaneč, the Czech Republic*

An advanced training course on civil defence against chemical weapons was organised at the Population Protection Institute, Lázně Bohdaneč, the Czech Republic, from 21 to 25 May 2012. This course was jointly hosted by the Government of the Czech Republic and the OPCW. The event provided for both theoretical and practical information on the provisions of the CWC that dealt with assistance and protection against a possible chemical

weapons threat. In this context, during the presentations, a number of issues were covered including on detection and reconnaissance, decontamination, the use of individual protective equipment, and the medical aspects of a response in the face of a chemical weapons or toxic industrial incident. In addition, the participants received training in mounting a response in potentially contaminated areas and how to react swiftly.

# The Eighth International Basic Course on Assistance and Protection

4 – 8 June 2012, Kruševac, Serbia

The OPCW and the Government of Serbia jointly conducted the 8<sup>th</sup> international basic course on assistance and protection against chemical weapons from 4 to 8 June 2012 in Kruševac, Serbia. Participants from 19 States Parties\* took part in the course, which was held at NBCD Training Center in Kruševac.

The course concentrated on practical training for first responders responsible for assistance and protection against chemical weapons and included:

- Planning and establishing a support team for the protection of civilian populations against chemical weapons;
- Mounting rescue operations in contaminated areas;
- Responding to incidents involving chemical-warfare agents;
- Using individual and collective protective equipment; and,
- Using monitoring, detection, and decontamination techniques.

The course demonstrated the assistance that the OPCW and Serbia could offer and also facilitated the exchange of information and experiences regarding implementa-

tion of Article X of the Convention. It provided an opportunity for discussions among Member States on future cooperation and offers made by Member States to the OPCW under Article X.

\* Algeria, Argentina, Bangladesh, Belarus, Brazil, Iraq, Jordan, Laos, Lebanon, Libya, Madagascar, Panama, Philippines, Romania, Turkey, Uganda, Ukraine, Uruguay, Vietnam



Participants of the 8<sup>th</sup> Basic Course held in Serbia

## Fourth Sub-regional Training Course for Customs Officials on Technical Aspects of the Transfers Regime

17 – 20 April 2012, Mombasa, Kenya

Mr. Mark Bor, Kenya's Permanent Secretary at the Ministry of Public Health and Sanitation, welcomes Mark Albon, OPCW's Head of Implementation Support.



Participants at the Customs Course held in Kenya

The course for custom officials on the technical aspects of the transfers regime was jointly organised by the OPCW and National Authority of Kenya from 17 to 20 April 2012 in Mombasa, and attended by 36 participants from 19 States Parties in East and Southern Africa.\* It was the fourth course of its kind for customs officials in these two sub-regions and was held under the OPCW's Programme to Strengthen Cooperation with Africa.

Mr. Mark Bor, opened the proceedings on behalf of his Minister. He encouraged participants to take full advantage of the course, which he said plays a critical role in eliminating the risk that States Parties' territories may be



used as conduits for proliferating chemical weapons and other related materials.

The agenda offered an overview of the Chemical Weapons Convention (CWC) and the OPCW, the rights and obligations of States Parties, the role of National Authorities, and the need for effective stakeholder engagement. It also covered the transfer-related provisions of the CWC and identification of chemicals relevant to the Convention, including recommendations of the World Customs Organisation to identify scheduled chemicals in the Harmonised System.

Participants were familiarised with relevant information sources such as the Handbook on Chemicals, Online Scheduled Chemicals database, the OPCW Central Analytical Database and other useful databases and websites. They discussed discrepancies in the reporting of transfers of Scheduled chemicals and practical customs-related matters such as the control of Scheduled chemicals in ports and free zones, risk assessment, trans-shipments, and software for customs services. They also learned practical ways to implement the Convention's provisions, and to eliminate discrepancies between quantities of Scheduled chemicals declared by importing and exporting States Parties in respect of the same transfers.



*Mr. Mark Bor, Kenya's Permanent Secretary at the Ministry of Public Health and Sanitation, welcomes Mark Albon, OPCW's Head of Implementation Support.*

\* Botswana, Burundi, Comoros, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Rwanda, South Africa, Sudan, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

## 11th Regional Meeting of National Authorities in Eastern Europe

*8 – 10 May 2012, Warsaw, Poland*

The OPCW and the Government of Poland organised the 11th Regional Meeting of National Authorities of States Parties in Eastern Europe from 8 – 10 May 2012 in Warsaw. The meeting was attended by 23 participants from 21 States Parties.\*

The annual meeting provided a forum to review and discuss issues related to the practical implementation of the Chemical Weapons Convention and an opportunity for interaction among the National Authorities to foster regional cooperation.

The programme focused on recent developments, including management of chemical safety and security; implementation of Article VI of the Convention; the transfer's regime of the Convention, with a special focus on transfer discrepancies; and the OPCW's voluntary guidelines for the declaration of import and export data for Schedule 2 and 3 chemicals, inter alia. The meeting provided a forum for the National Authorities to share their experiences and best practices regarding the transfer's regime in Eastern Europe.

\* Albania, Armenia, Azerbaijan, Belarus, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Macedonia, Moldova, Montenegro, Romania, Serbia, Slovakia, Slovenia, Poland.



*Representatives of the 11th National Authorities Regional Meeting*

# The Tenth Regional Meeting of National Authorities of States Parties in Africa

22 – 24 May 2012, Addis Ababa, Ethiopia

The African Union and the OPCW co-hosted the 10th Regional Meeting of National Authorities of States Parties to the Chemical Weapons Convention in Africa at the new African Union Conference Complex in Addis Ababa, Ethiopia from 22 to 24 May 2012. The meeting was attended by 42 participants from 36 OPCW States Parties\* together with permanent representatives and sub-regional institutions accredited to the African Union.

The three-day meeting is an annual event that provides an opportunity for National Authorities to confer, network and share experiences, as well as consult with the Technical Secretariat of the OPCW on how best they can fulfil their obligations and receive the required assistance. It also serves as a forum for States Parties in the region to indicate which forms of assistance they can offer to other States Parties.

\* Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Comoros, Republic of the Con-



Participants of the 10<sup>th</sup> Regional Meeting

go, Democratic Republic of Congo, Djibouti, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Libya, Malawi, Mauritius, Mozambique, Namibia, Niger, Nigeria, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Tanzania, Uganda, Zambia, Zimbabwe

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## NATIONAL IMPLEMENTATION UPDATE

In order to ensure the effective implementation of the Chemical Weapons Convention, the Technical Secretariat of the OPCW renders legal assistance, upon request, to States Parties that have yet to adopt, or are in the process of amending their existing, domestic legal and regulatory framework.

The Office of the Legal Adviser of the Technical Secretariat has an established legal assistance programme to support States Parties throughout the implementation process. States Parties wishing to receive advice on legislation and/or measures at the regulatory level under preparation frequently submit their drafts for comments. Since November 2011, the Technical Secretariat has provided, upon request, six comments on draft implementing legislation and one comment or guidance on measures at the regulatory level. Such requests for legal assistance were provided to seven States Parties from the following regions: two from Africa; one from Asia; two from GRULAC; one from WEOG and one from Eastern Europe.

Status and Progress Regarding National Implementation of the Chemical Weapons Convention (Article VII)

All States Parties are required under Article VII of the Convention to adopt the necessary legislative and administrative measures to implement the Convention at the national level. In this context, States Parties are required to notify the OPCW on the legal steps undertaken to fulfil their Article VII obligations. It is important to note that the Conference of States Parties in 2003 adopted a decision on Article VII, which also emphasised that States Parties provide the Technical Secretariat with the full text of their national implementing legislation, including updates<sup>1</sup>.

According to the information received by the Secretariat, the current status of national implementation of the Convention and the regional trends, are as follows: Further information on the status and progress regarding legislative and administrative measures adopted by States Parties to implement their obligations under

186 (99%)	States Parties have designated or established a <b>National Authority</b>
139 (74%)	States Parties have made an <b>Article VII(5) submission</b>
88 (47%)	States Parties have implementing <b>legislation that covers all key areas</b> identified under the Action Plan
65 (35%)	States Parties have confirmed that they had carried out their <b>Article XI(2e) review</b>

	States Parties	National Authorities	Art. VII(5) submission	Legislation covers all key areas	Article XI (2e) review
<b>Africa</b>	50	49 (98%)	26 (52%)	12 (24%)	4 (8%)
<b>Asia</b>	51	50 (98%)	36 (71%)	20 (39%)	15 (29%)
<b>Eastern Europe</b>	25	25 (100%)	25 (100%)	22 (88%)	16 (64%)
<b>GRULAC</b>	33	33 (100%)	23 (70%)	9 (27%)	8 (24%)
<b>WEOG</b>	29	29 (100%)	29 (100%)	25 (86%)	22 (76%)

Article VII of the Convention is available in the two concurrent reports on Article VII and in the accompanying Note by the Director-General on the overview of the status of implementation of Article VII, adopted by the Conference of States Parties in its sixteenth session.<sup>2</sup>

1 See C-8/DEC.16, dated 24 October 2003.

2 See: EC-66/DG.7 C-16/DG.10, dated 29 August 2011; EC 66/DG.8 C-16/DG.11, dated 29 August 2011; and EC-66/DG.9 C-16/DG.12, dated 29 August 2011.

## FOCUS ON NATIONAL AUTHORITIES

# Indian National Authority: From Vision to Action

The vision of India's National Authority is to be "Internationally recognised for its managerial and technical excellence to fulfill the collective aspirations of the comity of nations embodied in the Chemical Weapons Convention." This article is a story of our journey in achieving our vision. It recounts the challenges, strategies, actions and achievements along this journey.

### Our Origins

We are one of the earliest National Authorities to be set up after the Chemical Weapons Convention (CWC) entered into force on April 29, 1997. Indeed, the National Authority was constituted vide Government of India Resolution No. 47/1/4/93-CA.III/IV (Vol.4) dated 5th May 1997, six days after CWC came into force. To give effect to the Convention the Parliament of India enacted the CWC Act on 26th August 2000 and Section 6 of the CWC Act provides the legal foundation for the National Authority.

### Our Organisational Structure

The National Authority of India consists of a Chairperson in the rank of the Secretary to the Government of India, and the following three Directors: (1) Joint Secretary, National Authority, (2) Director General of the Directorate of Revenue Intelligence, and (3) Joint Secretary, Department of Chemicals & Petrochemicals.

A high-level Steering Committee, chaired by the Cabinet Secretary, constituted under Section 11 of the CWC Act oversees the functioning of the National Authority. Other members of this Committee include Secretaries to the Government of India responsible for the following departments: Defence, Chemicals and Petrochemicals, External Affairs, Defence Research and Development, Revenue and Commerce. The Chairperson of the National Authority, is its Member Secretary.

This organisation structure has served us well. Unlike many other countries, India's National Authority is located in a high-level neutral location cutting across departments. Cabinet Secretariat comes under the Prime Minister of India and the Cabinet Secretary is the senior most civil servant in the Government of India. At a conceptual level, this institutional arrangement is a reflection of the seriousness with which the Government of India takes its commitments. At a practical level this has been a key contributor to the effective coordination and implementation of our obligations under CWC.

The National Authority has a sanctioned strength of 13 officers. Most staff have a minimum qualification of M. Sc. or M. Tech. in Chemistry of Chemical Engineering. Thus, National Authority has some of the most qualified and experienced full-time staff required to meet its obligations under CWC.

In addition, we work on a collaborative, networked mode. Thus, we regularly leverage the expertise available in other organisations such as the Department of Chemicals and Petrochemicals, DRDO, Indian Chemical Council, Academia, and former OPCW staff.

### Our Functions – What do we do?

The primary task of the National Authority Chemical Weapons Convention, based in the Cabinet Secretariat, is to fulfill, on behalf of the Government of India, the obligations under the Chemical Weapons Convention. The National Authority also acts as the national focal point for effective liaison with the OPCW and other State Parties on matters relating to the CWC.

### Magnitude of Our Task

India has one of the largest chemical industries in Asia. It is therefore little wonder that we have one of the highest numbers of declared facilities. Indeed, India is the only country in recent years to have a consistent increase in the declarable facilities (Figure 1).

India receives close to the maximum number of inspections allowed for each State Party under CWC (Figure 2). Organising on average two inspections a month is a challenging task for National Authority. Our goal is to have inspections at par with the best in the world. We constantly take feedback from OPCW Inspection Teams to

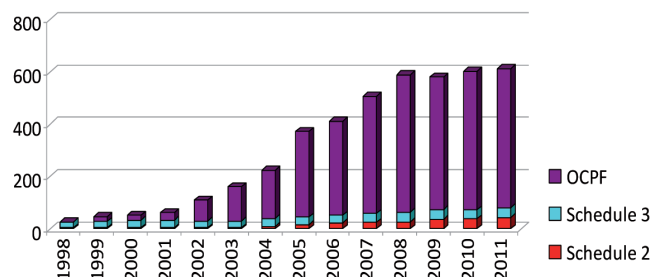


Figure 1: Industries Declarations of India to OPCW

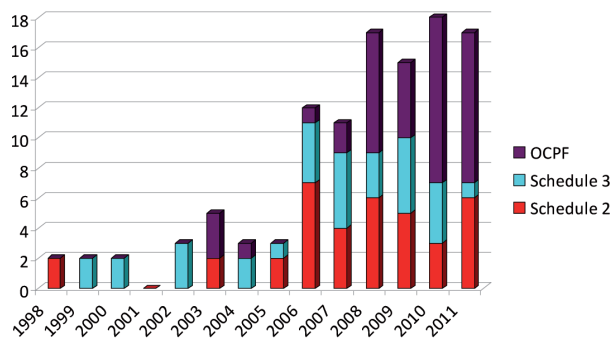


Figure 2: Industries Inspections in India by OPCW

benchmark our operations against other countries and adopt global best practices.

### Our Achievements

The National Authority is the national focal point for CWC and acts as a regulator, enforcer and facilitator. We cannot achieve much without the support and contribution from all partners in this endeavour. We are pursuing a national vision and hence our achievements are collective national achievements. In what follows we summarise the main achievements:

- 1 Timely destruction of Chemical Weapons**  
India has the distinction of destroying all its Schedule 1 Chemical Weapons ahead of its deadline. It also adhered to all intermediate deadlines.
- 2 Three designated OPCW laboratories**  
India is the only country in the world to have three designated OPCW laboratories. To qualify as a designated laboratory, it has to successfully pass a stringent proficiency test conducted by the OPCW.
- 3 ISO 9001 Certification**  
The Indian National Authority is the only one out of the 188 States Parties to have qualified for this certification. It ensures that all our major processes are documented and implemented as per the agreed standard operating procedures.
- 4 Electronic Declarations**  
National Authority submits its declarations via EDNA and has developed, in collaboration with NIC and Department of Chemicals and Petrochemicals, its own electronic declaration software for the Indian chemical industry.



#### 5 Adopted a paperless office system (E-Office)

To ensure reliability, confidentiality, efficiency and effectiveness, National Authority was one of the first government offices in India to implement a state-of-the-art E-Office suite.

#### 6 Participated in ASSISTEX III

The National Authority put together one of the largest contingents for the ASSISTEX III exercise in Tunisia and has offered to conduct the ASSISTEX IV in India.

#### 7 Participates and contributes actively in all committees and activities of OPCW

India currently holds the Chair of the Executive Council. It is also Chair of the OPCW's Confidentiality Commission. In addition it has members in Scientific Advisory Board (SAB), Administrative Board for Accounting and Finance (ABAF), and the Security Audit and Assessment Team (SAAT).

#### 8 Conducts training for other countries

India provides training and capacity building on a regular basis.

#### 9 Hosts the Associate Program of the OPCW

One of the few countries to host the Associate program.

#### 10 Workshops and Seminars in collaboration with OPCW

The National Authority has conducted many workshops and seminars on relevant issues in collaboration with OPCW

#### 11 Provider of Spectra for OCAD

India is one of the leading providers of spectra for the OPCW Central Analytical Database (OCAD)

#### 12 Innovative domestic non-proliferation efforts

India has taken many innovative steps to strengthen our regulatory framework for improving CWC compliance. For example:

- a. Help Desks for industry manned by experts
- b. Domestic inspections to supplement OPCW inspections
- c. Set up National counterparts for SAB and ABAF.
- d. Extensive awareness programmes conducted regularly

We believe that these achievements are sustainable as they are based on systems engineering. We have created performing systems that are accountable for results. This is an outcome of the Government of India's policy for government-wide performance management.

Our approach focuses on improving the quantity as well as quality of compliance. Our experience suggests that, in the long run, the latter is perhaps even more important than the former.

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## Implementation of the CWC – Singapore's Perspective

Singapore ratified the Chemical Weapons Convention (CWC) in May 1997, and established its National Authority [NA (CWC)] two months later. Fifteen years on, Singapore remains ever vigilant in fulfilling its obligations under the Convention. Apart from supporting the initiatives of the OPCW, the National Authority of Singapore also keeps abreast of developments within the CWC, and continuously educates its local industry on the requirements of the Convention.

### National Authority of Singapore

Singapore adopts a Whole-of-Government approach towards implementation of the CWC. The NA (CWC) resides under the Singapore Customs, and receives support from a National Advisory Board, which comprises representatives from various Government Ministries. The Advisory Board serves to provide consultation, advice and the overall policy direction for Singapore's national implementation of the CWC.

### Implementing the CWC in Singapore

The Chemical Weapons (Prohibition) Act, Chapter 37B and the Chemical Weapons (Prohibition) Regulations, were enacted to implement Singapore's obligations un-

der the Convention. Singapore has put in place various measures for the monitoring and enforcement of controlled chemicals and activities, as well as committed resources and training programmes to raise awareness of the requirements under the Convention.

#### • NA (CWC) Licensing Regime

The NA (CWC) implements a licensing regime whereby companies are required to obtain a licence, prior to the commencement of the activities pertaining to CWC Sched-



*Second Regional Course on Emergency Response held in Singapore*



*9<sup>th</sup> Regional Meeting of Asian National Authorities held in Singapore in October 2011*

uled Chemicals and DOC (Unscheduled Discrete Organic Chemicals). The regime facilitates the collection of information for the submission of annual declarations to the OPCW.

- **National Inspections**

Pre-licence inspections and facility audits are carried out to ensure compliance with CWC requirements. As part of these inspections, the NA (CWC) also undertakes outreach to educate the parties being inspected on CWC (annual declarations, verification regime and the transfer regime) and national requirements (licensing requirements, customs declarations, etc.).

- **Online Resources and Helpdesk**

Online resources are available so that members of the public can easily access CWC-related information. The NA (CWC) maintains a website and issues circulars to notify traders of any regulatory changes.

In May 2011, Singapore Customs launched an e-learning module to serve as a guide to customs procedures. The module also contains information on NA (CWC) requirements. Users of the e-learning module have the flexibility to access the relevant sections to meet their individual learning needs.

The NA (CWC) also maintains a Helpdesk to provide assistance to CWC-specific enquiries. The public may contact the Helpdesk for clarification via email, fax or telephone.

- **Outreach Sessions and Training Courses**

The NA (CWC) holds regular outreach sessions to update the industry on any important developments or regulatory changes. Its latest session held in September 2011, was attended by representatives from over 40 companies involved in the chemical industry. To ensure effective implementation, the NA (CWC) also equips itself with the latest CWC-related information by attending various OPCW training courses.

### **Recent Activities to Promote Awareness of the CWC**

In June 2010, Singapore hosted the “Advanced Training Course for National Authorities involved in the imple-

mentation of the Chemical Weapons Convention in Asia”. The course focused on the compilation and submission of declarations, as well as inspections under Article VI of the CWC. It was a valuable platform for the exchange of best practices on the implementation of the Convention.

In October of last year, Singapore hosted the “Ninth Regional Meeting of National Authorities involved in the implementation of the CWC in Asia”.

The meeting was attended by approximately 50 participants from 30 Asian States Parties, and served as an effective forum for participants to share experiences and keep abreast of CWC-related developments and initiatives of the OPCW. In addition, the NA (CWC) organised the “Second Regional Training Course on Emergency Response to Chemical Incidents” in November 2011 as a pledge of assistance under Article X of the CWC. The course was conducted by the Singapore Civil Defence Force, and participants were instructed on the response procedures to emergency situations involving chemical agents.



*Discussions at the 9<sup>th</sup> Regional meeting*

### **Challenges and the Way Forward**

One particular challenge that the NA (CWC) faced relates to the collation and verification of annual declarations submitted to the OPCW. To ensure that information is submitted in a clear and consistent manner, the National Authority has made every effort to ensure that the guidelines are easy to understand, and would clarify the requirements to the chemical industry if needed. Back-end checks of the import and export data is also carried out to ensure accuracy of the information.

With the constant movement of personnel, another challenge in the work of the National Authority has been in the maintenance of knowledge and competency levels within the chemical industry. In this regard, the ability of the National Authority to provide updated information through readily available online resources is essential for the industry to keep up its knowledge through self-learning.

# South Africa and the Chemical Weapons Convention

In the process of democratic transformation in South Africa, the previous regime took a decision to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in 1991 and signed the Chemical Weapons Convention in January 1993.

The signature of the Chemical Weapons Convention and resultant obligations led to the promulgation of the Non-Proliferation of Weapons of Mass Destruction Act in 1993 and therewith the appointment of the South African Council for the Non-Proliferation of Weapons of Mass Destruction. The Council is a statutory body responsible for implementation of South Africa's international obligations with regard to weapons of mass destruction.

As the South African National Authority in terms of the Chemical Weapons Convention, the Council has been actively involved in ensuring that South Africa's obligations in terms of the Convention are fulfilled through the continuous involvement of its many national stakeholders in the mechanisms that have been established to support the implementation of the Convention in the Republic. This coordinated system has resulted in the promulgation of the necessary legislation, and supporting regulations and enhanced awareness of industry of their national and international obligations. Furthermore, through this coordinated mechanism, South Africa actively participates and contributes to the international cooperation and assistance programmes of the OPCW to enhance the capacity of States Parties in Africa to implement the Convention and derive peaceful benefits in the field of chemical activities not prohibited by the Convention.

The South African chemical industry has, over the years, been analysed through industry surveys and questionnaires to determine the control status of chemical facilities. Although only a small percentage of the chemical

industry is declarable to the OPCW, information sessions are held to inform industry of their national and international obligations as stipulated in the legislation. These sessions, in addition to the continuous correspondence with the industry, have increased awareness of the legislation and keeps industry informed of changes and updates. Furthermore, the Council maintains a website with information relevant to all aspects of non-proliferation that could affect the South African industry. A voluntary Internal Compliance Programme has also been developed to assist industry to meet their non-proliferation obligations in their area of specialisation.

Enforcing the legislation at the borders, especially with regard to transits through South Africa to neighboring countries, has been identified as one of the dimensions necessary for effective control. Hence, the National Authority has embarked on a training programme with the South African Revenue Service (Customs) to facilitate capacity building of customs officials at the borders to identify weapons of mass destruction related commodities that are prohibited or controlled. Although the identification of chemicals may prove to be a challenge in certain instances, methods have been identified in the training programme and are being explored further to address difficulties that may be faced. Collaboration with the customs and national authorities in the region and enhancing capacity in neighboring countries and on the continent with regard to the control of scheduled chemicals is also being addressed through the OPCW.

The realisation that not only the risks posed by the use, or threat of use of weapons of mass destruction is a problem, but also occasional accidents involving industrial chemicals in Africa, has encouraged the South African National Authority to be increasingly involved in the assistance and protection programmes of the OPCW. As a result, South Africa has annually hosted a regional assistance and protection course for African States Parties to increase the capacity in Africa on the management of incidents involving possible chemical weapons, but at the same time enabling participants to enhance skills in managing toxic chemical accidents. As advanced resources such as modern equipment to manage such incidents are not always readily available, participants attain skills on the usage of alternate equipment to manage such incidents. These courses, which are hosted by the OPCW in conjunction with the South African Military Health Service and Protechnik Laboratories, the South African Single Small Scale Facility, are tailor-made to suit the African climate and conditions and have been highly successful thus far.

Protechnik Laboratories has also collaborated with the OPCW as well as Verifin to annually present an Analytical



*Regional Assistance and Protection course held in South Africa*

Skills Development Course for African scientists to assist with development of capacity with regard to analysis of chemicals relating to the Convention. This course has been commended by the participants as being greatly beneficial in exposing participants to relevant technologies and imparting invaluable skills and knowledge on chemical analysis. The course has also equipped some participants with the necessary skills to be able to utilise equipment previously donated to their institutions by the OPCW.

South Africa has adopted a multi-disciplinary approach to the national implementation of its international obligations under the various disarmament and non-proliferation regimes related to weapons of mass destruction, including with regard to those that accrue from the Chemical Weapons Convention. Our experience has shown that communication, coordination and collaboration amongst all of the stakeholders involved in the control process are key steps to achieving a well-balanced and effective control system.

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## LEGAL ASSISTANCE ACTIVITIES

# Privileges and Immunities Agreements with the OPCW

Under international law, privileges and immunities aim at allowing an Organisation, the representatives of Member States to the Organisation and the staff of the Organisation to carry out their duties independently, without outside interference. With respect to individuals, privileges and immunities are granted for the interest of the Organisation to the extent necessary for the independent exercise of the Organisation's functions; they are not for the personal benefit of these individuals.

Unlike other international organisations, the OPCW does not have one single agreement which all Member States ratify and that defines the applicable privileges and immunities. While States Parties, by adherence to the Chemical Weapons Convention ("the Convention" or "the CWC"), have agreed to confer privileges and immunities for verification activities without the need to conclude specific agreements, for activities other than verification activities, the Convention mandates that privileges and immunities shall be defined in agreements between the Organisation and the individual States Parties.<sup>1</sup>

Accordingly, under the Convention privileges and immunities are conferred:

(1) On the **Director-General and the staff of the Technical Secretariat**, including inspectors, inspection assistants and observers, **during the conduct of verification activities**: These privileges and immunities are established directly by the Convention, and by adhering to the Convention, States Parties agree to recognise such privileges and immunities for the entire period between arrival on and departure from the territory of the inspected State Party for the conduct of verification activities.<sup>2</sup> Pursuant to these privileges and immunities, members of the inspection team may not, among other things, be arrested or detained; their quarters are inviolable; their papers and correspondence, including records, are inviolable; their samples and inspection equipment are inviolable;

and they enjoy immunity from criminal and civil jurisdiction.

(2) On the **OPCW** itself: The CWC establishes that the OPCW should benefit from the privileges and immunities necessary for the exercise of its functions on the territory and in any other place under the jurisdiction or control of a State Party.<sup>3</sup> With this objective, privileges and immunities granted to the Organisation normally include, among other things, immunity from legal process, inviolability of OPCW premises and archives, facilities for communication and establishes exemptions from taxation. This may be useful, as the OPCW carries out its functions not only in its Headquarters but also in the territories of all its Member States and must be able to operate on a uniform basis throughout the world, rather than on different laws of Member States. They are also useful because, to discharge its functions, the OPCW may need to engage in commercial arrangements.

(3) On **certain categories of officials** (delegates, alternates, advisers, representatives, the Director-General, staff of the Technical Secretariat, and experts): The Convention also specifies that privileges and immunities shall be granted as are necessary for the exercise of their functions in connection with the Organisation.<sup>4</sup> For instance, these privileges and immunities play an important role when OPCW events, such as regional meetings and training courses, are organised in the territory of States Parties, where a wide number of representatives of States Parties and officials of the OPCW may be expected to participate. Accordingly, States Parties hosting these events are expected, among other things, to facilitate the entry of participants and the Secretariat's staff, as well as to ensure that participants, staff and any equipment brought in for the event can depart without restriction.

In respect of the OPCW's activities which are not related to verification, such as those events which may involve



categories (2) and (3) above, the Technical Secretariat conducts negotiations with States Parties on the basis of a model agreement developed for this purpose. Once negotiations are concluded, the text of the agreement is submitted for the consideration and approval of the Executive Council. Once approved, it is signed by a designated representative of the State Party concerned and the Director-General.

At the time of publication of this magazine, the Executive Council has approved 49 agreements (listed in the box). The most recent of these agreements, approved by the Executive Council in 2012, were the agreements between the OPCW and four States Parties, namely, the Lao People's Democratic Republic, the Republic of Mozambique, the Republic of Paraguay and the Kingdom of Thailand.<sup>5</sup>

In addition to these provisions in the CWC relating to privileges and immunities, the **Headquarters Agreement** concluded between the Kingdom of the Netherlands and the Organisation in 1997 confers privileges and immunities on the Organisation, representatives of Member States and the staff of the Technical Secretariat within the territory of the Kingdom of the Netherlands.

- 1 Article VIII (50)
- 2 Article VIII (51) and Part II (B) of the Verification Annex.
- 3 Article VIII (48)
- 4 Article VIII (49)
- 5 For more information, see <http://www.opcw.org/about-opcw/technical-secretariat/office-of-the-legal-adviser/privileges-immunities/approved-agreements/>

## PERMANENT REPRESENTATIVES



### INDONESIA

H.E. Ambassador Retno L.P. Marsudi, Permanent Representative of the Republic of Indonesia, presented her credentials to the OPCW Director-General on 5 March 2012.



### ESTONIA

H.E. Ambassador Peep Kahilo, the Permanent Representative of Estonia to the OPCW, presented his credentials to the OPCW Director-General on 8 June 2012.



### PARAGUAY

H.E. Mr Mario Francisco Sandoval Fernández, Permanent Representative to the OPCW, of the Republic of Paraguay presented his credentials to the Director-General, Mr. Ahmet Üzümcü, on 28 March 2012.



### POLAND

H.E. Ambassador Jan Borkowski, the Permanent Representative of Poland to the OPCW, presented his credentials to the OPCW Director-General on 11 June 2012.



### PORTUGAL

H.E. Ambassador José de Bouza Serrano, Permanent Representative of the Portuguese Republic to the OPCW, presented his credentials to the OPCW Director-General on 13 April 2012.



### MEXICO

H.E. Ambassador Eduardo Ibarrola Nicolín, Permanent Representative of Mexico to the OPCW, presented his credentials to the OPCW Director-General on 20 June 2012.



### CYPRUS

H.E. Ambassador Mr Kyriacós Kouros, Permanent Representative of Cyprus to the OPCW, presented his credentials to the OPCW Director-General on 21 June 2012.

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# Calendar of Events

August – September 2012

## OPCW Events

### **3 – 7 September 2012**

Course on Assistance and Protection Against Chemical Weapons  
Kuopio, Finland

### **3 – 7 September 2012**

Third Summer Programme on Disarmament and Non-Proliferation of Weapons of Mass Destruction in a Changing World  
The Hague, the Netherlands

### **24 – 29 September 2012**

Analytical-Skills Training Course  
Kyiv, Ukraine

## Other Events

### **30 July – 14 September 2012**

Conference on Disarmament: part III  
Geneva, Switzerland

### **29 August 2012**

International Day Against Nuclear Tests  
New York, USA

### **27 August – 7 September 2012**

Second Review Conference of the UN Programme of Action on Illicit Small Arms  
New York, USA

### **24 September 2012**

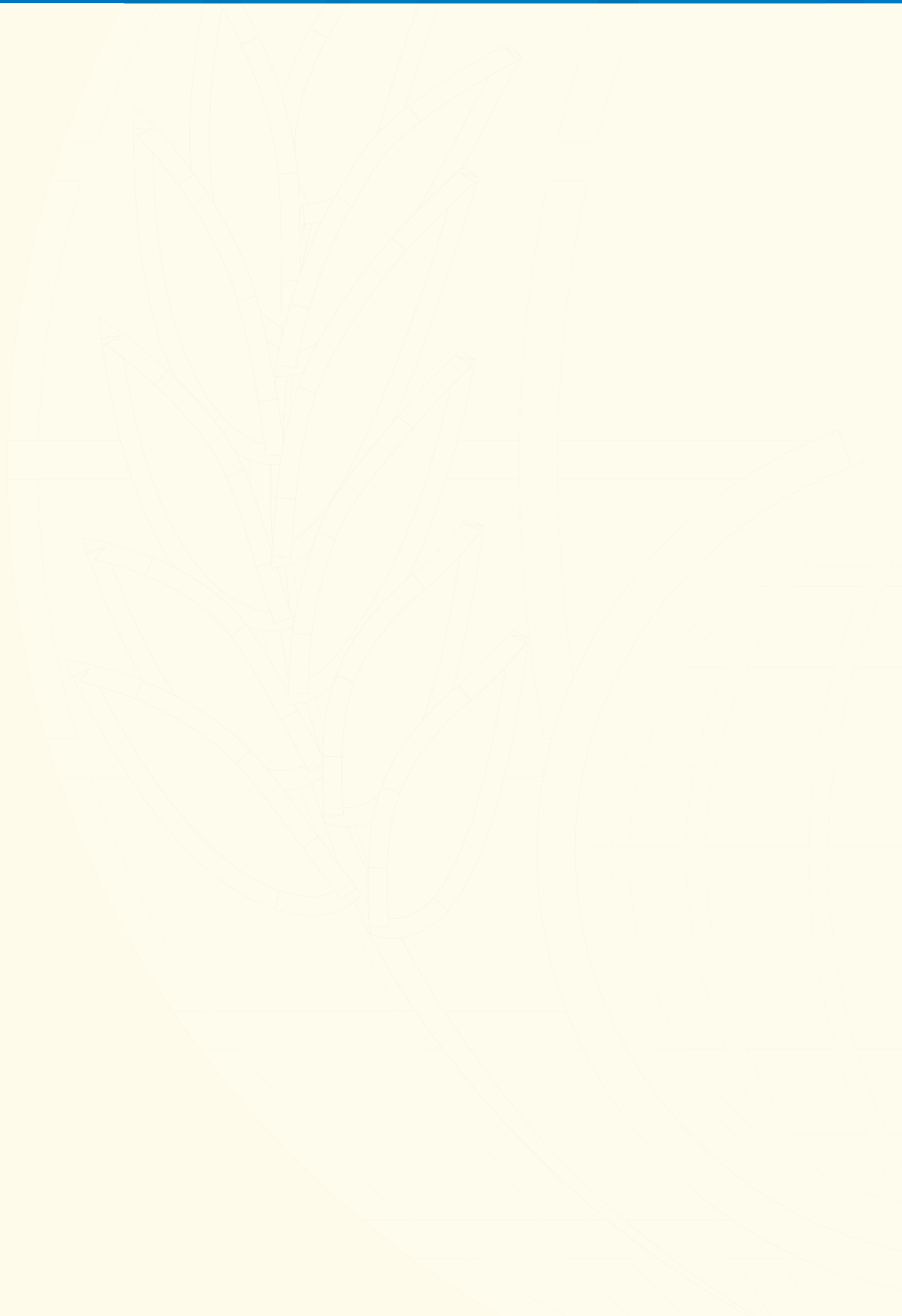
IAEA Board of Governors  
Vienna, Austria

### **17 September – 21 September 2012**

56th Session General Conference of the IAEA  
Vienna, Austria

### **10 September 2012**

IAEA Board of Governors  
Vienna, Austria



**Organisation for the Prohibition of Chemical Weapons**

*Working together for a world free of chemical weapons*