Documentation of the Work of the
Organisation for the Prohibition of Chemical Weapons
Organisation for the Prohibition of Chemical Weapons

Committee Staff

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Agenda

1. Addressing Chemical Weapons Safety in Political Transitions

2. Ensuring the Universality of the Chemical Weapons Convention

Delegate Awards

- Madagascar
- Denmark
- Dominican Republic

Resolutions adopted by the committee

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Summary Report

The Organisation for the Prohibition of Chemical Weapons held its annual session to consider the following agenda: Ensuring the Universality of the Chemical Weapons Convention and Addressing Chemical Weapons Safety in Political Transitions. This session was attended by representatives of 107 Member States. The delegates began this session with eagerness and high energy, apparent by the first five speeches that discussed the setting of the agenda. Soon thereafter, the committee broke into their first suspension of the meeting for 30 minutes and discussed setting the committee’s topics: Ensuring the Universality of the Chemical Weapons Convention and Addressing Chemical Weapons Safety in Political Transitions. By the end of the first committee session, the body voted to set the agenda to 2-1.

In the committee’s second session, the dais was joined by their newly elected Chair, Tassilo Oxenius, and their Rapporteur, Nadezdha Vasileva. With 108 Member States present, the committee opened with a few speeches from the honorable delegates. In the following one hour suspension of the meeting, delegates began to form working blocs in an effort to begin their drafts of working papers. Upon return to formal session, the body heard various speeches to promote working papers dealing with an array of topics such as regional and interregional financial assistance strategy, export and import control mechanisms, dual-use item and Schedule Three Chemical Weapons tracking and technical training of internal personnel. By far the most impressive point of this session was the delegates’ voluntary initiative to merge working papers before having even submitted the first draft working paper.

During committee session three, 106 Member States were present. More than one delegate expressed the desire to extend the speaker’s time to 90 seconds in an effort to hear the ideas being generated throughout committee more thoroughly. Although this extension was not granted, it was a true testimony of the environment within all committee sessions: one which reflected the interest and respect each delegate displayed for one another. By this session, it was clear that the committee had kicked into full gear and were actively immersed in the development of their working papers. Generally, the committee was separated into 8 blocs of delegates. The first working paper was submitted to the dais before the end of session.

A total of 106 Member States were present for committee session four. In true promotional spirit, the body moved for suspension of the meeting and once in informal session, hit the ground running in an effort to advance their working papers. Although the speaker’s list was riddled with Member States, the body was more interested in continuing the progress on their working papers. At this point, working papers were constantly being submitted. At the conclusion of this committee session, there were a total of 10 working papers presented to the dais.

On April 1, 2014, OPCW committee session five commenced with a total of 99 Member States present. Before entering formal session, the dais was presented with an 11th working paper. It was clear that delegations were working hard to formulate conclusions and recommendations for their working papers. During the 60 minute suspension of the meeting and followed by a second suspension for 30 minutes, delegates received their revisions from the dais. At the height of the editing process, delegates caucused amongst themselves to address similarities within the working papers on the floor. Several groups initiated negotiations centered around merging working papers into one cohesive topic. Furthermore, delegates were determined to continue this work throughout their lunch break.

A total of 97 Member States were present for committee session six. The dais advised delegates that the deadline to submit new, unseen working papers was the end of the committee’s seventh morning session. With this goal in mind, delegates worked steadily to meet this request. After two long, intense suspension of the meetings, the dais entertained the delegates on the speaker’s list. Many speeches consisted of the work
the entire body was doing and detailed where to meet at the next suspension for purposes of gathering supporters. However, after committee session concluded, more than half the OPCW delegates remained in their committee room in hopes to merge their working papers into one, despite having worked a previous ten hours.

At its seventh session with a total of 106 Member States present, delegates worked extremely hard to merge with other like-minded working papers. There were two major mergers that increased sponsorship from 9 to over 30 on one working paper dealing with The Encouragement of Cooperation with Regions and the Training of Border Security Agencies for Chemical Weapons Control. The delegates originally discussed their concerns about having such a large sponsor group after their voluntary merge. The concern, however, was not about the amount of sponsors or who the sponsors were, but instead, was centered around the coordination amongst the group should there be any friendly amendments. The sponsors of this working paper took initiative to divide themselves into small groups by topic so that in the case an unfriendly amendment was submitted, they could quickly and easily address this purposed amendment. It proved to be a useful tactic seeing as how there were two amendments proposed for their draft report segment.

On April 2, the OPCW held its final session of this conference. After all working papers were submitted on time, the body had 6 draft report segments in total to vote upon. With a total of five amendments, two which were unfriendly, the committee was ready to go into voting procedures. The first draft report segment was successfully achieved by acclamation, officially making it OPCW Report 2/1. The second draft report segment was interesting because it did not pass by consensus. Due to OPCW Rules of Procedure, a draft report segment which is not passed by consensus is then voted on by a 2/3 majority, but not before the director exerts his discretion to call for a suspension to discuss the idea of passing the draft report segment by consensus. After having taken a short break to achieve this consensus, the vote by acclamation was still opposed by two delegations. After a 2/3 majority vote, the draft report segment was officially adopted as OPCW Report 2/2. The next two draft report segments were successfully voted on with an adoption by acclamation. Likewise, the last two draft report segments were voted on by 2/3 majority. In sum, all six draft report segments were accepted by the body and therefore became Reports.
I. Introduction

A. BUILDING NATIONAL POLICE CHEMICAL WEAPONS CAPACITY IN PERIODS OF POLITICAL TRANSITION

1. In accordance with the primary goal clearly stated in Article I of the Chemical Weapons Convention, furthering global disarmament and security.

2. The OPCW is aware that many Member States are unable to train their security forces to properly react in the event of a chemical weapons attack. In fact, State security forces often lack the funding and/or expertise necessary to prevent the acquisition and development of chemical weapons by non-state actors on their territory. Also, these security forces often also lack the ability to adequately respond in the aftermath of a chemical weapons attack.

3. States undergoing political transition, including but are not limited to, elections, regime change and intra-state conflict, are particularly vulnerable to the threat of chemical weapons. Politically unstable States are likely to have relatively weak institutions and may lack control over some or all of their territory. This weakness enables non-state or other hostile actors to acquire, develop or stockpile chemical weapons on the territory of these states. Due to the weakness of state institutions, the case of Somalia has shown the inability to prevent the militant group al-Shabaab from pursuing the development of chemical weapons on Somali territory. Strengthening state institutions is not only a priority, but also a necessary step in countering political instability. Ensuring the effectiveness of state security institutions will help to counter the threat of chemical weapons.

4. The Organization recognizes the importance of U.N. Police as an on-the-ground monitoring, advising and training force to restore the rule of law in unstable States. The UN Police has supported the reform, restructuring and rebuilding of domestic police and other law enforcement agencies in conjunction with UN peacekeeping operations including Bosnia and Herzegovina (UNMIBH), the Democratic Republic of the Congo (MONUSCO), and Sierra Leone (UNAMSIL). This cooperation aims to reestablish police services in order to create the conditions for sustainable peace and development, which the OPCW also recognizes as an important step in mitigating the threat of chemical weapons.

II. Mandate

5. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

6. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.
7. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons in their possession or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

8. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.

III. Conclusions and Recommendations

A. BUILDING NATIONAL POLICE CHEMICAL WEAPONS CAPACITY IN PERIODS OF POLITICAL TRANSITION

9. Upon the request of the Department of Peace Keeping Operations (DPKO), the OPCW’s Technical Secretariat is willing to host workshops to provide assistance in educating and training UN Police Forces to recognize chemical weapons precursor agents and mechanisms for detecting the production and compilation of chemical weapons. The OPCW further encourages the training of UN Police Forces include safety measures for defending existing chemical production and storage facilities, which will help prevent possible attacks on the facilities and potential acquisition or production of chemical weapons precursor agents. Furthermore, the OPCW encourages the United Nations Institute for Training and Research (UNITAR) partner with the OPCW in assisting UN Police on the training of local law enforcers and police agencies. The collaboration between the OPCW and UN Police will consist on establishing protocols for identifying and monitoring key chemical production and storage sites within host-states with reference to the Chemical Material Prioritization Index for Security (CMPIS) and the CWC chemical schedules; identification of potential threats to these chemical facilities specifically from non-state and other hostile actors; contingency and response plans to defend against attacks or other attempts to acquire chemicals from these key chemical sites; operations to disrupt chemical weapon development sites in conjunction with local forces and government authorities; intelligence from regional border security agencies regarding the trafficking of chemical weapons within the boundaries of the state; assistance in the means of decontamination of the affected areas, medical assistance for victims and the management of the other consequences that are the results chemical attacks.

10. The OPCW also suggests that the DPKO, in conjunction with the OPCW, further make available the training of local police forces to perform the aforementioned functions. The ultimate goal of this program will be to build the capacity of local law enforcement agencies to serve as the primary policing mechanism within the State by the end of the UN Police deployment. Additionally, the UN should be prepared to support the local police forces during training by procuring the same type of detection equipment to be used in the country after the deployment ends. That equipment will be purchased using the Equipment-Exchange Programme outlined in S/307/2002/Rev.1 and donations from other member States of the OPCW. The technical equipment and other resources for these missions include, but are not limited to: detection, decontamination and protection of equipment, will be provided by the OPCW during and after training in cooperation with the UN through several channels.

11. This program will be funded by grants and donations from member States including Canada’s Global Peace and Security Fund, under the auspices of the Protection Clause of Article X of the CWC, in order to promote education initiatives for first responders to chemical weapons attacks. The program should also make use of voluntary funds as required.
Code: OPCW/02/002
Committee: The Organization for the Prohibition of Chemical Weapons (OPCW)
Topic: Addressing Chemical Weapons Safety in Political Transition

I. Introduction

A. Addressing Chemical Weapons Safety in Political Transitions

1. As stated in the amendments to the Financial Regulations and Rules of the OPCW \((C \text{–} 15/DEC.5)\), the Voluntary Fund for Assistance is aimed at providing aid, under Article X of the Convention, to a State Party when requested. The Application of the Voluntary Fund for Assistance, used for the purpose of emergency assistance to be maintained by the OPCW. The Voluntary Fund for Assistance consists of voluntary contributions from Member States as well as Non-Governmental Organizations (NGO’s) and private parties.

2. Collaboration between regional and international financial institutions would initiate and encourage the formation of programs to promote CWC membership and the production of peaceful chemical resources. Financial institutions such as the International Monetary Fund (IMF), World Bank and regional development banks would be vital in promoting research and development in the field of peaceful chemical production, border security, education for regional and local officials, victims’ assistance, and improvement of technological databases for the verification and tracking of chemical agents.

3. Understanding the role of the AGResults Innovative Fund to Boost Food Security and Farmer Livelihoods Initiative as a key market strategy to improve the livelihoods of the developing world, it should be used as a strong model to address the current issues at hand, as it can provide incentives for Member States when they reach milestones during implementation of the CWC and resolution 1540. AgResults was born out of the realization that there is a great need for increased investment in global food security and agriculture, in particular from the private sector. Utilizing their “pull mechanisms” as a means to encourage results through results-based payments, these financing mechanisms serve as a critical resource to stabilize and address chemical weapons safety in political transitions.

4. Recognizing the Africa Programme, more specifically the Equipment Exchange Programme, which is meant to facilitate the transfer of prevention and protection equipment from facilities located in industrialized States. This program has garnered much success and has received critical acclaim from the Technical Secretariat and Member States participating.

5. The OPCW notes that all Member States that are part of the CWC are required under Article X, to assist and provide equipment and monetary assistance to countries in order to further prevent and protect Member States from chemical weapons attacks, especially during political transition.

6. Drawing from experience of the African Development Bank Group (AfDB) in granting technical assistance and financing to Complementary Infrastructure PPP Projects in Senegal, the General Conference suggests that Member States provide active support and involvement with their respective authorities, sponsors and other stakeholders in order to establish solid long-term relationships with them. This project demonstrates that regional public-private partnership projects can be applied likewise within the purview of the OPCW’s task, i.e. ensuring chemical weapons safety in countries experiencing political transition.

7. The OPCW recognizes the importance of Vertic’s National Implementation Measures Programme, a non-profit organization, which, at the demand of Member States, can provide legal and technical assistance for the implementation of national verification of facilities and arms control.

II. Mandate

8. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention
on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

9. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.

10. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons it own possesses or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

11. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.

III. Conclusions and Recommendations


12. Recommends that Member States of the General Conference of the OPCW contribute more actively to the Voluntary Fund to promote efforts in the areas of development and capacity building, and peaceful uses of chemistry. The General Conference recommends the delineation of areas of assistance within the Voluntary Fund to provide target assistance to States requesting aid in possible areas such as technical and equipment assistance, legal and national implementation assistance, and humanitarian assistance in areas of victim’s assistance or medical related issues. By creating these different topical branches of funding within the voluntary fund, Member States would be able to provide targeted voluntary financial contributions to the fund in order to improve States ability to address chemical weapons and chemical safety in the context of political transitions and further the goal qualitative universality.

- a. Recognizing the untapped potential of voluntary donations made by civilians, the OPCW recommends the creation of a Crowd-funding mechanism, termed “Help to free the world of chemical weapons”. The donations would go automatically to the Voluntary Fund for assistance. Civilians would be able to donate via phone in the form of a phone call or SMS. The OPCW should further inform the State Parties about this initiative. State Parties should in turn, promote the crowd-funding to their respective citizenry.

- 13. Recognizing the need for the OPCW to focus on the issue of chemical safety in the context of political transitions and how this also furthers the objective of qualitative universality for a world free of chemical weapons, the Member States of General Conference call for the reorganization of the funds within the OPCW Regular Budget to further increase support to the Department of International Cooperation and Assistance and Support to the Policy Making Organizations section. This will allow for workshops, programs, and seminars to address the benefits of the peaceful uses of chemistry for least-developed countries (LDCs) and States requesting assistance. These workshops, funded from the reorganized Regular Budget, should be jointly sponsored through various IGOs and NGOs such as but not limited to the
following: UN, OPCW, Australia Group, UNODA, WHO, UNEP to foster greater international and regional cooperation.

14. Understanding the limited fiscal resources available to the OPCW, the Member States General Conference call for regional organizations such as the African Union (AU) and Organization of American States (OAS) to take a more active role in the monitoring process of chemical facilities through their respective hemispheric or peace and security departments. This greater role for the regional organizations would garner additional direct financial support for the verification and inspections mission of the OPCW Technical Secretariat. This enhanced role for regional organizations will allow the OPCW to commit additional fiscal resources from its limited Regular Budget to the development of programs and mechanisms that further assist States to utilize chemicals for peaceful purposes.

   a. Recognizing the need for a regional and sub-regional categorization on the severity of risks to chemical usage in terms of political instability regarding the immediate need for assistance in an effort to prioritize our efforts in areas of the most need, the OPCW will use the Chemical Material Prioritization Index for Safety (CMPIS) for risk assessment to better expedite efficient and effective usage of the limited fiscal resources.

15. Believing that international and regional financial institutions provide an additional and useful avenue for strengthening the link between disarmament and development to stabilize States undergoing political transition and to further enhance Member State capacity, the Member States of the General Conference call for additional cooperation between such institutions. These partnerships would incentivize programs that highlight the benefits of CWC memberships and the peaceful uses of chemistry. The General Conference strongly supports partnerships between financial institutions such as but not limited to the IMF, World Bank and regional development banks to provide the Member States with enhanced economic resources to pursue programs that promote the safe and responsible use of chemicals and further internal and regional development. These partnerships would provide economic resources to address concern in the areas of border security, education and training for officials, victims’ assistance, and improvement of technological databases for the verification and tracking of chemical agents. The following initiatives could be successfully adapted as model programs for use in chemical safety, peaceful uses, and the promotion of non-proliferation of chemical weapons.

16. The World Bank-sponsored AGResults Innovative Fund to Boost Food Security and Farmer Livelihoods Initiative should be used as a model of success in creating a strong incentivized mechanism to address key issues in this topic area. This program utilizes “pull mechanisms” to encourage innovation through results-based payments that are paid out when designated benchmarks or milestones have been met. Such financing mechanisms have seen success in generating innovation and would allow States access to additional resources with which to stabilize political transition and further universality by improving State structure and processes. AGResults also launches a series of targeted pilot projects that address some of the biggest problems in global food security and agricultural development. Such pilot programs could be adapted for use by the OPCW for chemical topics to address areas where there is a lack of adequate resources or where more resources should be devoted into areas such as border security, victim’s assistance and other forms of international cooperation. The OPCW Technical Secretariat could work in conjunction with the World Bank to develop such a program for future use.

17. Finally, the Member States of the General Conference should also draw attention to strengthening the financial resources available to the Equipment Exchange Programme initiated by the Africa Programme. As mentioned earlier in Paragraph 5.b, the AGResults Innovative Fund to Boost Food Security and Farmer Livelihoods Initiative should be used as a model for the improved Equipment Exchange Program. Countries who reach milestones in implementing resolution 1540 or show sufficient commitment in implementing resolution 1540 should be given incentives such as but not limited to, equipment to help prevent and protect from chemical weapon attacks, such as alarm systems, protective equipment, decontamination, and decontaminant equipment, and antidotes. Such milestones will be addressed alongside of the reports provided to the 1540 Committee from the Member States. This initiative will act in accordance with the obligations of the State Members under Article X of the CWC, which asks member states to assist and coordinate with equipment needed to protect against chemical weapon attacks.
a. Utilize regional public-private partnership projects similar to the African Development Bank Group’s (AfDB) Complementary Infrastructure PPP Projects like the one implemented in Senegal. Like this project, the OPCW calls for the Technical Secretariat to establish active dialogue and approval for as-needed loans or grants for infrastructure, security, or development projects relating to the safe handling of chemicals or the non-proliferation of chemical weapons in political transitions. This would allow the OPCW to broaden the scope of its technical assistance and foster greater regional cooperation and bilateral dialogue amongst Member States, which would contribute to qualitative universality and to mitigate the dangers posed to State bordering countries susceptible to destabilizing political transition. Such projects would utilize an active application system on a case-by-case basis with the OPCW Legal Assistance section acting as an intermediary between parties for the securing of the aforementioned loan and grant aid packages.

18. Recognizing the utility of economic incentives as a means of ensuring that States do not engage in the illicit utilization of weaponized chemical agents, the Member States of the General Conference encourage the creation of a new Plowshare Chemical Bank. These economic incentives, like aforementioned initiatives, act proactively to reduce the size and volatility of existing chemical stockpiles in stable but vulnerable States. Such an initiative will allow the international community to more efficiently address the issue of chemical agents in relation to development and instability. Retooling potentially dangerous manufacturing capacity and stockpiles can reduce their danger in the event of instability as a result of political transition.

19. Plowshare Chemical Bank incentivize the development of civilian chemical manufacturing, in lieu of chemical manufacturing for military purposes by acting as a market for chemical goods from CWC members. Joint-mission UN and OPCW Chemical Bank would purchase excess amounts of peaceful-use chemicals (fertilizers, sanitary products, pharmaceuticals, etc) from states that make meaningful strides to ratify the CWC but continue to face economic deterrents. Regulation by a UN body would ensure accountability of the Chemical Bank. Funding would be a joint commitment of the Voluntary Assistance Fund and the budget of the UN body administrating the Chemical Bank. Purchase should be contractual, with set dates of phasing out and termination of aid.

20. The Technical Secretariat of the OPCW should be empowered to host yearly meetings with the specific mandate of informing about the benefits of peaceful use of chemicals and cost-saving processes. These meetings would invite educational institutions, experts on the retooling of military/dual-use chemical facilities into purely civilian use facilities, state actors, NGOs, international civil society organizations, and representatives of private industry for the purpose of civilian outreach and information. This would be done to facilitate the exchange of expertise on disarmament and civilian manufacturing as an incentive to disarm and allow for the sharing of best practices to harmonize expenditure in this area. The focus should be on creating general frameworks of economic development as an incentive for disarming, balanced with cost-saving measures for future implementation.

21. Aware of the need to further highlight the benefits of CWC membership, the Member States of the General Conference supports the implementation of a moratorium on assessed contributions for a period of one year for those States that exist outside of the CWC in order further incentivize the goal of quantitative universality.

B. Legal Assistance for the Promotion of Capacity-building in the Context of Chemical Safety and Political Transitions

22. The general Conference also draws attention to the Vertic National Implementation Measures Programme, as well as the National Legislation Implementation Kit for the Chemical Weapons Convention, which has provided countries experiencing budgetary restraints, a comprehensive and generalized draft legislation for the implementation of resolution 1540 as well for the Chemical Weapons Convention. Using these programs as models, a National Training Protection Plan should be recommended as a generalized plan that can be used by all states that are experiencing budgetary restraints. This plan would provide a plan for first responders, law enforcement, and chemical facilities to properly address safety of chemical weapons in the case of political transition. This initiative should also be flexible enough to allow Member States to address
their specific priorities, while also adhering to global standards with regards to National Protection Plan training. This plan should be provided to Member States while attending regional workshops to facilitate their comprehension of the National Protection Plan training initiative. This program will be both cost effective and efficient to both member states and the OPCW as it decreases bureaucracy and also for a further re-allocation of resources. It also allows for a strengthening of the legal apparatus of each State in relation to chemical agents in political transitions.

23. Cognizant of the need to strengthen multilateral and bilateral relations amongst Member States to further financial and technical and legal support mechanisms and lessen the financial burden on the Technical Secretariat, the General Conference recommends that Member States and regional organizations actively work to cooperate in areas of verification and mutual assistance in the peaceful uses of chemicals and promotion of such uses for development purposes. This will allow for additional verification measures that have the possibility to be more stringent and occur more often than those conducted by the OPCW which would close the gap on time between facility inspections. Such binational or multilateral legal arrangements would allow for a harmonization of process for the safe handling of chemicals and allow mutual technical assistance to be distributed more quickly and more efficiently. This increased collaboration will strengthen ties between States and therefore will allow for greater communication between said States and their regional partners while undergoing political transition. This has the overarching benefit of being cost-effective for the OPCW Technical Secretariat and allow for the reallocation of funds elsewhere where such agreements do not yet exist.

24. The Member States of General Conference draw attention to the Brazilian-Argentine Common System of Safeguards (SCCC-ABACC) as a useful model for replication. This arrangement establishes a binational entity tasked with further verifying the actives of each State Party and facilitates inspection missions with representatives from both States present. It also provides for equipment exchange through the ABACC and harmonization of safeguard procedures. A similarly modeled agreement would allow for Member States to efficiently adapt a mechanism to combine national resources to further monitoring, verification, and development initiatives. This would allow the OPCW to more effectively utilize its resources to reach a wider array of Member States and provide accuracy for the dissemination of assistance to Member States. These agreements could be concluded between friendly States within geographical regions in order to create cost-effective additional oversight mechanisms. The cooperation involved would consist of the aforementioned assistance as outlined by the ABACC.

25. Aware of the need to efficiently manage the financial resources of the OPCW and also pursue a legal structure for more timely implementation of legal practices in States in order to codify State response to chemical agents in political transitions and provide legislation for qualitative universality, the Member States of the General Conference support the establishment of e-government initiatives that promote the horizontal transfer of best practices in the area of legal assistance and legislation. The OPCW highlights the Network of e-Government Leaders of Latin America and the Caribbean (Red GEALC) as an effective model for the cost-effective dissemination of best practices regarding the implementation of national legislation addressing chemical safety.

26. The network has put in operation a series of mechanisms that facilitate generating and disseminating knowledge in the area of e-Government and national legislation. Such an adapted mechanism would provide a cost-effective avenue for Member States to utilize to improve and harmonize their national legislation more in-line with CWC mandates. The OPCW recommends that regional organizations such as the Arab League and African Union implement such initiatives and include within them a voluntary fund similar to The Horizontal Cooperation Fund, (FOCOH) of Red GEALC which would provide funding from regional Member States to transport exports and promote the sharing of expertise on the management of chemical safety and management legislation in an e-forum. This would ultimately prove cost-effective and allow the OPCW to devote additional limited resources to States where such initiatives are lacking and provide an additional option for States seeking to review and revise their national legislation in relation to the sound management of chemicals in political transitions.
Code: OPCW/02/003  
Committee: The Organization for the Prohibition of Chemical Weapons (OPCW)  
Topic: Addressing Chemical Weapons Safety in Political Transition

I. Introduction

A. The Encouragement of Cooperation within Regions and the Training of Border Security Agencies for Chemical Weapons Control

1. International cooperation has increased international security. The Caribbean Community and Common Markets’ Implementation Agency for Crime and Security, or CARICOM IMPACS, is an example of such cooperation. The effectiveness of training workshops and seminars, as the Assistance and Protection Training for State Parties, and ensured personnel and officers have up-to-date information, training, and equipment (e.g. by expanding OPCW Equipment Exchange Program or EEP). Such cooperation has also improved the ability of States Parties to share best practices and experiences and has successfully addressed the issue of ensuring that national authorities are properly equipped to handle CW emergencies. The training efforts of the OPCW includes measures to impart substantive information on the nature of chemicals weapons and their precursors, as well as how to ensure these dangerous substances are not illicitly traded and trafficked. In these training workshops, the OPCW also provides practical experience in identifying prohibited chemicals and chemical weapons. As such, it is a forum where trainees can discuss their experiences and methods with prevention in their region.

2. The OPCW programme, the Chemical Safety and Security Management Programme (CSSMP), and their contribution toward regional cooperation, safety management, and information sharing have been vital for the progress of ridding the world of dangerous chemical weapons. From its establishment in 2009, there have been a total of twenty effective projects all over the world, with the most recent project being the education of chemical safety management for African Member States in November of 2013.

3. The OPCW currently holds annual training programs in different regions. The most recent of these programs were held in Jamaica in 2013 for the CARICOM region, and is titled the Fifth Annual Training of Assistance and Protection Program. In 2005, the OPCW created the official format for applying for assistance, and this was recorded in the C-10/DEC.8 decision.

4. During times of political transition, States may not have the proper amount of equipment or effectively trained manpower to completely secure their borders. This increases the ability of non-state actors to transport illegal material, possibly including chemical weapons, across the border. Consequently, helping neighbouring States secure their borders and prevent illicit trade and trafficking during times of political transition will ensure the safety and security of chemical stockpiles and/or the precursors listed in the Schedules of the CWC.

5. The OPCW training framework provides the necessary tools and information for the governmental officials from Member States to return to their home units and train other personnel and subordinate on prevention of proliferation of chemical weapons and prohibited material. This model is currently enacted by the OPCW in both inspector-training sessions and in regional conferences. For example, the OPCW recently sponsored the Regional Training Course of Customs Authorities of the States Parties in Eastern Europe on the Technical Aspects of the Transfers Regime of the Chemical Weapons Convention in Baku, Azerbaijan, or (S/1059/2013).

6. To foster further progress in regional and global security, the OPCW encourages Member States, especially States bordering countries experiencing political transition, to achieve a more comprehensive and effective border control, or security circle, around those countries in tackling the problem of chemical materials and weapons smuggling.

7. Considering the nature of limited resources in achieving the mission of OPCW initiatives, we are determined to put lot of attention in allocation of such limited resources. Concretely, it means to review the spending areas of the OPCW. This happens in two aspects: combining the segmented programs and assessing the risk of each
II. Mandate

8. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

9. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.

10. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons it own possesses or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

11. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.

III. Conclusions and Recommendations

A. The Encouragement of Cooperation within Regions and the Training of Border Security Agencies for Chemical Weapons Control

12. Although the CSSMP has proven to be an effective institution in terms of regional cohesion, it should be noted that all CSSMP sponsored events are not distributed evenly by region. This results in a discrepancy of events being held, some regions have an overabundance of events while other regions are neglected. Furthermore, the current focus of these events is on chemical industry-related aspects. The Conference of States Parties to the OPCW suggests the expansion of the CSSMP mandate, recommending the organisation hold regional fora at least twice a year, which do not solely concentrate on peaceful chemical industry aspects but rather adopt a more comprehensive approach encompassing a wide array of stakeholders, including but not limited to designated national points of contact, chemical industry experts and OPCW technical experts. These fora shall have the specific purpose of increasing regional transparency and cooperation between Member States in the event of a political transition within the region with the purpose of decreasing the risk of a chemical attack, similar to the Programme to strengthen Cooperation with Africa. The fora will discuss current issues involving the safe use of industrial chemical agents and involve multilateral dialogue exploring issues critical to attaining the safe use of chemicals. The proposed fora should not be limited in their form, but are rather a standard that regions may adjust according to their needs and existing partnerships.

13. The Conference of States Parties recommends the CSSMP to further collaborate with established regional entities such as the Arab league, European Union or the African Union to support the implementation of the proposed regional fora. These fora shall take example on existing regional fora including the ASEAN regional forum, the Pacific Islands Forum, the Southern Regional Forum, and the United Nations Regional Centre for
Peace and Disarmament in Asia and the Pacific (UNRCPD) for the structure of the regional groups. In preparation for the fora, collaboration with existing OPCW groups specializing in doing research and investigations on the use of chemicals is imperative. Member States participating in the forum shall provide national reports that include personnel-training developments, innovations in chemical substance trade, smuggling of chemical substances and other relevant national data, and proposals to ensure chemical weapons safety in political transition. This would facilitate intra-regional harmonization of practices and knowledge-sharing. The fora shall encourage cooperation between States through the planning of additional future regional workshops, each workshop correctly addressing every State’s priorities. These priorities should be assessed according to the provided national reports.

14. The Conference of States Parties recommends these fora engage in the efficient and effective training of emergency responders and the utilization of national experts in the field of chemistry to educate national law enforcement officials in order to help them better respond to the potential use or threat of use of chemical weapons. These fora should also invest in a regional simulation system, to bolster regional training, highlighting the Exercise Bio-Shield Crisis Management Simulation as a mechanism that could be adapted for use in chemical weapons incidents or emergency situations involving chemical agents.

15. The Conference of States Parties also calls upon the creation of an annual summit consisting of representatives from every regional forum, in order to unite the efforts of regional cooperation. Within the framework of the summit, regional representatives from both public and private industrial bodies will have the ability to voice concerns over the potential weaponization of chemicals as addressed in regional fora. The summit will allow such bodies to exchange information on successful provisions discussed during regional fora aimed at curtailing the weaponization of industrial chemical agents. By the end of the summit, the OPCW will publish a detailed document encompassing all recommended preventive actions, security details and further recommendations. This will enable regional fora to stay informed of the potential dangers of chemical use and create preventive procedures to be implemented by all sides involved in political transitions.

16. Already existing programmes with the purpose of increasing chemical safety and the peaceful use of chemicals, such as the OPCW Associate Program for Chemists and Chemical Engineers from Developing Countries and Countries in Transition and the temporary Group on Education and Outreach in Science and Technology, should be expanded in order to not only effectively promote chemical weapons safety and address strategies to increase State capacity, but also to utilize regional cooperation to advance the achievement of their purpose. This collaboration would encourage knowledge-sharing between Member States, which could provide a wider expert selection and a diversification of the issues addressed by such programmes. Consequently, more adequate response would be provided to the regions according to their particular needs and appropriate suggestions to chemical industry experts could be made. Furthermore these people shall be provided within this framework with the skills to act as a trainer for the trainers. Also OPCW encourages Corporations and governments for a better cooperation to share their experiences and actively engage regionally and internationally within the training process.

17. The OPCW recommends Member States and regional organizations to hold workshops and seminars specifically focused on border control in order to strengthen national authorities responsible for borders in tracking and stopping the illegal transport of chemical weapons and prohibited chemical materials and the implementation and promotion of education and information-sharing workshops within the regional training framework outlined for the national authorities controlling national borders to strengthen civil awareness and support of the CWC, international security and the protection of civilians from trafficked chemical weapons. These workshops and seminars would ensure personnel and officers have updated information, training, and equipment (e.g. by expanding OPCW EEP). In addition, experience and best practice sharing can also take place on an on-line forum, for officials in States to communicate and exchange effectively.

18. The OPCW employs training programs in order to prepare national authorities in charge of border security to strengthen their ability to enforce the non-proliferation of chemical weapons. The OPCW proposes the implementation and the further development of the already existing training programs, and an increase of the involvement of national and regional organizations in these programs. Those trained through such programs will be expected to report the results and outcomes of the training in their home states to their designated OPCW national authority. Moreover, because the 1540 Committee has extensive resources of experts provided
by volunteer Member States, the OPCW should encourage further cooperation with the committee and utilize their expertise in training sessions.

19. In order to enable UN peacekeeping forces to respond to chemical weapon incidents within regions, the Conference of States Party calls upon the United Nations Department of Peacekeeping Operations (DPKO) to add a further component of training with the purpose of educating, containing, and responding to chemical weapons incidents when training UN peacekeeping forces. The OPCW will provide chemical expert personnel to assist in the training of peacekeepers.

20. The Conference of States Parties to the OPCW recommends the amendment of the CWC Annex on verification to adopt a universal measuring criteria to be developed by the Technical Secretariat to assess Member States. There has not been an uniform criteria for identifying and reporting on the import and export of scheduled chemicals by Member States within the OPCW. This results in critical discrepancies in national reports to the OPCW and has posed significant challenges for the OPCW to verify the amounts of Member States’ imports and exports. An adoption of a universal measuring standard will promote international information sharing regarding the import and export of chemicals and will lead to a more transparent system of tracing chemical trade.

21. National authorities responsible for border security should also cooperate frequently if possible, with national law enforcement institutions to identify weaponized chemical components. For the interest of minimizing the risk of the use of chemical weapons, national law enforcement organizations should also be able to independently identify harmful and weaponized chemical substances if necessary. Additionally, national law enforcement should be prepared to share any intelligence they gather regarding chemical weapons with the respective national authorities responsible for border security and the OPCW. This type of cooperation is akin to the Proliferation Security Initiative’s (PSI) information sharing activities between States with regard to the different types of chemical weapons and their methods of transport, including land, air and sea transportation. This type of information sharing network will not be centrally run, but instead rely on individual States to supply the other regional members with helpful information regarding the possible trafficking of chemical weapons. In effect, this would create a regional network to share information between law enforcement bodies, border security agencies, and the OPCW.

22. For States in political transitions and their neighbors, security enforced by national authorities is the highest priority. Therefore, it is essential to properly monitor the borders in order to ensure that chemical weapons are not trafficked. The implementation of the above measures would ensure that these states are appropriately prepared to face the danger of chemical weapons being transported across the borders. However, these measures will not infringe on the transportation of peaceful chemistry between States Parties.

23. The necessary funding would be provided by voluntary contributions within regional organizations such as the African Union Foundations established in 2013, and also North South Cooperation initiatives like the Export Control and Related Border Security Program. This funding method would only entail the restructuring of existing regional training conference and workshop models (e.g. S/1059/2013). It does not require the implementation of new expensive structures or personnel. However, if unexpected costs arise, the OPCW warmly welcomes and encourages national contributions to the Voluntary Fund for Assistance to ensure a continuous and global training program. As such, this policy will not requiring restructuring the budget system or allotments.

24. Combining the segmented region can save the resources of OPCW and contribute to a more efficient organization. For example, there are different training programs in individual countries, and the respective OPCW body, the Inspection Team Leader and Personnel, costs $20.6 million per year, far exceeding the average cost of $1.5 million of each body. Instead of having a segmented, separate training program for each state, building a common training program can reduce the expenditure for training and reallocate the money to other fields where needed more. Risk assessment can also enhance the efficiency of bureaucracy, by distinguishing those states with a minimum or nonexistent opportunity for a chemical attack from other states with higher risk. In the status quo, the aforementioned Inspection Team Leader and Personnel are equally distributed in these two distinctly different regions in their chemical weapons safety. By assessing the risk, utilizing the index of Chemical Materials Prioritization Index for Security (CMPIS) as a model to prioritize...
needs of assistance during political transitions where chemical weapons are of concern. This utilization of resources can assist in moving underutilized personnel from less dangerous regions to more dangerous regions based on the mutual agreements.
I. Introduction

A. Reform of the OPCW Database for Expanded Information Sharing for Party State Capacity Assistance

1. The Organisation for Prohibition of Chemical Weapons (OPCW) recognizes the significance of international cooperation and information sharing in promoting and maintaining global peace and security.

2. The OPCW recognizes the utmost importance of continued cooperation between the United Nations (UN) and the OPCW, such the OPCW-UN Joint Mission in Syria, which represented the collaborative efforts of intergovernmental organizations promoting international peace and security for the economic, social, and cultural development and the preservation of the environment and the world’s human resources.

3. The OPCW recalls the Conference of the State Parties First Session on 22 May 1997, which adopted the document, “Procedure for the provisional certification of the Central OPCW Analytical Database” (C-I/DEC.63) and the subsequent adoption of the Central OPCW Analytical Database during the Fourth Session on 29 June 1999 by the decision, “Certification Procedure for the Central OPCW Analytical Database and on-site databases” (C-IV/DEC.11).

4. Member States experiencing civil unrest or institutional instability have diminished capacity to maintain their own updated or effective database of information concerning chemical safety. This limits the ability for Member States to detect, monitor, and report the presence of potentially dangerous chemicals to their national authorities or the OPCW. Member States experiencing this particular lack of capacity rely heavily upon the information and resources provided by the OPCW or regional databases. Improving upon the OPCW Analytic Database’s existing schedules, integration of regional databases, and mechanisms for updating chemical agent definitions serves to strengthen the ability for Member States to access these benefits.

5. The OPCW recalls the Central OPCW Analytical Database’s documentation of statistical data and best practices, along with suggestions provided by the Executive Council and Party States on best practices and the ISO 9001 guidelines. The reforms to the Central OPCW Analytical Database will be approved by the Executive Council, which would streamline information available to States Party to the CWC.

6. The OPCW recalls further Article X of the CWC, which supports the cooperation of State Parties and the OPCW by the provision of tools, such as: detection equipment and alarm systems, protection equipment, decontamination equipment and decontaminators, medical antidotes and cure; the CWC does not prohibit the development and research of chemical elements, if it is not in contrast with the principals of the Convention.

7. The OPCW recalls also Article XI Paragraph 2, sub clause b, which declares that within the scope of the principles and applicable rules of International Law, Party States shall be able to facilitate and have the right to participate in, to the fullest possible exchange of chemicals, equipment, scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention.

8. The OPCW acknowledges the expertise of independent organizations, not-for-profit and non-partisan groups such as Nuclear Threat Initiative (NTI) and the Economist Intelligence Unit (EIU) work to raise awareness of nuclear deterrence and index construction, respectively, and their innovative Nuclear Materials Security Index in 2012, now recognized worldwide by leaders as a tool in assessing the status of nuclear materials safety.
9. The OPCW further acknowledges the expertise of independent organizations, not-for-profit and non-partisan groups such as Nuclear Threat Initiative (NTI) and the Economist Intelligence Unit (EIU) work to raise awareness of nuclear deterrence and index construction, respectively, and their innovative Nuclear Materials Security Index in 2012, now recognized worldwide by leaders as a tool in assessing the status of nuclear materials safety.

II. Mandate

10. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

11. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.

12. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons it own possesses or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

13. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.

III. Conclusions and Recommendations

A. Reform of the OPCW Database for Expanded Information Sharing for Party State Capacity Assistance

14. The reform and reconstruction of the Central OPCW Analytical Database would aim for a standardization and centralization of the analytical database. The reformed database will offer a powerful and easily available tool for all State Parties, centralizing all relevant information and resources regarding chemical weapon safety, including definitions and information about the scheduled chemicals and their precursors; General training schemes for officials of the National Authorities of the respective State Parties; General assistance and protection schemes; Trade catalogs.

15. The OPCW recognizes the necessity of working with States Parties during and after political transitions, particularly those of a volatile nature. Thus, the OPCW requests the State Party, which is undergoing or has undergone a political transition, to verify current information present within the Central OPCW Analytical Database on their chemical state of affairs. If there is a discrepancy between the information present in the Central OPCW Analytical Database and the actual situation on the ground, the State Party in question should submit revised information to the OPCW. Any OPCW State Party may request an inspection to confirm the information provided by the State Party undergoing or having undergone a political transition. This is a legitimate action if the challenging State Party can provide sufficient evidence contrary to the
information given by the State Party undergoing or having undergone a political transition. In this manner, the Central OPCW Analytical Database serves at all times as a point a reference for State parties to verify their chemical stocks after a transition, as well as for State Parties which have concerns over official reports and wish to issue a challenge.

16. The OPCW further recognizes that transitioning governments may face difficulties during both the transitional and post-transitional periods; thus, the OPCW recommends the expedition of the necessary assistance and resources to transitioning governments. The OPCW reconfirms its commitment to assisting every State Party to the CWC in upholding the rights and responsibilities of State Parties. The OPCW requests the Executive Council develop an assistance format document, much like the document used for State Parties to request assistance upon the suspicion of the use of chemical weapons. The OPCW further requests that upon the submission of the assistance request form by a transitioning State Party, the Director-General submit an assistance strategy for the particular transitioning State Party within the period of 12 months, which would include an investigation of the situation within the State Party and supporting the State Party in the collection and submission of data to the Central OPCW Analytical Database.

17. The reform of the Central OPCW Analytical Database includes the uses of various chemical agents, which would be available through the internet to civil society, including, but not limited to non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and other relevant organizations regarding dismantlement of chemical weapons, such as the OPCW International Union of Pure & Applied Chemistry (IUPAC) and the United Nations Institute for Disarmament Research (UNIDIR) for the purpose of continued efforts in raising awareness for peaceful uses of chemical materials and production of goods.

18. This reconstruction of the database is crucial for providing all State Parties readily available access to vital information regarding a wide array of aspects related to chemical weapons safety. By having a central source for this vital information, all State Parties will be able to unite under these universal definitions and shared best practices. By having all this information available through the same portal, implementation becomes easier and faster for all State Parties seeking help and information as well. This should in turn benefit the goal of prevention, by helping State Parties to have quick access at all times. In this manner, State Parties undergoing political transition should be better prepared to handle potentially dangerous situations regarding the safety of chemical substances in general and chemical weapons safety in particular. State Parties can add information and resources to the OPCW Analytical Database on a voluntary basis, to the benefit of the OPCW as well as all State Parties.

19. The current allocated funds within the Programme and Budget of the OPCW for maintaining the Central OPCW Analytical Database should suffice to finance the reconfiguring of the Central OPCW Analytical Database, as the reform is spread out over a period of three years. Nonetheless the OPCW further encourages State Parties to donate additional funds on a voluntary basis.

20. The Central OPCW Analytical Database reconstruction is expected to last for three consecutive years. Three years is considered an appropriate period of time for such a reconstruction. It constitutes a compromise between the need for a fast paced reform due to the pressing nature of problems related to chemical weapons safety, and the need to stay within existing yearly budget boundaries. Upon the completion of the Central OPCW Analytical Database reconstruction, the Executive Council will convene and provide a report, which assesses the progress of the reconstruction process and provides further recommendations to be made for the future. The Executive Council will thereafter adopt the evaluation of the working of the Central OPCW Analytical Database as an agenda item in every subsequent regular session.

21. The reform of the Central OPCW Analytical Database would ideally include enhanced streamlining and sharing of information between the Central OPCW Analytical Database and already existing and operating regionally focused databases on chemicals of a hazardous, as well as non-hazardous, nature.

22. Examples of such regional databases are Organisation for Economic Cooperation and Development (OECD) Existing Chemicals Database, the Classification and Labelling Inventory database of the European Chemicals Agency and the Toxicology Data Network of the United States National Library of Medicine. In
this manner much duplicative efforts can be avoided. The goal for the Central OPCW Analytical Database would be obtaining full disclosure of information present in those regionally established databases, ultimately benefiting not just the Central OPCW Analytical Database, but all State Parties.

23. Cooperation between the Central OPCW Analytical Database and other regionally established databases is of an entirely voluntary nature. The organizations managing the regionally established databases cannot in any way be enforced to share information with the OPCW against their will. In order to facilitate cooperation and the sharing of information, the OPCW and State Parties should contact those organizations, making clear the objective and stressing its concomitant benefits for State Parties and chemical weapons safety.

24. The reform of the Central OPCW Analytical Database would include standardized procedural guidelines to prepare Member State Parties’ officials as well as certain civilians concerning the appropriate actions to follow when dealing with aspects of chemical weapons safety such as the transportation, deconstruction, and disposal of hazardous chemical weapons. It will also be used when responding to emergencies and/or attacks involving chemical weapons during times of volatile, unstable, or dangerous political transitions or conflict. The training procedures will be structured to follow current guidelines written and agreed upon by all Member States in the OPCW. The OPCW and State Parties should cooperate intensively while focusing on achieving the uploading of these standardized procedural guidelines to the Central OPCW Analytical Database as soon as possible.

25. Participation with the reformed Central OPCW Analytical Database will include the sharing of information concerning the safe uses of the scheduled chemicals identified by the OPCW, the chemical agents identified by the OECD, statistical analysis of the criminal activity corresponding to certain chemical agents and equipment, and recent updates of the mandate of the OPCW. This information will also be shared to OPCW approved non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and other relevant entities regarding the dismantlement and disposal of chemical weapons and chemical weapons precursor agents. These organizations should be based in or operating within the borders of State Parties.

26. The reform of the OPCW Analytical Database will include cataloguing of imports and exports of hazardous chemicals and chemical weapons precursors, which will consist of a series of receipts of scheduled chemicals that have been sent or received by any State Party. This ensures that State Parties and other interested parties and organizations can effectively monitor their chemical uses and production, preventing illicit transfers of dangerous chemicals for prohibited activities. This is in line with obligations as set forth under Article VI paragraph 2 of the CWC. The aim of this cataloguing will be to ensure transparency in the shipment of dangerous chemicals and chemical weapons precursors, as to hold states accountable for the production, management, and use of these chemicals in their respective chemical industries.

27. The OPCW recognizes the utmost importance of the collaboration between the UN Scientific Advisory Board and the OPCW Scientific Advisory Board and calls for closer cooperation to facilitate ongoing research into the weaponization of existing and newly developed industrial chemical agents to prevent nation-states and companies belonging to the chemical industry sphere from skirting international law by altering chemical structures without altering the purpose or efficacy of such chemical agents, the reform of the Central OPCW Analytical Database will include:

28. Possible peaceful uses of chemical agents, which would be available upon request to civil society organizations including, but not limited to, non-governmental organizations (NGOs), inter-governmental organizations (IGOs), and other relevant organizations regarding dismantlement of chemical weapons, such as the OPCW International Union of Pure & Applied Chemistry (IUPAC) and the United Nations Institute for Disarmament Research (UNIDIR) for the purpose of continued efforts in raising awareness for peaceful uses of chemical materials and production of goods.

29. The integration of precursor chemical agents, as well as common industrial chemicals into the existing catalogue of definitions of the OPCW’s chemical schedules. Industrial chemicals and precursor chemicals are not explicitly defined as Schedule 1 chemical weapons.
30. The reformed Central OPCW Analytical Database will share information concerning the safe uses of the scheduled chemicals identified by the OPCW: the chemical agents, statistical analysis of the criminal activity corresponding to certain chemical agents and equipment, and recent updates of the mandate of the OPCW to approved non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and other relevant entities regarding the dismantlement and disposal of chemical weapons and chemical weapons precursor agents. This information will be readily available to all states from one centralized database, states will voluntarily offer this information to the OPCW database, who will then manage this information and compile it for all to see.

31. The OPCW further supports the creation of a Chemical Materials Prioritization Index for Security (CMPIS) within the Central OPCW Analytical Database, which will be comprised of four main categories guided by the Nuclear Materials Security Index to the chemical weapons context, *mutatis mutandis*:

32. Declared quantities and sites of States for Schedule 1, 2 and 3 chemicals and chemical precursors;

33. Security and control measures;

34. Global norms, domestic commitments and capacity;

35. Risk environment.

36. The OPCW affirms the accessibility of the Central OPCW Analytical Database and CMPIS to only State Parties and OPCW recognized entities.
Code: OPCW/02/005  
Committee: The Organisation for the Prohibition of Chemical Weapons (OPCW)  
Topic: Addressing Chemical Weapons Safety in Political Transition

I. Introduction

Dual Use Item Monitoring, and Control of Imports and Exports Concerning Industrial Accountability

1. The 1925 Geneva Protocol prohibits Chemical and Biological Weapons (CW), the 1972 Biological and Toxin Weapons Convention (BWC) prohibits the use and production of toxic and biological weapons, and the CWC does the same regarding chemical weapons; yet, incidences have occurred involving usage of Chemical Weapons, especially in times of significant civil unrest. These actions have been directly related to the usage of so-called dual use items, which may be defined as items that can be used for both civil and military purposes, acquired by legal international trade. Therefore, the OPCW recognizes the importance of ensuring that while dual-use items exist, they are simultaneously monitored and controlled carefully by putting particular emphasis on states experiencing political transitions, that result in significant political regime changes. This includes, but is not limited to: coups and revolutions, or reconstruction of failed states.

2. UN Security Resolution 1540 (S/RES/1540) emphasizes obligations on all UN Member States to enforce appropriate and effective measures against the proliferation of Weapons of Mass Destruction (WMD), including developing “appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export”.

3. Article I, Section 1a of the CWC, states that each State Party shall not “transfer, directly or indirectly, chemical weapons to anyone”, and may be taken in conjunction with Article XI, Section 1 which ensures the continued trade of peaceful chemistry and “avoids hampering the economic or technological development of States Parties”, as well as Article XI, Section 2c, which prohibits unilateral acts, “which would restrict or impede trade and development and promotion of scientific and technological knowledge”, in the domain of peaceful chemistry to the effect that many dual-use chemicals have not been monitored in an efficient manner by many States Parties, and have on occasion been used to create Chemical Weapons.

4. Additionally, States undergoing political transitions that are not party to the CWC cannot be aided by the OPCW. Increasing incentives for non-member states to ratify the OPCW, especially in times of political upheavals, must precede any OPCW intervention goals. Currently, importation and transfers of Schedule 3 chemicals are available to Member States not party to the CWC, which is of great concern to the international community.

5. The example of the OPCW/UN joint mission in assisting Syria in 2013 with chemical weapon use within its borders is a powerful precedent that the international community can learn, regarding the organization and stability that was provided to Syria by the aforementioned mission. Reports found that Syrian stockpiles included Schedule 3 chemicals such as Phosgene and Hydrogen Cyanide.

6. As a result of the joint effort, Syria joined the CWC, and agreed to the destruction of their chemical weapons stockpiles. Prior to September 2013, Syria had not admitted to possessing chemical weapons, and in October 2013, the OPCW and the UN established a joint mission to oversee the elimination of the remaining chemical weapons stockpiles in Syria’s possession, as reported in S/2013/629. This endeavor prevented the potential acquisition of chemical weapons by non-State actors.
7. Based on the Decision of the Fifth Session of the Conference of the States Parties on the Implementation of Restrictions on Transfers of Schedule 2 and Schedule 3 Chemicals To And From States Not Party To The Convention, the OPCW looks to further its efforts to implement these restrictions.

8. The inability of certain governments in political transitions to enforce the rule of law further enables non-state actors, including terrorist groups and transnational organizations, to acquire dual-use chemicals to create weapons. By assisting in the implementation and reinforcement of UNSCR 1540, the OPCW can work towards the nonproliferation of weapons of mass destruction, including chemical weapons. The threat of chemicals being used for hostile purposes is a great concern to regional partnerships.

9. The OPCW recognizes the efficacy of collaboration with non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and other relevant organizations regarding dismantlement of chemical weapons, such as the OPCW International Union of Pure & Applied Chemistry (IUPAC) and the United Nations Institute for Disarmament Research (UNIDIR) for the purpose of continued efforts in raising awareness for peaceful uses of chemical materials and production of goods.

II. Mandate

10. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

11. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.

12. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons it own possesses or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

13. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.

III. Conclusions and Recommendations

A. Export Controls Regarding States in Political Transition
14. The OPCW recommends that at the Fourth Review Conference, to be held in 2018, the States Parties consider amending the following issues regarding export and import controls of dual-use items by increasing the number of chemical components regulated by the OPCW to include the dual-use chemicals which may be used as CW precursors, and which are currently not in any of the three chemical schedules outlined in the CWC. In effort to remain current, the OPCW recommends taking into account the latest developments in the field by constantly updating the list of the regulated and monitored dual-use items.

15. Strengthening the export and import controls of the dual-use items, particularly concentrating on states currently undergoing political transitions. The chemicals which do not fall under the Convention but which are known to be useful for the building of Chemical Weapons are currently not monitored by the majority of Member States of the CWC. Therefore, the idea of such weapons being built and used is relatively realistic. Possible measures that may be applied in order to strengthen the control of dual-use items include primarily the application of the licensing measures to control exports of dual-use items. These licenses should be understood as permissions granted by the national authorities to private actors based on an agreement between the both parties. The agreement may also serve as a legal instrument to keep the national government informed of all the activities related to the production, development, trade and exports of dual-use items.

16. The OPCW considers the licensing measures to be effective and economically beneficial; therefore, it stresses the importance of this inclusion to the OPCW mandate regarding the international trade of dual-use items. The universal licensing system (in coordination with the regional body) should:

a. Not in any way undermine the free trade in chemicals, exchange of scientific and technical information, or national development in this field as a basic non-discriminatory right explicitly embedded in the CWC Art. XI.

b. Call upon the States Parties to closely coordinate their national license monitoring systems with regional license administrators, such as the European Union, African Union, regional Chemical, Biological, Radiological and Nuclear Defense Centers of Excellence (hereafter CBRN), in reference to the CBRN’s Project 038 which enhances the effectiveness of export control systems of dual-use items in the beneficiary countries. If such multilateral regional administrators do not exist, it should be under the OPCW mandate to establish these facilities. It is recommended that regional bodies collaborate voluntarily with the WTO, especially regarding the trade-related aspects of intellectual property rights. The funding should be ensured by voluntary States Parties’ financial input as well as support by regional organizations.

c. Provide the intelligence and coordinate with the OPCW technical secretariat to assure that public and private producers of dual-use items and chemical components adherence to the CWC and OPCW frameworks.

d. Have the authority to coordinate succeeding investigations, and review their regional policies on a 5 year basis, and on a “as-needed” basis. The regional body will be in charge of reporting the results of licensing investigations to the OPCW in an effort to further expose weaknesses within industry and recommend effective solutions. The OPCW will then have the mandate to disseminate the information concerning investigation results to the regional body and subsequent Member States.

e. Create a recognizable designation for producers of dual-use chemical items to allow legitimate consumers of such chemical items the trust necessary for sustainable economic growth and collaboration.

f. Encourage governments to utilize their license authority, while bearing in mind obligatory minimum regional standards, to establish their own regulations, conditions, limitations, and any related legislation concerning licenses. The system shall also provide these governments, in accordance with regional bodies, discretion to set their own charges of licensing services for private enterprises.
involved in the production, development, trade and export of dual-use items. The OPCW would recommend that these services remain free.

g. Be responsible for sharing relevant information with the reformed OPCW analytical database, providing the OPCW with supervisionary and cataloguing authority. Developing this multi-level approach would drive the strategic orientation of the OPCW towards regional capacity building which is particularly important for countries facing not only political transitions, but also financial and administrative difficulties.

h. In order to prevent the exploitation of varied regulation across borders, the movement of organizations are encouraged to stay within Specialized Economic Zones (SEZs), under the criteria of legitimacy as set forth within this report.

B. Addressing Chemical Weapons Safety in Political Transitions

17. In accordance with the Agreement concerning the relationship between the UN and the OPCW Article IV and Articles VI, VII, VIII, and XII of the Charter of the United Nations, the Security Council detains the authority to enforce the following recommendations:

i. Bearing in mind Part VIII, Section C of the Verification Annex, recommends investigations be launched in order to verify the validity of the aforementioned section by VERTIC’s National Implementing Measures Programme.

j. All importation of Schedule 3 chemicals cease until ratification of the CWC takes effect.

k. Recommended Schedule 3 Chemicals for proposed trade restrictions:

   i. Phosgene CAS Registry Number 75-44-5
   ii. Cyanogen chloride CAS Registry Number 506-77-4
   iii. Hydrogen cyanide CAS Registry Number 74-90-8
   iv. Chloropicrin: Trichloronitromethane CAS Registry Number 76-06-2

And their precursors, as well as any future Schedule 3 and higher-level chemicals declared by the OPCW.

18. States affected by the aforementioned provisions are thus set a limit on the development of their chemical industry, the effects of which include, but are not limited to:

l. Limited access to precursors to certain non-essential pharmaceutical drugs

m. Limited access to precursors to specific polymer construction materials

These effects can however be circumnavigated by ratifying CWC at any time, at which point the trade restrictions would cease immediately.

C. Regional Cooperation for Industrial Accountability and Monitoring of Dual Use Chemicals

19. There is a lack of preparedness and standardization in the chemical industry in regards to political transition. The OPCW calls upon member states in political transitions to fully comply with the Convention on the prohibition of the development, production, and stockpiling and use of chemical weapons.

20. There is a necessity for regional cooperation and accountability in order to address the potential threat posed by the illicit acquisition of dual use chemicals by non-state actors. Eliminating the potential threat from non-state actors, preempting the distribution of chemicals to hostile parties through regional accountability, is imperative. When a dual use good is reported as stolen or lost by the local government, the regional government should be aware of the loss. If dual use goods in nearby states are also lost, the region can then focus on finding the non-state actor responsible before the stolen chemicals can be weaponized.

21. There should be the voluntary use of an updated database system housed at OPCW headquarters to receive the reports generated by participating member states concerning the creation, transport, trade, and purpose of
chemicals. The Verification Annex of the CWC provides the means for member states to have verification on an individual bases; therefore, the precedent for verification on a regional basis has been set:

a. From the industrial level, reports will be sent to the regional group, the regional group would then transcribe the report and input it to a standardized format to be included into the OPCW database enabling the OPCW to make effective assessments.

b. Promoting education initiatives to provide sufficient training of all personnel who compile the reports as a means to ensure that the reports are consistent.

22. The OPCW directs the Scientific Advisory Board to facilitate ongoing research into the weaponization of existing and newly developed industrial chemical agents to prevent nations and industry from skirting international law by altering chemical structures without altering the purpose or efficacy of such chemical agents. The chemical research arm of the Scientific Advisory Board will be composed of a multinational group of individuals chosen from a variety of regions to prevent any one nation from using the Scientific Advisory Board to prevent the discovery of the potential weaponization of a chemical agent, negating the progress made within this arm of the OPCW.
I. Introduction

ADDRESSING THE ISSUE OF ACTORS NOT ALLIED TO ANY PARTY OR STATE

1. In promoting Security Council Resolution 2118, which the UN Security Council unanimously passed as of September 27, 2013, the OPCW notes that the current transport, development, and use of chemical weapons is a direct threat to international peace and security.

2. The most efficient way to directly confront such acts of violence are through multilateral diplomacy with the assistance of State Parties, Non-governmental organizations, subsidiaries of the OPCW, and other UN bodies to secure and dismantle chemical weapons in current and emerging situations of political transition that have the potential to lead to a catastrophic event.

3. The OPCW believes that through mobilization of multilateral organizations, State Parties and the combined efforts of UN bodies, are the foundation for a standard for providing the ultimate safety and security of all innocent persons enhanced cooperation between these entities will expedite the efforts already in place by these parties to effectively provide the best assistance to all innocent persons of the international system.

4. The OPCW acknowledges the expertise of independent organizations, not-for-profit and non-partisan groups such as Nuclear Threat Initiative (NTI) and the Economist Intelligence Unit (EIU) work to raise awareness of nuclear deterrence and index construction, respectively, and their innovative Nuclear Materials Security Index in 2012, now recognized worldwide by leaders as a tool in assessing the status of nuclear materials safety.

5. The OPCW recognizes the importance of the disarmament of chemical weapons is achieving global peace and security, and highlights the urgent need to abolish all chemical weapons stockpiles, to promote non-proliferation and disarmament under the international verification of the OPCW as the primary objective of the Chemical Weapons Convention. Further, the OPCW reiterates that Member States in "hostile political unrest" are defined as countries facing the destruction of their current political system and those perpetrating crimes against humanity.

6. A cooperation of this inclusive foundation, will inhibit the re-emergence of chemical weapons from being produced, transported and used for methods of violent actions. Article VIII of the Chemical Weapons Convention provides the priorities of the OPCW with the overall objective of eliminating all chemical weapons through a peaceful dismantling transition with the objective these weapons will not re-emerge.

7. The OPCW bears in mind the threats posed by the illicit proliferation and acquisition of chemical materials and weapons and by this means the general threat posed by terrorism in all its forms, the OPCW shall raise its awareness towards the following issue.

8. The OPCW recognizes the lack of legal framework in the CWC to support all parts of the CWC and S/RES 1540, A/RES/60/288 (2006). Specifically, there is a lack of focus on Actors not allied and the need for all Member States to have legislation on this topic.

9. The complete destruction of all chemical weapons has to be the central goal for all efforts of the Member States to the Chemical Weapons Convention and there is the implicit need that the remaining States, which have not signed the Convention sign and ratify it as soon as possible.

10. By acknowledging the crucial role of the already existing treaties and conventions, namely the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) and the United Nations Global Counter-Terrorism Strategy as held down in
A/RES/60/288 (2006) we highlight the spirit of the legal framework measures included in the creation of a new Annex.

11. The reconciliation process is defined by the United Nations Institute for Democracy and Electoral Assistance (IDEA) as the process of addressing the legacy of past violence and rebuilding the broken relationships it has caused. The OPCW emphasizes the peaceful settlement of disputes which would prevent the usage of chemical components meant to cause harm upon a population and the environment. Reconciliation would be reached by a regional approach to the situation through disarmament and verification.

12. It is based on the cohesive society concept meaning working towards the well-being of all the Member States. The scope of the reconciliation process is to fight exclusion and marginalization, create a sense of belonging, promote trust, facilitate international multilateralism, which will in turn offer its members the opportunity of upward mobility.

13. The OPCW recognizes that it would be difficult for terrorist groups to use chemical agents as weapons of mass destruction, instead chemical agents might be effectively used as weapons of terror. Usage of chemicals as instruments of terror will destabilize the states in transition even more and worsen the regional stability. Therefore, it is urgent to secure the stockpiles of chemical agents and to implement an international database to prevent extremist entities from spreading terror.

14. The OPCW proposes that an international task force for reconciliation be implemented that focuses on article X (assistance and protection against chemical weapons) to help clarify procedures in the event of political transition such as elections, regime change, or even intra-state conflict. This approach has been proven to help mitigate chemical weapons attacks, keeping the countries where transitions occur safe from crisis.

II. Mandate

15. The Organization for the Prohibition of Chemical Weapons (OPCW) has the power and capacity to address the issue of Chemical Weapons Safety in Political Transitions. As stated on Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC), the OPCW’s object and purpose is to ensure the implementation of its provisions, including those for international verification, providing a forum for consultation and cooperation among Member States.

16. For this purpose, the OPCW bases its actions on the provisions established in the Chemical Weapons Convention (CWC). The priorities of the CWC are defined by the ultimate organization’s goal to achieve effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction. At the same time, any progress made on the issue at hand responds to the CWC’s recognition that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and that their destruction, represents a necessary step towards the achievement of these common objectives.

17. Particularly during Political Transitions, Member States have to comply with its General Obligations contained on Article 1, paragraph 2, of destroying chemical weapons it own possesses or that are located in any place under its jurisdiction or control. At the same time, the obligation contained on Article 1, paragraph 4 relating to the destruction of chemical weapons production facilities have to be ensured. For this purpose, Member States of the OPCW have the responsibility to cooperate in order to assist third Parties to comply with its obligation under the Chemical Weapons Convention.

18. For complying with its mandate the OPCW Conference of State parties shall consider any questions, matters or issues within the scope of the CWC, making recommendations and taking decisions on any questions matters or issues related to the issue of Chemical Weapons Safety in Political Transitions.
III. Conclusions and Recommendations

A. Addressing the Issue of Actors Not Allied to Any Party or State

19. As a benchmarking tool to address the issue of Actors Not Allied, the OPCW will be utilizing information in existing databases such as the Central OPCW Analytical Database, and information from the Nuclear Threat Initiative (NTI) and Economist Intelligence Unit (EIU), as well as the proposed index for chemical weapons called the Chemical Materials Prioritization Index for Security (CMPIS), the OPCW shall enhance its operations in dealing with Non Allied parties.

20. The CMPIS shall be used as a tool by Party Members for the purposes of risk assessment of chemical safety during political transition. National authorities and government bodies can then use this to inform their respective decision-making processes for intervention of actions by Actors not allied for the purposes of securing stockpiles, legal frameworks and preventing access to chemical weapons.

B. Securing Stockpiles During Political Transitions

21. The OPCW recommends further cooperation between OPCW and any working governments during political transition to ensure follow up with securing declared weapons and allow governments to satisfy declaration obligations about suspected or possibly undeclared chemical weapons stockpiles.

22. Establishing bilateral and multilateral briefings is also recommended between agents and facility representatives to contribute the appropriate resources in order to implement safety measures and administrative and logistic arrangements necessary to inspection.

23. Further cooperation is sought between UN bodies such as ECOSOC and the Security Council in order to adequately utilize benchmarking tools in identifying the level of threat that Actors not allied play in acquiring chemical weapons during political transition.

24. A strengthened mandate of the OPCW through provisions proposed in a new Annex to the Chemical Weapons Convention will ensure maximum compliance during times of challenge in order to:

   a. further support activities of the inspection team to ensure the timely and effective discharge of its functions and the least possible inconvenience and disturbance to the State Party
   b. bolster voluntary funding programs for assistance as outlined in the CWC Article X, clause 7.

C. Annex for Legal Framework against Chemical Terrorism

25. The OPCW proposes the creation of a new Annex to the Chemical Weapons Convention dealing specifically with the Proliferation, Illicit Trade, Fabrication of Chemical Weapons and Materials by Actors not allied, pursuant to Article I. This submission for new Annex will take place under the mechanism of Article XV at the next meeting of the OPCW.

26. The OPCW recalls Article IX of the CWC, which grants Party States the right to request an on-site challenge inspection of any facility or location within Party States speculated to be in violation or noncompliance with the CWC. Per Article IX, the OPCW further recommends that if the evidence found during the inspection finds the party in question in violation or noncompliance to the CWC, the Party State, which issued the challenge inspection, may file an application with the International Court of Justice against the state in question.

27. The OPCW recognizes the necessity of regional, national, and local law enforcement, which monitor the inter and intra flow of chemical agents within regions and States, particularly in regions and States with high concentrations of Actors not allied. Therefore, the OPCW calls for greater regional cooperation in establishing policing mechanisms, and for States to maintain their obligations to Article VII, Paragraph I of
the CWC. The OPCW reaffirms its commitment to providing States with the necessary technical assistance in developing such policing and law enforcement models.

28. The OPCW further recommends that regional organizations, such as, but not limited to the Organization of American States (OAS), the European Union (EU), League of Arab States, African Union (AU), and the Association of Southeast Asian Nations (ASEAN) continue their efforts in international transparency by providing greater channels for communication and information sharing, particularly in the transit of chemical materials and assisting Member States in enforcing the international standards provided by the CWC. Furthermore, the OPCW recommends the regional organizations take the appropriate measures in holding accountable their Member States when failing to comply to standards established by the CWC.

D. Preventing acquisition and Use of Chemical Weapons

29. Advising countries in hostile political unrest to secure the chemical weapons stockpiles. A recent example being the Syrian conflict with the unanimously adopted S/RES/2118 (2013). Therefore, for the purposes of incentivizing the peaceful surrender of chemical weapons stockpiles and chemical agents that can be used for the production of chemical weapons, the OPCW encourages the surrender of all chemical weapons, and in cases of violence, have a cease-fire at a mutually agreed-upon date to do so. If this is not respected, the OPCW Technical Secretariat will recommend to the UN Security Council to refer these parties to the International Criminal Court (ICC) for the violation of international humanitarian law.

30. Calls for the control of the hazardous chemicals in countries in which conflict enables the potential use of chemical as weapons by either party will allow the different actors to benefit from the OPCW trust/emergency FUND. The FUND based on the voluntary contribution of the state parties will be used to provide technical training, the development of the peaceful chemical industry, and protection and assistance against in case of the use of chemical weapons. Furthermore, the FUND will help in information transit, bilateral assistance, and the engendering of reconciliation processes.

31. The OPCW invites state parties to allocate funds to countries in political transition following the principle of cohesive society. Therefore, in the interests of better supporting the goals of the OPCW, particularly in relation to renewed goals discussed in this report, OPCW state parties should reaffirm their commitment to chemical weapons elimination through greater allocation of the already existing Voluntary Assistance Fund.

32. This committee encourages an improvement in UN management of critical and unstable situations in which there is a concrete threat of Actors not allied acquiring or using chemical weapons. The OPCW invites the Security Council to adopt measures to increase communication during peacekeeping operations between UN military forces and the regional organization present in conflict areas in order not to duplicate their efforts in managing such treats.

33. The OPCW will continue its work in the UN Working Group on Preventing and Responding to chemical weapons attacks as well as the UN Disarmament Commission and the Counter-Terrorism Task Force established by the Secretary General in 2005 for the United Nations Global Counter-Terrorism Strategy adopted by consensus in order to promote coordination at different levels between States, regional actors for counter-terrorism activities.

34. The OPCW wishes to ensure the security of civilians in any case, especially during political transition. It is fully convinced that it is necessary to enhance the role of UN police forces in protecting civilian population in countries during political transition in case of chemical weapons attacks coming from Actors not allied. The plans provided to the UN police to face those situations are to be transmitted to the governments of the countries in order to be used in the future by the local police forces.