

Forum: Disarmament Commission

Issue: Strengthening the implementation of the Chemical Weapons Convention (CWC)

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Introduction

Recent events in Syria have once again highlighted the dangers of chemical weapons and international efforts to catalog and destroy them. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (otherwise known as the Chemical Weapons Convention or CWC) was established and open for signature among a ceremony in Paris in January 1993 — 130 States signed the Convention in the first two days. In April 1997, four years into the future, the Convention entered into force with 87 States Parties. Currently, the CWC comprises 184 States Parties, as well as an implementing body, the Organization for the Prohibition of Chemical Weapons (OPCW), headquartered in Brussels. This treaty's mission is to eliminate and outlaw chemical weapons by comprehensively prohibiting the use, development, production, purchase, stockpiling, transfer and distribution of chemical weapons. The nations that signed the CWC are requested to take the needed steps to ensure this happens and have also agreed to abolish their supply of chemical weaponry. The Convention sees any chemical used for warfare as a chemical weapon, and the OPCW is the body in which the CWC is administered. The convention augments and is a more refined treaty of the unsuccessful Geneva protocol of 1925 for chemical weapons and involves wide-ranging verification measures such as on-site inspections. The convention does not, however, cover biological weapons.

Although the CWC is confronted with on-going and new challenges in its second decade, its operations since April 1997 have not been faced with the issues which the Treaty on the Non-Proliferation of Nuclear Weapons Treaty (NPT) and the Biological Weapons Convention (BWC) have experienced. Unlike the NPT, which has suffered increasing problems related to nuclear proliferation (e.g., North Korea's parting from the NPT and its subsequent nuclear test, and concerns about the proliferation threats posed by Iran's nuclear activities), the CWC has not gone through any State Party withdrawal or defection that threatens the treaty's disarmament and non-proliferation objectives. Unlike the failure of the States Parties of the BWC to construct a verification regime, the CWC's verification strategy has produced results the OPCW can build upon in the future.

Definition of Key Terms

Convention

A convention is an agreement between states that covers particular matters and issues that are of international importance. For instance, the CWC that prohibits the usage of chemical weaponry.

Munitions

Munitions can be defined as military weaponries, ammo, apparatus, equipment and stores.

Munitions can also be massive quantities of captured, damaged, and obsolete chemical warfare material. In the decades following World War II, at least four major powers jettisoned a huge quantity of their munitions, which contained munitions containing chemicals (i.e. artillery shells, aerial bomb, or mortar rounds).

Precursor

A precursor is a substance or chemical that can be used to make other substances or chemicals, especially toxic ones.

Nerve gas

Nerve agents are a category of phosphorus-containing organic chemicals that affect the mechanisms by which nerves transfer messages to organs. These types of gases were stockpiled by the Nazis during World War Two and were occasionally used in their concentration camps; they have also been used by Egypt to support a coup against the Yemeni monarchy.

Sarin

A synthesized organic compound containing phosphorus – organophosphorus nerve gas, developed in Germany during the Second World War.

Chemical Weapons Convention

This convention comprises 114 States Parties, as well as an implementing body, the Organization for the Prohibition of Chemical Weapons (OPCW), headquartered in Brussels. This treaty's mission is to eliminate and outlaw chemical weapons by comprehensively prohibiting the use, development, production, purchase, stockpiling, transfer and distribution of chemical weapons. The CWC defines "chemical weapon" through many aspects, which include: One, toxic chemical substances and their many precursors, except where intended for reasons not forbidden by the convention, as long as the types and quantities are consistent with such reasons; two, munitions and devices specifically made so damage or harm can ensue through the toxic properties of toxic chemicals released by using

such munitions or devices; and three, any equipment created for use directly in connection with the usage of such weaponries and devices.

Background Information

The First World War

During World War I, chlorine and phosgene gases and chemicals were freely exposed in the open air from canisters on the battlefield and dispersed by the wind. These chemicals were mass-produced in large amounts by the beginning of the new century and were deployed as means of harm during the protracted period of trench warfare. The first large-scale attack occurred with chlorine gas in 22 April 1915 at Leper, a municipality in Belgium. The use of these various different types of chemical weapons, including mustard gas, resulted in 90,000 deaths and over one million casualties during the war. The people who were injured or affected in chemical warfare suffered from the effects for the rest of their lives; hence the events at Leper during World War I scarred an entire generation. By the end of World War I, it was estimated that nearly 125,000 tonnes of chemical agent had been expended. The medium in which chemical agents were delivered evolved over the first half of the twentieth century, snowballing these weapons' already frightening capacity to kill and injure through the development of chemical munitions in the form of artillery shells, mortar projectiles, aerial bombs, spray tanks and landmines.

The Cold War

After witnessing the effects of such weapons in World War I, it was apparent that few countries desired to be the first to introduce even more extreme chemical weapons onto the World War II battlefields. However, preparations were made by a lot of countries to retaliate in kind should chemical weapons be used in warfare. Chemical weapons were utilized on a large scale in almost all of the significant events that occurred in the First and Second World Wars, which left behind a proliferation of old and abandoned chemical weapons that still present themselves as an issue for many countries. During the Cold War, the United States and the Soviet Union both had enormous stockpiles of chemical weapons at their disposal, amounting to tens of thousands of tonnes. The amount of chemical weapons held by these two countries was enough to destroy much of the human and animal life on Earth. This is a clear example on the profound importance of this issue; if chemical arms are not maintained more effectively, countries would have large amounts of power that could possibly threaten global safety.

Terrorism

In the eyes of many terrorist organizations, chemical weapons may be considered an ideal tool for a mode of attack; chemical weapons are cheap, relatively accessible, and easy to transport. A trained chemist can easily synthesize most harmful chemical substances if the precursors are available. In July 1974, a group called the Aliens of America successfully firebombed the houses of a judge, two police commissioners and one of their cars, burned down two apartment buildings, and bombed the Pan Am Terminal at Los Angeles International Airport which killed three people and injured eight. But it was soon discovered that the organization turned out to be a single resident alien named Muharem Kurbegovic, who claimed to have developed and possessed a supply of sarin, as well as four unique nerve agents named AA1, AA2, AA3, and AA4S. Although no agents were found at the time, Kurbegovic was arrested in August 1974, and a search of his apartment turned up a variety of materials, including precursors for phosgene and a drum containing 25 pounds of sodium cyanide. This tremendously highlights the weak points of the Convention, as the easy access to chemical weaponries in society could lead to terrorist attacks, such as the one outlined above. It also emphasizes the greater need of proper monitoring and the importance of strengthening the CWC's implementation because as aforementioned, it only takes a skilled chemist to make extremely harmful chemical substances that could leave large impacts if used with wrong intentions.

Major Countries and Organizations Involved

India

In June 1997, India professed that it had a supply of over 1000 tons of sulphur mustard in its possession. This declaration came after its entry into the Chemical Weapons Convention. This Convention created the Organization for the Prohibition of Chemical Weapons, and on January 14, 1993 India became one of the original signatories to the Chemical Weapons Convention. By 2005, between six nations that had proclaimed their possession of chemical weapons, India was the one country to adhere to its deadline for chemical weapons destruction and for inspection of its facilities by the Organization for the Prohibition of Chemical Weapons. By 2006, India had destroyed nearly 80 percent of its chemical weapons and material stockpile and was given an extension to finish to a 100 percent destruction of its stocks by April 2009. On May 14, 2009 India declared to the United Nations that it has fully destroyed its stockpile of chemical weapons.

Russia

Surpassing India, Russia declared an arsenal of 39,967 tons of chemical weapons in 1999, by far the largest arsenal declared. Its store consisted of blister agents: Lewisite, Sulfur mustard, and nerve

agents: Sarin and VX. Russia met its treaty requirements by destroying 1 percent of its chemical agents by the year 2002 set out by the Chemical Weapons Convention, but demanded an extension on the deadlines of 2004 and 2007 because of technical, financial, and environmental issues they had with chemical disposal. Due to this, Russia received monetary aid from countries such as Canada, which donated C\$200,000 to the Russian Chemical Weapons Destruction Program. This money was used to support the construction of a chemical weapons destruction facility at Kizner (Russia), where the destruction of nearly 5,700 tons of nerve agents, stored in roughly 2 million artillery shells and munitions, would be undertaken. Russia has destroyed 48 percent (18,241 tons) of its stockpile at destruction facilities located in many different parts of Russia as of July 2011. As of August 2013, 76 percent (30,500 tons) were destroyed, and Russia leaves the Cooperative Threat Reduction (CTR) Program, which played a role in funding chemical weapons destruction.

The United States

On November 25, 1969, President Richard Nixon unilaterally renounced the use of chemical weapons and renounced all methods of biological warfare. He issued a decree halting the production and transport of all chemical weapons, which still remains in effect today. From May 1964 to the early 1970s the USA participated in Operation Chase, a United States Department of Defense program that aimed to dispose of chemical weapons by sinking ships laden with the weapons in the deep Atlantic. The U.S. ratified the Geneva Protocol, which banned the use of chemical and biological weapons on January 22, 1975. In 1989 and 1990, the U.S. and the Soviet Union entered an agreement to both end their chemical weapons programs, including binary weapons. In April 1997, the United States ratified the Chemical Weapons Convention; this banned the possession of most types of chemical weapons. It also banned the development of chemical weapons, and required the destruction of existing stockpiles, precursor chemicals, production facilities, and their weapon delivery systems. In May 1991, President George H.W. Bush omitted the United States to destroying all of its chemical weapons and renounced the right to chemical weapon retaliation. In 1993, the United States signed the Chemical Weapons Treaty, which required the destruction of all chemical weapon agents, dispersal systems, and production facilities by April 2012. The U.S. met the first three of the four deadlines set out in the treaty, destroying 45% of its stockpile of chemical weapons by 2007. Since the United States only maintains Nuclear Weapons of Mass Destruction, it is the stated policy that the United States will regard all WMD attacks (Biological, chemical, or nuclear) as a nuclear attack and will respond to such an attack with a nuclear strike.

Syria

Currently, there are 189 states that have signed and ratified the treaty forbidding the production, use and transfer of the deadly weapons. But seven member states have been holdouts: Burma and

Israel have signed but not ratified, whilst Angola, North Korea, Egypt, South Sudan and Syria have neither signed nor ratified. U.N. associate spokesperson Farhan Haq was quoted saying, “The secretary-general has consistently called for Syria to accede to the Chemical Weapons Convention and to fully abide by its responsibility to maintain the physical security of any chemical weapon stockpiles in its possession.” Following the August 2013 Ghouta Chemical Attack, Syria had acknowledged their possession of chemical weapons and proceeded to declare that all Category 1 materials were destroyed by August 2014. However, the Khan Shaykhun chemical attack on April 2017 proved likely the undeclared stockpiles of chemical weapons in the country.

The Australia Group

The Australian Group is a group of nations that is now joined with the European commission that was made after the employment of chemical weapons by Iraq in 1984. Its main goal is to aid member states to identify those exports, which need to be controlled in order for them to not contribute to the spread of chemical as well as biological arms. The group, originally had 15 countries, and had its first meeting in Brussels, Belgium, in the year 1989. Today, it consists of 42 member states with the incorporation of Mexico on August 12, 2013. It is called the Australia Group due to Australia's initiative to create it. The initial objective of the members of the group was to assess chemical precursors that should be subject to export control. Today, members of the organization regulate export controls in a particular list of 54 substances. In the year 2002, the group incorporated two important ideas to strengthen export control. The first was the "no-undercut" requirement, which stated that any member of the group that wants to make an export to another state that had already been denied an export by any other member of the group must first consult with that member state before approving the export. The second was the "catch-all" provision, which requires member states to stop all exports that could be utilized by importers in chemical or biological weapons programs or initiatives, irrespective of whether the export is on the group's control lists.

Timeline of Events

| Date | Description of event |
|-------------|--|
| 1861 – 1865 | During the American Civil War, civilians and soldiers on both side suggest the utilization of chemical weapons. New York City schoolteacher John Doughty recommends firing chlorine-gas projectiles at Confederate troops, and Confederate soldier Isham Walker suggests dropping canisters of poison gas from balloons. |

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| 1874 – 1907 | A series of international treaties signed by most Western nations bans the use of poisonous weapons in war. |
| 1914 August | In the first month of World War 1, the French use tear-gas grenades (gas that causes irritation in the eyes). |
| 1914 October | The Germans release 3000 shells containing dianisidine chlorosulfate (a lung irritant) on the British |
| 1915 April | Germany launched the first large-scale deployment of chemical weapons in Ypres, Belgium. |
| 1915 September 25 th | For the first time, The British use chemical weapons against the Germans in the Battle of Loos, releasing chlorine gas from canisters. |
| 1918 June | The allies use mustard gas to fight the German military. |
| 1918 November 11 th | This marks the end of World War I, casualties from chemical weapons amounted to 1.3 million that include over 90,000 deaths. |
| 1925 | The League of Nations adopt The Geneva Protocol, which prohibits the use of chemical and biological weapons, but it does not cover the production, distribution and stockpiling of such weapons. |
| 1939 – 1945 | Poison gases used by the Nazis against civilians in concentration camps and by the Japanese army in Asia. |
| 1972 | The Biological and Toxin Weapons Convention is established. Coupled with the Geneva Protocol, the new convention prohibits the production and stockpiling of chemical weapons. However, there is no way of ensuring that countries will remain complied. |
| 1980s | During the Iraq-Iran war, Iraq uses chemical weapons against Iran, and Iran start their own chemical-weapons program as a result. |
| 1993 | The Chemical Weapons Convention is established and signed. |
| 2013 | The Syrian military uses Sarin against civilians during the Syrian Civil War; hundreds are killed. |

Relevant UN Treaties and Events

- Geneva Protocol 1925
- The Biological Weapons Convention (BWC), 26 March 1975
- Brussels Declaration 1874
- Treaty of Versailles 1919 (Forbade the production or importation of poison gases by Germany)
- 1990 Chemical Weapons Accord
- The Treaty on the Non-Proliferation of Nuclear Weapons (NPT), 5 March 1970

- Geneva Summit 1985

Previous Attempts to solve the Issue

Before the Chemical Weapons Convention was created, the main treaty that was trying to keep this issue in check was the Geneva Protocol. However, it was not very effective as it did not cover the production, distribution and stockpiling of chemical weaponry and also did not have the idea of the 'challenge inspection'; this was where any state with the doubt that another member state is not complying with the terms can request the Director General to organize an inspection team to search the state in question. Therefore, it wasn't effective in actually making member states comply with the treaty's guidelines and this became apparent when chemical weapons were used in WWII by the Nazis in concentration camps and by the Japanese army. Another significant failure to adhere by the Geneva Protocol was the Iraq-Iran war of the 1980s where the UN confirmed Iraq's use of chemical weapons.

The idea of threatening was also seen to stop countries from using chemical weapons against civilians: The Syrian military uses sarin gas against civilians during the Syrian Civil War; hundreds are killed. However, Bashar al-Assad's government relinquished its arsenal of chemical weapons after threats of U.S. air strikes. On the other hand, recent chemical attacks such as the Khan Shaykhun chemical attack on April 2017 proved likely the undeclared stockpiles of chemical weapons in the country, undermining the effects of threatening to significantly reduce the intensity of the issue.

Possible Solutions

There are several issues that need to be solved, mainly how to make sure that the new developments in the field that don't undermine the progress that has been made. There is an issue as to whether the employment of these toxic chemicals can be implemented to control riots or whether it would be permitted under certain circumstances and the appropriate chemicals to be used. Another problem also occurs as the monitoring process of chemical disarmament is decreasing in importance so the Organization for the Prohibition of Chemical Weapons (OPCW) need to ensure that the spread of chemical weaponry is controlled and the increasing number of production factories that can easily be misused to produce weapons for the wrong purposes are adequately monitored. A further concern is that no member state has used the 'challenge inspection' procedure despite there being allegations that some member states are not working within the guidelines of the CWC. For instance, John Tucker has stated "the United States has publicly accused China, Iran, Russia, and Sudan of violating the CWC, yet it has not provided specific evidence nor pursued these allegations through challenge inspections, thereby weakening the treaty."

The possible solutions of this issue are mainly rectifying the problems outlined above. One would

be to call upon all member states, especially those who are in question, to reassess their stance on this issue and to get on top of any hindrance that is affecting the progression and regulation of the Chemical Weapons Convention within that nation, and also, to urge them to abolish any type of misuse of those chemical weapons such as using them to control riots or use it in any way to discipline others. This may be through adding further policies to the convention that prevent such events. With that in mind, it would be a very notable achievement if the countries that have not signed and ratified the Chemicals Convention Treaty to actually sign and comply with its guidelines. This would not only strengthen the implementation of the convention but also precludes the chance of any chemical weapons use by or inside those countries that may affect millions of people.

Furthermore, “challenge inspections” should be used across nations as a measure to keep countries in check and prevent any further developments of chemical weaponry, especially for those who require it. This is particularly the case with nations that were already involved in using chemical weapons in the past such as Iraq and Japan.

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Appendix or Appendices

- I. <https://www.chemheritage.org/distillations/magazine/a-brief-history-of-chemical-war> (A Brief History of Chemical War)
This website covers the timeline and countries related to the issue and their actions very extensively.