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ASSESSMENT OF THE CONVENTION

by Daniel Nord

Paper presented at the the “Tenth anniversary of the chemical weapons convention: assessment and perspectives”,
Rome, 19 April 2007

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Ladies and Gentlemen, distinguished guests and delegates. On behalf of the Stockholm International Peace Research Institute – SIPRI -- I would like to thank the organizers for arranging this meeting and providing me with the opportunity for making this statement. The title of the statement is slightly misleading, “WMD – still a dangerous threat” indicates that I will cover all types of WMD and analyze the situation and give possible recommendations. However, given the fact that this session is specifically about the CWC and since Dr Hans Blix and other participants will deal with the broader WMD picture later this day, I will instead focus on the CWC.

SIPRI of course attaches great importance to the CWC. We believe that multilateral arms control and disarmament regimes have a useful and necessary role in the international security environment. The continued active and constructive engagement by States Parties is imperative in order to ensure the treaty’s continued relevance and effective implementation in future.

We are now not only 10 years into the treaty’s existence, but also only one year from the Second Review Conference and this is therefore an excellent moment to try to look at the challenges ahead and what should be done to keep the CWC relevant in the future.

Before going into the challenges and the recommendations, allow me a few brief observations:

First, every CWC issue is informed by political considerations and even technical and scientific points are affected by them.

Second, CWC issues are generally informed by the cost, scope and level of intrusiveness that the States Parties believe are necessary.

Third, all CWC implementation issues have, as a rule, been quite extensively considered since at least the time of the 1993-97 Preparatory Commission period.

If, we go back to the first observation – all CWC issues being informed by political considerations, this is not necessarily a bad thing, since even some seemingly purely technical questions, such as whether a scientific distinction can be drawn between chemical, and biological and biologically mediated processes, actually may have significant political and financial implications.

At the same time, sometimes it appears that issues are politicized for all the wrong reasons and the implementation and development of the treaty is hindered. How do we overcome this challenge?

If States Parties could devise a mechanism whereby parties agree to consider a basket of selected, operational-level matters that are more of an administrative, technical or scientific nature, rather than of a political nature in a manner which does not necessitate consensus, they would save the organization and themselves some valuable time and resources and help making the treaty regime more cost effective and more effective in terms of verification and compliance.

SIPRI proposed this at the 2003 First Review Conference but the recommendation is still a valid point.

Possible items in such a basket could include:

1. the collection and reporting methodologies for Aggregate National Data, and
2. final agreement on low concentration thresholds.

Another challenge will be what to do once one of the main goals of the treaty, the eradication of existing chemical weapons, will have been accomplished. It remains to be seen if the USA and Russia will meet the deadlines set for destruction, but there is no doubt that the destruction process is proceeding and that the end goal will be reached, hopefully before the Third Review Conference. When that happens there will have to be a shift of the Organisation's full focus to maintaining the ban and

assuring that chemical weapons are not produced again. At the same time, to be absolutely honest, we must also recognize that chemical weapons is not put on the highest place by states when assessing threats from WMD and therefore the resources – political, financial and technical, allocated to this will be lower, than compared with resources allocated to meet the threat from proliferation of nuclear weapons.

So, how to ensure that the treaty is relevant and the organization continues to be effective

A) Consider whether and how to develop institutional mechanisms for using open-source information to support verification activities. The OPCW is moving to a position where the IAEA was in the 1980s and early 1990s. It is dependent on what states say, it may not officially take any real initiatives with regard to the on going verification (although, the Director could of course informally decide to carry out an inspection at a specific facility). Some of you may say that this goes counter to the first observation and that it will not be politically possible to do this, but if it is part of an effort to streamline verification of non-production of chemical weapons by the chemical industry, then it would mean less work for the industry, for states parties and this a financial gain (and I might add, a more cost efficient organization), i.e. would be in line with the second observation.

B) Consider extending the 7-year tenure exemption to those with specialized technical or scientific expertise, particularly those in the Verification Division and the Inspectorate Division. If the organization lose this expertise in the manner possible, or even probable, now, then a core function of the OPCW will be weakened. The main reason behind the 7-tenure rule is to make sure that an international organization is not turned into a "safe haven" for staff and that all organizations will be better from fresh blood being injected every now and then. However, to implement the rule in a way

which endanger the very reason why the organization was set up is counter productive. Currently the exemption exists for local staff and translators and interpreters and we think it needs to be extended.

C) The current development in chemical and also biological research and industry is very impressive. However, this also means that the convention, or the implementation of the convention, will need to develop to keep abreast of developments.

Here the GPC is of critical importance with regard to the expansion of scope of the CWC to scientific and technological innovation, and states should consider the political and technical circumstances surrounding the desirability of modifying the Annex on Chemicals partly in order to try to better operationalize the GPC. Also to ensure that the norm is accompanied by suitable legislation on national level, including criminal legislation, will be important.

With one year left for the Second Review Conference, what needs to be done in preparation:

The TS should prepare a document for the Conference that indicates the extent to which the final documents agreed at the First Review Conference have been implemented. This should also be a frank analysis of the underlying reasons for how this has been achieved or not achieved. In view of the fact that the TS will have difficulties in producing certain types of analysis, all of the constituent organs of the OPCW should support the OPCW Academic Forum and OPCW Industry and Protection Forum and any other similar processes to help fill this gap. This implies that individual researchers and research institutions should be allowed access to relevant information and SIPRI would be more than willing to be part of such an exercise.

The last observation indicated that much of the necessary expertise and knowledge is ready available. Now it is up to State Parties to meet their responsibility to ensure the continued relevance of the CWC.

With that I would like to end my statement and thank you for your attention.