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Organisation for the Prohibition of Chemical Weapons Background Guide 2025

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Dear Delegates,

Welcome to the 2025 National Model United Nations New York Conference (NMUN•NY)! We are pleased to introduce to you our committee, the Organisation for the Prohibition of Chemical Weapons (OPCW). Your committee's work is facilitated by volunteer staffers. This year's committee staff are: Director Ashlee Ann Rolheiser and Assistant Director Johanna Kaufhold (Conference A), and Director Emma A. Bott and Assistant Director Rieke Langel (Conference B). Ashlee Ann Rolheiser graduated with a Bachelor of Commerce and Master of Arts in International Affairs and Diplomacy. She has significant experience working with non-profit organizations and currently works in philanthropy and fund development for a notable healthcare organization in Canada. Johanna Kaufhold completed her BA in International Relations and is currently pursuing a Master's degree in Economic Policy at SOAS University of London. Emma A. Bott has a Bachelor of Management from Concordia University of Edmonton and a J.D. from Thompson Rivers University. She currently works as a Human Rights Officer with the Alberta Human Rights Commission. Rieke Langel studies International Organizations and Crisis Management at Friedrich Schiller University and has a background in international relations. The preparation of these materials was supported by Under-Secretaries-General Vikram Sakkia (Conference A) and Christopher Duggan (Conference B) with contributions by Under-Secretaries-General for Conference Management Alliyah Edwards (Conference A) and Kyle Roberts (Conference B).

The topics on the agenda for this committee are:

1. Achieving Universality of the Chemical Weapons Convention
2. Preventing the Use of Chemical Weapons by Non-State Actors

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the bibliography to further your knowledge on these topics. In preparation for the conference, each delegation should submit a Position Paper by 11:59 p.m. ET on 1 March 2025 in accordance with the guidelines in the [Position Paper Guide](#) and the [NMUN•NY Position Papers website](#).

Two resources, available to download from the NMUN website, serve as essential instruments in preparing for the Conference and as a reference during committee sessions:

- The [NMUN Delegate Preparation Guide](#), which explains each step in the delegate process, from pre-conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions.
- The [NMUN Rules of Procedure](#), which includes the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for this committee, please contact the Deputy Secretaries-General at dsg.ny@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Ashlee Ann Rolheiser, Director
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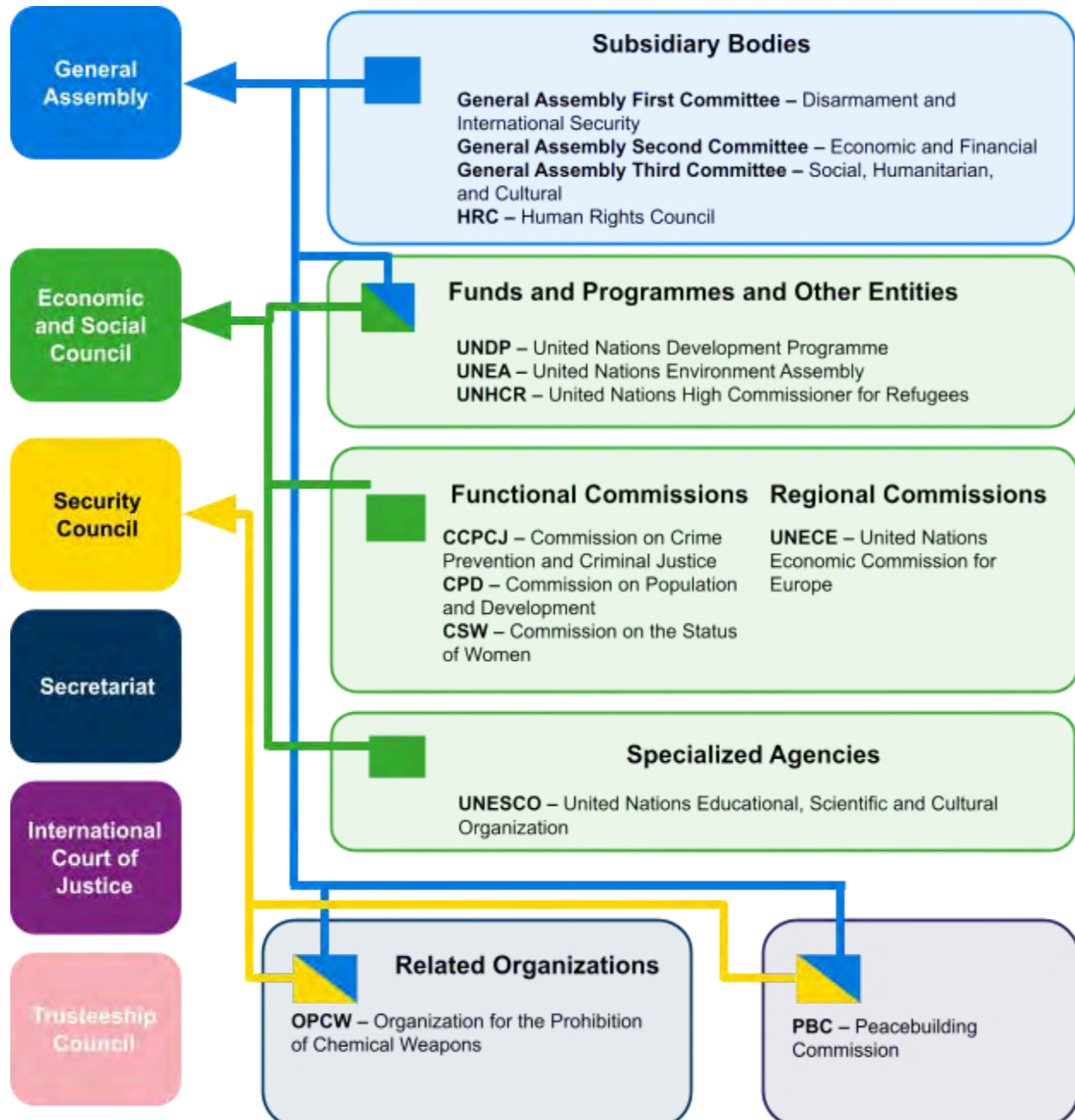
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United Nations System at NMUN·NY

This diagram illustrates the United Nations system simulated at NMUN·NY. It shows where each committee “sits” within the system to demonstrate the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee’s position, purpose, and powers within the United Nations system.





Committee Overview

Introduction

World War I marked the first time that modern chemical weapons were used as a tool of war.¹ Chemicals, such as Chlorine, phosgene (a choking agent) and mustard gas, were employed in warfare and resulted in more than one million deaths since World War I.² This led to the *Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare* (1925) being adopted, building on the *Hague Declaration Concerning Asphyxiating Gases* (1899) and the *Treaty of Versailles* (1919).³ However, the continued use of chemical weapons throughout World War II, combined with the increased production and stockpiling of chemical weapons during the Cold War, created the demand for a more robust framework to strengthen the prohibition of chemical weapons.⁴

In 1992, following 12 years of negotiations, the *Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction*, also known as the Chemical Weapons Convention (CWC), was eventually adopted.⁵ This marked the first international agreement to ensure the complete elimination of an entire category of weapons of mass destruction and established the Organisation for the Prohibition of Chemical Weapons (OPCW) to monitor the elimination.⁶ After it was ratified by the 65th State party, the CWC finally entered into force in 1997.⁷

Mandate, Function, and Powers

As the implementing body of the CWC, the primary purpose of OPCW is to destroy all remaining stockpiles of chemical weapons, and to outlaw the development, production, and use of chemical weapons.⁸ As such, OPCW verifies and supports compliance mechanisms, and acts as an area for discussion and cooperation between States parties to discuss scientific and technological developments as they relate to the CWC.⁹ Even though the primary focus of OPCW lies on prevention, it can also take action in case chemical weapons are used in the context of conflict through fact-finding missions.¹⁰

While the list is not exhaustive, the mandate of OPCW can be summarized as:

- OPCW **will generally**: establish missions to inspect chemical weapon production, storage, and destruction facilities; take action against a State party in the case of non-compliance, and report

¹ Organisation for the Prohibition of Chemical Weapons. *History: Looking back helps us look forward*. 2024

² United Nations, Office for Disarmament Affairs. *Chemical Weapons*. N.d.

³ International Committee of the Red Cross. *Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare*. Geneva, 17 June 1925. N.d.

⁴ Organisation for the Prohibition of Chemical Weapons. *History: Looking back helps us look forward*. 2024.

⁵ *ibid.*

⁶ *ibid.*

⁷ *ibid.*

⁸ Organisation for the Prohibition of Chemical Weapons. *OPCW Basics*. 2024.

⁹ Organisation for the Prohibition of Chemical Weapons. *Eliminating Chemical Weapons: Committed to complete and verifiable destruction*. 2024.

¹⁰ Organisation for the Prohibition of Chemical Weapons. *Responding to the Use of Chemical Weapons*. 2024.



on the process of the implementation of the CWC to the General Assembly, States parties, civil society organizations; provide assistance to States parties to protect themselves from chemical weapons; promote international cooperation and support national capacity to eliminate chemical weapons.¹¹

- OPCW **will not generally**: limit the peaceful use of chemicals; lead and monitor disarmament efforts for conventional weapons or other weapons of non-chemical origin.¹²

Governance, Funding, and Structure

Currently, OPCW is composed of 193 Member States, which represents approximately 98% of the world's population.¹³ There are only four countries that are Member States of the United Nations but not States parties to the CWC.¹⁴ Israel has signed, but not ratified, the CWC.¹⁵ Egypt, the Democratic People's Republic of Korea (DPRK), and South Sudan have never signed nor ratified the CWC.¹⁶

The headquarters of OPCW are located in The Hague, Netherlands.¹⁷ OPCW is divided into three organs: the Conference of the States Parties; Executive Council; and Technical Secretariat.¹⁸ The Conference is the primary organ of OPCW responsible for providing the overall guidance on the implementation of the CWC, and meets annually in The Hague.¹⁹ The Conference oversees all other organs and subsidiary bodies, adopts the annual budget, appoints the Director-General, and reviews all developments that could impact the implementation of the CWC.²⁰ All 193 Member States who are States parties to the CWC participate in the Conference.²¹

The mandate of the Executive Council is to promote the effective implementation of, and compliance with, the CWC.²² The Council can approve agreements between States parties and the OPCW for implementation and verification activities.²³ Most importantly, the Executive Council oversees disputes of non-compliance by ordering States parties to remedy a situation within a given time period, or the situation will be referred to the Conference for recommended action.²⁴ The Executive Council consists of

¹¹ Organisation for the Prohibition of Chemical Weapons. *Mission: A world free of chemical weapons*. 2024.

¹² Organisation for the Prohibition of Chemical Weapons. *What is a Chemical Weapon?* 2024.

¹³ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality: Ensuring a truly global treaty*. 2024.

¹⁴ *ibid.*

¹⁵ Organisation for the Prohibition of Chemical Weapons. *Evolution of the Status of Participation in the Convention*. 2024.

¹⁶ Organisation for the Prohibition of Chemical Weapons. *South Sudan announces new step in the accession procedure to the Chemical Weapons Convention*. 2023.

¹⁷ Organisation for the Prohibition of Chemical Weapons. *OPCW Basics*. 2024.

¹⁸ Organisation for the Prohibition of Chemical Weapons. *Conference of the States Parties: Setting the OPCW's strategic direction*. 2024.

¹⁹ *ibid.*

²⁰ *ibid.*

²¹ *ibid.*

²² Organisation for the Prohibition of Chemical Weapons. *Executive Council: The governing body of the OPCW*. 2024.

²³ *ibid.*

²⁴ *ibid.*



41 Member States elected by the Conference of the States Parties to a two-year term that normally holds sessions three times per year.²⁵

The OPCW Technical Secretariat facilitates the implementation of the CWC.²⁶ The Secretariat is responsible for carrying out verification measures and providing technical assistance to help States parties implement the CWC.²⁷ It also prepares the draft budget for adoption by the Conference and handles the day-to-day business of OPCW.²⁸ The Technical Secretariat comprises around 500 staff members who are led by the Director-General.²⁹

²⁵ *ibid.*

²⁶ Organisation for the Prohibition of Chemical Weapons. *Technical Secretariat: Facilitating the implementation of the Convention*. 2024.

²⁷ *ibid.*

²⁸ *ibid.*

²⁹ *ibid.*



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Organisation for the Prohibition of Chemical Weapons. *Mission: A world free of chemical weapons*. 2024. Retrieved 29 September 2024 from: <https://www.opcw.org/about-us/mission>

Organisation for the Prohibition of Chemical Weapons. *OPCW Basics*. 2024. Retrieved 2 October 2024 from: <https://www.opcw.org/about-us/opcw-basics>

Organisation for the Prohibition of Chemical Weapons. *Responding to the Use of Chemical Weapons*. 2024. Retrieved 2 October 2024 from: <https://www.opcw.org/our-work/responding-use-chemical-weapons>

Organisation for the Prohibition of Chemical Weapons. *Technical Secretariat: Facilitating the implementation of the Convention*. 2024. Retrieved 14 October 2024 from: <https://www.opcw.org/about/technical-secretariat>

Organisation for the Prohibition of Chemical Weapons. *What is a Chemical Weapon?* 2024. Retrieved 29 September 2024 from: <https://www.opcw.org/our-work/what-chemical-weapon>



United Nations, Office for Disarmament Affairs. *Chemical Weapons*. N.d. Retrieved 29 September 2024 from: <https://disarmament.unoda.org/wmd/chemical>



1. Achieving Universality of the Chemical Weapons Convention

Ending this scourge means living up to the Chemical Weapons Convention's call to prevent the use of any chemical weapons, and ending impunity for those who use them, especially against civilians. In the name and memory of all who have suffered, let's consign chemical weapons to history.³⁰

Introduction

As the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction* (1997), also known as the Chemical Weapons Convention (CWC), is the most comprehensive international agreement on chemical weapons, achieving its universality is crucial for international peace and to end unnecessary suffering.³¹ The CWC is the cornerstone of the counter-chemical weapons regime, and the founding document of the Organisation for the Prohibition of Chemical Weapons (OPCW).³² After decades of chemicals used as weapons of mass destruction, the CWC prohibits signatories not only from using them, but also from possessing them.³³ Achieving universality of the CWC would both significantly curb the re-emergence of chemical weapons and contribute to the protection of vulnerable citizens, especially marginalized groups.³⁴ In 2017, 97.6% of chemical weapon attack victim deaths were identified as civilians.³⁵ At least 45.2% of those civilian deaths were members of marginalized groups.³⁶ The CWC defines chemical weapons as chemicals used for their toxic properties to intentionally cause death or harm, including munitions, devices, and other equipment designed to weaponize toxic chemicals.³⁷ The recent use of chemical weapons in the Syrian civil war has had dire and long-lasting effects on the population as a whole.³⁸

Universal membership of the CWC is reliant on Member States' willingness to cooperate and is influenced by underlying regional dynamics.³⁹ Universality, as defined by OPCW, establishes an exhaustive and verifiable ban on chemical weapons globally.⁴⁰ Regarding membership, the number of States parties to

³⁰ United Nations, Department of Global Communications. *Day of Remembrance for all Victims of Chemical Warfare, 30 November: Secretary-General's Message*. 2023.

³¹ Organisation for the Prohibition of Chemical Weapons. *Mission: A world free of chemical weapons*. 2024.

³² United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992. Art. VIII.

³³ Dorfman. Carnegie Council for Ethics in International Affairs. *The Rise and Fall (and Rise) of Chemical Weapons*. 2018.

³⁴ Costanzi. Arms Control Association. *The Chemical Weapons Convention Is Stronger Than You Think*. 2023.

³⁵ Rodriguez-Llanes et al. Conflict and Health. *Epidemiological findings of major chemical attacks in the Syrian war are consistent with civilian targeting: a short report*. 2018.

³⁶ *ibid.*

³⁷ United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992. Art. II; Organisation for the Prohibition of Chemical Weapons. *What is a Chemical Weapon?*. 2024.

³⁸ Syrian Network for Human Rights. *The Ninth Anniversary of the Largest Chemical Weapons Attack by the Syrian Regime against Syrian Citizens in the Two Ghoutas of Damascus*. 2022.

³⁹ Organisation for the Prohibition of Chemical Weapons. *Mission: A world free of chemical weapons*. 2024; Dorfman. Carnegie Council for Ethics in International Affairs. *The Rise and Fall (and Rise) of Chemical Weapons*. 2018.

⁴⁰ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality*. 2024.



the CWC has remained unchanged at 193 since 2018, when Palestine joined.⁴¹ Only three Member States have not signed the Convention - Egypt, North Korea, and South Sudan - and Israel has signed, but not yet ratified it.⁴² To achieve universal membership, it is important to understand the regional dynamics underlying possible reservations about ratification, especially since the CWC requires full compliance with all its provisions after accession.⁴³ Chemical weapons might be stockpiled as a strategic tool, as in the case of Egypt and Israel, and for deterrence and demonstration of power, as in the case of North Korea.⁴⁴ The unmonitored development of chemical weapons is a dangerous gateway for their re-emergence in conflicts.⁴⁵ On the other hand, membership of the CWC offers many benefits that encourage accession, such as financial funding for research projects, technological development, and regional and international security.⁴⁶ South Sudan is presently in the accession process to join the CWC and receives assistance from OPCW's Technical Secretariat.⁴⁷

In order to protect people, especially vulnerable groups, from chemical weapons, effective implementation of the CWC, as well as universal compliance with it, needs to be ensured.⁴⁸ As of 2024, 98% of the global population enjoys the protection of the CWC.⁴⁹ However, CWC signatories such as Syria and Russia have previously used chemical weapons, which undermines the importance of preventing the re-emergence of chemical weapons.⁵⁰ The impacts of chemical weapon use on marginalized groups are unique due to biological vulnerabilities and social inequalities, therefore, unique monitoring and verification of international standards are vital.⁵¹ In that regard, OPCW offers guidance to Member States through its National Implementation Framework, which includes best practices on verification, management of chemical threats, response to chemical emergencies, or facilitation of economic and technological

⁴¹ Organisation for the Prohibition of Chemical Weapons. *Evolution of the Status of Participation in the Convention*. 2024.

⁴² Arms Control Association. *Chemical Weapons Convention Signatories and States-Parties*. 2018; Organisation for the Prohibition of Chemical Weapons. *Member States*. 2024.

⁴³ Dorfman. Carnegie Council for Ethics in International Affairs. *The Rise and Fall (and Rise) of Chemical Weapons*. 2018; United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

⁴⁴ Nuclear Threat Initiative. *Egypt Chemical Overview*. 2015; Ghoshal. The National Interest. *Should Israel Ratify the Chemical Weapons Convention?*. 2022; Bennett et al. RAND Corporation. *Characterizing the Risks of North Korean Chemical and Biological Weapons, Electromagnetic Pulse, and Cyber Threats*. 2022.

⁴⁵ Hersman et al. Center for Strategic and International Studies. *Rigid Structures, Evolving Threat. Preventing the Proliferation and Use of Chemical Weapons*. 2019; Ward. Arms Control Association. *Syria, Russia, and the Global Chemical Weapons Crisis*. 2021.

⁴⁶ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality*. 2024.

⁴⁷ Organisation for the Prohibition of Chemical Weapons. *South Sudan announces new step in the accession procedure to the Chemical Weapons Convention*. 2023.

⁴⁸ Organisation for the Prohibition of Chemical Weapons. *Action Plan for the Universality of the Chemical Weapons Convention (EC-M-23/DEC.3)*. 2003.

⁴⁹ Organisation on the Prohibition of Chemical Weapons. *OPCW by the Numbers*. 2024.

⁵⁰ Organisation for the Prohibition of Chemical Weapons. *Syria and the OPCW*. 2024; Organisation for the Prohibition of Chemical Weapons. *Case of Mr Alexei Navalny*. 2024; Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

⁵¹ Ajaykumar. Observer Research Foundation. *Mitigating the impact of chemical weapons on vulnerable communities*. 2024.



development through chemistry.⁵² OPCW also closely inspects facilities to confirm declarations of chemicals and verifies the destruction of chemical weapons arsenals.⁵³

International and Regional Framework

The CWC is a culmination of international humanitarian laws prohibiting chemical weapons.⁵⁴ In 1925, the League of Nations condemned chemical weapons in the *Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare*, also known as the Geneva Protocol.⁵⁵ The *First Additional Protocol of 1977 to the Geneva Conventions* emphasized the limit to means of warfare, and in article 36, holds contracting parties accountable for adhering to international law when developing new weapons.⁵⁶ Although not codified, Customary International Humanitarian Law also acknowledges the prohibition of chemical weapons use against non-state parties.⁵⁷ Although the restrictions of the Geneva Conventions and their Additional Protocols on armed conflicts are widely ratified, chemical weapons use has occurred since their entry into force.⁵⁸ To tighten and codify the ban on chemical weapons, in 1992, the CWC decidedly prohibited the use and the overall development, production, and stockpiling of chemical weapons.⁵⁹ Moreover, in order to effectively ensure compliance, the CWC established a verification regime consisting of chemical factory inspections, and chemical weapons data collection and review.⁶⁰ The use of chemical weapons is a war crime, and falls under the jurisdiction of the International Criminal Court, according to article 8(2)(b)(xvii) and (xviii) of the *Rome Statute* (1998).⁶¹

Chemical weapons are identified as a threat to the United Nations' goal of international peace and security.⁶² The *Charter of the United Nations* (1945) emphasizes the need to prevent and remove threats

⁵² Organisation for the Prohibition of Chemical Weapons. *National Implementation Framework*. 2024; United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

⁵³ Organisation for the Prohibition of Chemical Weapons. *Industry Inspections: What to Expect*. 2024; Organisation for the Prohibition of Chemical Weapons. *Eliminating Chemical Weapons: Committed to complete and verifiable destruction*. 2024.

⁵⁴ Organisation for the Prohibition of Chemical Weapons. *History: Looking back helps us look forward*. 2024.

⁵⁵ Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War. *Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare*. 1925.

⁵⁶ Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts. *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1)*. 1977.

⁵⁷ Henckaerts et al. International Committee of the Red Cross. *Customary International Humanitarian Law, Volume I: Rules*. 2005.

⁵⁸ International Committee of the Red Cross. *The Geneva Conventions and their Commentaries*. 2024; United Nations, Office for Disarmament Affairs. *Chemical Weapons*. N.d.

⁵⁹ United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

⁶⁰ Organisation for the Prohibition of Chemical Weapons. *The Verification Regime of the Chemical Weapons Convention: An Overview*. 2008.

⁶¹ United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court. *Rome Statute of the International Criminal Court*. 1998.

⁶² United Nations Conference on International Organization. *Charter of the United Nations*. 1945; United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948.



to peace and to settle international disputes peacefully.⁶³ Furthermore, it stresses the need to minimize the use of human and economic resources for armaments.⁶⁴ These core principles showcase the importance that containment of weapons use has within the United Nations system.⁶⁵ In addition, chemical weapons as weapons of mass destruction threaten the right to life as stipulated in the *Universal Declaration of Human Rights* (UDHR), adopted in 1948.⁶⁶ The harmful properties of chemical weapons also contradict the UDHR's prohibition of cruel or inhumane treatment for all people.⁶⁷ In 1969, the General Assembly reaffirmed the ideas of the 1925 Geneva Protocol in its resolution 2603 (XXIV) [A] on the "Question of chemical and bacteriological (biological) weapons," declaring that any toxic chemical substances used in warfare is a violation of international law.⁶⁸

Violations of the CWC are primarily investigated by OPCW, with assistance from the Secretary-General, when necessary.⁶⁹ The Secretary-General was authorized in 1987 to investigate possible uses of chemical weapons by General Assembly resolution 42/37 C on "Measures to Uphold the Authority of the 1925 Geneva Protocol and to Support the Conclusion of a Chemical Weapons Convention."⁷⁰ Since OPCW's establishment in 1997, it is now tasked with such investigations, and the Secretary-General will only investigate cases not related to States parties to the CWC, operationally supported by the United Nations Office for Disarmament Affairs (UNODA).⁷¹ The Secretary-General's last investigation was from 1985 to 1988, related to the Iran-Iraq war, while OPCW has been conducting investigations concerning the Syrian civil war since 2014.⁷² In 2018, the Secretary-General created the disarmament agenda *Securing Our Common Future* (2018), which codified support for OPCW in order to establish best practices for effective identification mechanisms of chemical weapons uses.⁷³

Regional initiatives and the chemical industry promote the CWC in order to achieve its universality.⁷⁴ The International Partnership against Impunity for the Use of Chemical Weapons, lists six actions to combat chemical weapons use in its *Declaration of Principles* (2018): collecting information on chemical weapons use, sharing information among governments and institutions, identifying and sanctioning perpetrators, publicly naming sanctioned perpetrators, enhancing prosecution capabilities, and forming a united counter-chemical weapons front in international institutions.⁷⁵ To prevent the weaponization of chemicals,

⁶³ United Nations Conference on International Organization. *Charter of the United Nations*. 1945. Art. 1, 2.

⁶⁴ *ibid.* Art. 26.

⁶⁵ *ibid.*

⁶⁶ United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948.

⁶⁷ *ibid.*

⁶⁸ United Nations, General Assembly. *Question of chemical and bacteriological (biological) weapons (A/RES/2603(XXIV)[A])*. 1969.

⁶⁹ United Nations, Office for Disarmament Affairs. *Chemical Weapons*. N.d.

⁷⁰ United Nations, General Assembly. *Measures to Uphold the Authority of the 1925 Geneva Protocol and to Support the Conclusion of a Chemical Weapons Convention (A/RES/42/37 C)*. 1987.

⁷¹ United Nations, Office for Disarmament Affairs. *Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons (UNSGM)*. N.d.

⁷² United Nations, Security Council. *Chapter V: Subsidiary Organs of the Security Council* N.d.; Organisation for the Prohibition of Chemical Weapons. *Syria and the OPCW*. 2024.

⁷³ United Nations, Office for Disarmament Affairs. *Securing Our Common Future: An Agenda for Disarmament*. 2018.

⁷⁴ International Partnership against Impunity for the Use of Chemical Weapons. *Chemical Weapons - No Impunity!*. N.d.; The Australia Group. *Introduction*. 2023; Organisation for the Prohibition of Chemical Weapons. *Our Partners: Working together for a world free of chemical weapons*. 2024.

⁷⁵ International Partnership against Impunity for the Use of Chemical Weapons. *Declaration of Principles*. 2018.



chemical practitioners affirm their willingness to produce and use chemicals only for sustainable and peaceful purposes, and to concertedly fulfill their responsibility to prevent the re-emergence of chemical weapons under the Hague Ethical Guidelines.⁷⁶ This includes protection of equipment and materials against theft, spreading information about national and international legislation concerning chemicals, and exchanging knowledge about new developments and innovations among chemical practitioners.⁷⁷

Role of the International System

OPCW plays a crucial role in achieving the universality of the CWC by promoting global collaboration, strengthening international security, and ensuring the elimination of chemical weapons.⁷⁸ Guided by the *2003 Action Plan for the Universality of the Chemical Weapons Convention*, OPCW highlights six distinct benefits of CWC membership to encompass their priorities: security; strengthened national capacities; economic, and technological development; emergency preparedness and response; resources, and technical assistance.⁷⁹ OPCW facilitates the decision-making process as membership guarantees equal representation and ensures States parties' access to reaching consensus.⁸⁰ It is recommended by OPCW that the international community establish their approach to eradicating the use of chemical weapons through: ensuring safe national management of hazardous chemicals by integrating security measures, strengthening chemical management safety legislation, sharing best practices to declare accurate information of controlled chemicals, cooperating internationally to monitor and protect the environment, enhancing border and transshipment controls, utilizing international partnerships, and leveraging non-proliferation measures.⁸¹ The Technical Secretariat of OPCW verifies compliance with the international standards and requirements of the Annex on Chemicals.⁸²

Since the negotiation of the CWC, engagement between OPCW and external stakeholders has increased rapidly and profoundly, creating a tri-sectoral network of public, private, and civil partnerships.⁸³ Civil society organizations (CSOs), who make up the non-government organization (NGO) representation in the tri-sectoral network, are tasked with consulting at the annual OPCW Conference of States parties, as well as decision-making and engaging in dialogue about CWC implementation.⁸⁴ In 2009, the partnership between OPCW and CSOs led to the creation of the CWC Coalition to demonstrate the aims of the CWC, namely universality.⁸⁵ The CWC Coalition is a group of over 50 CSOs and dozens of individual experts and activists who champion the goals of the CWC.⁸⁶ Although OPCW has been partnering with civil society for decades, in 2023, the Secretary-General requested for OPCW to work jointly with various United Nations committees and partners to achieve a world free of chemical weapons and warfare.⁸⁷

⁷⁶ Organisation for the Prohibition of Chemical Weapons. *The Hague Ethical Guidelines*. N.d.

⁷⁷ Gesellschaft Deutscher Chemiker. *The Hague Ethical Guidelines*. N.d.

⁷⁸ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality*. 2024.

⁷⁹ *ibid.*

⁸⁰ *ibid.*

⁸¹ Marshall et al. The Henry L. Stimson Center. *Leveraging UN Sustainable Development Goals and UN Security Council Resolution 1540 Synergies: The Case for Responsible Chemical Management*. 2023.

⁸² Organisation for the Prohibition of Chemical Weapons. *Technical Secretariat*. 2024.

⁸³ Ghionis. The chemical and biological weapons network. *The OPCW and Civil Society: Considerations on Relevant Themes and Issues*. 2023. p. 5.

⁸⁴ *ibid.*

⁸⁵ Organisation for the Prohibition of Chemical Weapons. *Our Partners: Working together for a world free of chemical weapons*. 2024.

⁸⁶ *ibid.*

⁸⁷ Organisation for the Prohibition of Chemical Weapons. *Our Partners: Working together for a world free of chemical weapons*. 2024.



The Security Council has been an active global forum for meaningful solutions which address achieving universality and non-proliferation.⁸⁸ 20 years after the Security Council passed resolution 1540 (2004) “non-proliferation of weapons of mass destruction,” the international community has created incentives and desirable suggestions for implementation, such as accountability mechanisms as outlined in Security Council resolution 2663 (2022) on “non-proliferation of weapons of mass destruction”, in order to achieve universality of the CWC.⁸⁹ Security Council resolution 1540 further requires all Member States of the United Nations to refrain from providing support of any kind to actors that develop, acquire, manufacture, possess, transport, transfer, or use chemical weapons, particularly in pursuit of terrorist activities.⁹⁰ The implementation is monitored by a special committee, namely, the 1540 Committee, which was created through the unanimous support of Security Council resolution 2663 and is specifically tasked with reporting implementation methods directly to the Security Council until 2032.⁹¹ Furthermore, UNODA works to promote nuclear disarmament and non-proliferation, and supports the goals of OPCW, the CWC, and Security Council resolution 1540, requiring all States parties to enforce chemical proliferation prevention.⁹² In 2021, the Security Council renewed its commitment to achieving universality through unanimous support for resolution 2572 on “non-proliferation of weapons of mass destruction,” which reaffirmed the decisions made in resolutions 1540 (2004), 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012), and 2325 (2016) on the same topic.⁹³

The General Assembly First Committee actively discusses progress towards universality, and with large support, condemns the use and ownership of chemical weapons.⁹⁴ Due to the clear violation of international law, the usage and stockpiling of chemical weapons are often discussed in the General Assembly First Committee, notably during its 76th session in 2021, urging universality of the CWC.⁹⁵ The General Assembly First Committee has often reaffirmed its unwavering support for the work of OPCW, recently bringing forward evidence from OPCW’s fact-finding mission that chemical weapons were used in Syria in 2023.⁹⁶ Discussions of different uses of chemical deterrents often occur in the General Assembly, including in 2023, where a draft resolution passed by the States parties, discussing “understanding regarding the aerosolized use of central nervous system-acting chemicals for law enforcement purposes.”⁹⁷ The General Assembly First Committee frequently addresses non-proliferation and chemical weapons of mass destruction, urging for universality, international cooperation, and the implementation of international instruments, such as the CWC.⁹⁸

⁸⁸ Marshall et al. The Henry L. Stimson Center. *Leveraging UN Sustainable Development Goals and UN Security Council Resolution 1540 Synergies: The Case for Responsible Chemical Management*. 2023.

⁸⁹ *ibid.*

⁹⁰ United Nations, Office of Disarmament Affairs. *UN Security Council Resolution 1540 (2004)*. 2004.

⁹¹ *ibid.*

⁹² *ibid.*

⁹³ United Nations, Security Council. *Non-proliferation of weapons of mass destruction (S/RES/2572 (2021))*. 2021.

⁹⁴ United Nations, Department of Global Communications. *Use of Chemical, Biological Weapons Unacceptable in Any Context, Delegates Stress, as First Committee Continues General Debate*. 2021.

⁹⁵ *ibid.*

⁹⁶ United Nations, Department of Global Communications. *General Assembly Adopts 56 First Committee Texts as Geopolitical Realities Test Sustainability of Non-Proliferation Regime, Scuttle Consensus*. 2023.

⁹⁷ *ibid.*

⁹⁸ United Nations, Department of Global Communications. *Use of Chemical, Biological Weapons Unacceptable in Any Context, Delegates Stress, as First Committee Continues General Debate*. 2021.



OPCW has expanded its relationship with the chemical industry into a cooperative partnership.⁹⁹ The Hague Ethical Guidelines are endorsed by the International Union of Pure and Applied Chemistry and the International Council of Chemical Associations (ICCA).¹⁰⁰ For dissemination of the guidelines, OPCW offers workshops to governments, scientific associations, and industry.¹⁰¹ To establish standards of responsible conduct, the ICCA-OPCW Steering Committee was formed, along with its ancillary committee, the Chemical Industry Coordination Group.¹⁰² In addition to the formulation of the Hague Ethical Guidelines, ICCA representatives contributed to the negotiation of the CWC, are subject to verification operations, and also serve as resources to multi-level governments and OPCW.¹⁰³ In its Budapest Summit Declaration of 1994, the Organization for Security and Co-operation in Europe (OSCE) advocated for swift ratification of and universal adherence to the CWC to counteract the proliferation of weapons of mass destruction.¹⁰⁴ Additionally, OSCE endorsed controls of chemicals by standards of the Australia Group - a forum that regulates cross-border movements of chemicals for 43 Member States in its Guidelines for Transfers of Sensitive Chemical or Biological Items.¹⁰⁵

Preventing the Re-emergence of Chemical Weapons

OPCW's enforcement and compliance measures counteract the proliferation of chemical weapons and hold CWC States parties accountable.¹⁰⁶ The destruction of all declared chemical weapons stockpiles of States parties to the CWC was completed in 2023.¹⁰⁷ OPCW specialist teams continue to verify States parties' declarations of chemicals, inspect facilities, and control international transfers of chemicals.¹⁰⁸ As seen in the Syrian civil war, OPCW can also send out missions to investigate alleged chemical weapons use and identify perpetrators.¹⁰⁹ In response to its chemical weapons use, OPCW suspended Syria's right to vote in the Conference and the Council, stand for election to the Council, and hold any office of the Conference, the Council or any subsidiary organs until all existing chemical weapons and facilities for their development, production and storage have been declared.¹¹⁰ To date, OPCW compiles monthly reports on Syria's activities to complete compliance with the CWC.¹¹¹

⁹⁹ Organisation for the Prohibition of Chemical Weapons. *Our Partners: Working together for a world free of chemical weapons*. 2024.

¹⁰⁰ *ibid.*

¹⁰¹ Organisation for the Prohibition of Chemical Weapons. *Report of the Workshop on Guidelines for the practice of Chemistry under the Norms of the Chemical Weapons Convention*. 2015.

¹⁰² International Council of Chemical Associations. *Partner: OPCW*. 2024.

¹⁰³ *ibid.*

¹⁰⁴ Conference on Security and Co-Operation in Europe. *Budapest Summit Declaration*. 1994.

¹⁰⁵ *ibid.*; The Australia Group. *Guidelines for Transfers of Sensitive Chemical or Biological Items*. 2015; The Australia Group. *Participants*. 2023.

¹⁰⁶ Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

¹⁰⁷ Organisation for the Prohibition of Chemical Weapons. *OPCW confirms: All declared chemical weapons stockpiles verified as irreversibly destroyed*. 2023.

¹⁰⁸ Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

¹⁰⁹ Organisation for the Prohibition of Chemical Weapons. *Syria and the OPCW*. 2024.

¹¹⁰ Organisation for the Prohibition of Chemical Weapons, Conference of the States Parties. *Decision: Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic (C-25/DEC.9)*. 2021; Organisation for the Prohibition of Chemical Weapons. *Decision: Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic (EC-94/DEC.2*)*. 2020.

¹¹¹ Organisation for the Prohibition of Chemical Weapons. *Syria and the OPCW*. 2024; Organisation for the Prohibition of Chemical Weapons. *Report by the Director-General: Progress in the Elimination of the Syrian Chemical Weapons Programme (EC-107/DG.20)*. 2024.



However, the re-emergence of chemical weapons highlights limitations of OPCW's verification and enforcement abilities, and thus inadequacies of the global chemical weapons ban.¹¹² Partyship to the CWC does not always prohibit States parties from employing chemical weapons, as seen in the ongoing civil war in Syria, where the Syrian government has used toxins like chlorine, sulfur mustard, and sarin as weapons in conflict between 2013 and 2018.¹¹³ Another example is the Russian war against Ukraine since 2022, where both States parties have reported alleged use of chemical weapons by the other to OPCW.¹¹⁴ Additionally, OPCW cannot verify the destruction of chemical weapon arsenals or sanction non-compliance with the provisions of the CWC for the four Member States that have yet to ratify the convention.¹¹⁵ Lastly, re-emergence is possible due to diversion of dual-use chemicals and the illegitimate use of riot control agents as a method of warfare.¹¹⁶

Chemical weapons pose a threat through cross-border targeted killing attempts, which highlights the importance of export controls.¹¹⁷ Globally, high-ranking military and political figures have been victims of nerve agents attacks, often while not in their home territory and for politicized and assassination strategies.¹¹⁸ In this context, OPCW's role can encompass testing of biomedical samples in designated laboratories to provide neutral verification of claims, but only on request from State parties.¹¹⁹ This was the case with Alexei Navalny, a Russian opposition leader who was poisoned with novichok in 2020.¹²⁰ Germany, where Navalny was being treated, had requested OPCW's technical assistance, which led to

¹¹² Hersman et al. Center for Strategic and International Studies. *Rigid Structures, Evolving Threat. Preventing the Proliferation and Use of Chemical Weapons*. 2019; Ward. Arms Control Association. *Syria, Russia, and the Global Chemical Weapons Crisis*. 2021.

¹¹³ Reuters. *Timeline of investigations into Syria's chemical weapons*. 2018; Organisation for the Prohibition of Chemical Weapons. *Decision: Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic (EC-94/DEC.2*)*. 2020; Organisation for the Prohibition of Chemical Weapons, Conference of the States Parties. *Decision: Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic (C-25/DEC.9)*. 2021; Organisation for the Prohibition of Chemical Weapons. *Note by the Technical Secretariat: Fourth Report by the OPCW Investigation and Identification Team Pursuant to Paragraph 10 of Decision C-SS-4/DEC.3 "Addressing the Threat from Chemical Weapons Use"*, Marea (Syrian Arab Republic) - 1 September 2015 (S/2255/2024). 2024; Nebehay. Reuters. *U.N. war crimes team documents further Syrian govt. use of banned chlorine*. 2018.

¹¹⁴ Organisation for the Prohibition of Chemical Weapons. *Statement on Ukraine from the OPCW Spokesperson*. 2024.

¹¹⁵ United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

¹¹⁶ Organisation for the Prohibition of Chemical Weapons. *Statement on Ukraine from the OPCW Spokesperson*. 2024; United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992. Art. II.

¹¹⁷ Hersman et al. Center for Strategic and International Studies. *Rigid Structures, Evolving Threat. Preventing the Proliferation and Use of Chemical Weapons*. 2019; Ward. Arms Control Association. *Syria, Russia, and the Global Chemical Weapons Crisis*. 2021.

¹¹⁸ Reuters. *Murder at the airport: the brazen attack on Kim Jong Nam*. 2019; Al Jazeera. *UK asks for information two years after Salisbury poisoning*. 2020; Organisation for the Prohibition of Chemical Weapons. *Case of Mr Alexei Navalny*. 2024.

¹¹⁹ Organisation for the Prohibition of Chemical Weapons. *Note by the Technical Secretariat: Summary of the Report on Activities Carried Out In Support of a Request for Technical Assistance by Germany (Technical Assistance Visit – Tav/01/20) (S/1906/2020)*. 2020.

¹²⁰ *ibid.*; Organisation for the Prohibition of Chemical Weapons. *Case of Mr Alexei Navalny*. 2024.



official documentation of the toxic chemicals that were used.¹²¹ However, it still remains difficult to officially confirm the perpetrators of such poisonings because they are often linked to intelligence service activities and lack official confirmation from governments.¹²² To minimize opportunities for assassination attempts and help prevent the re-emergence of chemical weapons, effective export controls are crucial.¹²³ CWC States parties are required to report cross-border movements of dual-use chemicals to OPCW.¹²⁴ In order for customs controls to be effective, personnel need to be trained accordingly, and national legislation needs to be robust.¹²⁵ However, one third of States parties have yet to enact legislation covering all the required measures of the CWC.¹²⁶

Achieving Universality for Marginalized Communities

Chemical weapons and their usage disproportionately impact people, especially marginalized communities, differently.¹²⁷ All usage of chemical weapons causes widespread devastation, however, marginalized communities experience the harshest impacts, often due to social, geographic, and health-related vulnerabilities.¹²⁸ For example, female victims of chemical weapon usage report higher rates of fertility-related issues, such as miscarriages and ectopic pregnancies, due to chemical toxin exposure.¹²⁹ Studies prove that children born of women who are chemical weapon warfare survivors are more likely to be born with a birth defect and elevated psychological stress, suffering the generational impact of chemical weapon warfare.¹³⁰ Additionally, lower income families may live closer to conflict or industrial zones, which often result in increased threat of chemical exposure.¹³¹ The United Nations Special Rapporteur on the right to health categorizes vulnerable and marginalized people as children and adolescents, women and girls, persons with disabilities, migrants, refugees, and asylum-seekers, LGBTQIA+ persons, and older persons.¹³² Vulnerable groups and individuals may need additional and

¹²¹ Organisation for the Prohibition of Chemical Weapons. *Note by the Technical Secretariat: Summary of the Report on Activities Carried Out In Support of a Request for Technical Assistance by Germany (Technical Assistance Visit – Tav/01/20) (S/1906/2020)*. 2020.

¹²² Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024; Reuters. *Murder at the airport: the brazen attack on Kim Jong Nam*. 2019; Al Jazeera. *UK asks for information two years after Salisbury poisoning*. 2020; Lister et al. CNN. *Russian opposition leader Alexey Navalny dupes spy into revealing how he was poisoned*. 2020; Roth. *The Guardian*. *Putin rejects Navalny poisoning allegations as 'falsification.'* 2020.

¹²³ Organisation for the Prohibition of Chemical Weapons. *Train the trainers: How OPCW customs training prevents chemical weapons re-emergence*. 2023.

¹²⁴ *ibid.*

¹²⁵ *ibid.*; Organisation for the Prohibition of Chemical Weapons. *Welcome Remarks at the United Nations Disarmament Fellowship Programme*. 2024.

¹²⁶ *ibid.*

¹²⁷ Organisation for the Prohibition of Chemical Weapons. *Gender Equality, Diversity, and the Chemical Weapons Convention*. 2023. p. 2.

¹²⁸ Ajaykumar. Observer Research Foundation. *Mitigating the impact of chemical weapons on vulnerable communities*. 2024.

¹²⁹ *ibid.*

¹³⁰ Rozei. *Centering the Humanitarian Impact of Chemical Weapons in the Next Phase of the CWC*. 2023.

¹³¹ Ajaykumar. Observer Research Foundation. *Mitigating the impact of chemical weapons on vulnerable communities*. 2024.

¹³² United Nations, Office of the High Commissioner for Human Rights. *Non-discrimination: groups in vulnerable situations*. 2024.



tailored support mechanisms, as there is no universally accepted standard for aiding individuals impacted by chemical weapons.¹³³

Achieving universality of the CWC is a multifaceted objective, requiring the respect and understanding of individual differences, and amplifying the voices of those with lived experience of chemical weapon warfare since this can lead to new perspectives and proposed solutions.¹³⁴ While the CWC is intentionally inclusive, deliberately not addressing any specific identities or groups, OPCW is encouraged by NGOs to be attentive to the consequences of addressing the impacts of chemical weapon usage considering the medical, psychological, social, and economic impacts for vulnerable groups.¹³⁵ At the 25th OPCW session in 2020, the Association of Supporting Victims of Chemical Weapons requested that OPCW States parties: implement national plans to support international prosecution of actors selling chemical weapons, facilitate financial commitments to purchase medicine for victims of chemical weapons attacks, create supports for rehabilitating victims of chemical weapons attacks, and ensure that the sufferings and damages are documented and shared with the international community as a method of preventing future tragedies.¹³⁶ Humanitarian experts remind that it is imperative to refrain from being hypocritical or tokenistic, ensuring that structural barriers can be understood and addressed in order to be overcome, ultimately, leading to the universality of the CWC.¹³⁷ In response to these calls to action, OPCW has launched several equality and diversity initiatives in the Secretariat, among States parties, and civil society.¹³⁸ For example, an OPCW panel is being established as a training module for gender and diversity guidelines in relation to chemical emergency response.¹³⁹

OPCW recognizes that chemical weapons attack victims and survivors are not symbols of suffering, rather a reminder of why universality is so critical.¹⁴⁰ Therefore, OPCW observes a Day of Remembrance for all Victims of Chemical Warfare annually on 30 November, during the OPCW Conference of States parties.¹⁴¹ This commemoration urges the universality of the CWC, condemns the use of chemical weapons by anyone, and reminds the international community to hold users of chemical weapons accountable.¹⁴² While achieving universality is a holistic endeavor, considering many elements of vulnerability and impact, particular attention should be paid to marginalized groups, as they may be more vulnerable to the effects of an incomplete chemical weapons ban.¹⁴³ Although chemical weapons impact people differently due to their physicality, the mental and psychological impacts of chemical weapon usage are often comparable, leaving disturbing memories behind.¹⁴⁴ Victims of chemical warfare,

¹³³ United Nations, Department of Economic and Social Affairs. *Training Toolkit on Government Innovation for Social Inclusion of Vulnerable Groups: Module 5*. N.d.

¹³⁴ Rozei. *Centering the Humanitarian Impact of Chemical Weapons in the Next Phase of the CWC*. 2023.

¹³⁵ *ibid.*

¹³⁶ Organisation for the Prohibition of Chemical Weapons. *Mr. Seyed Kamal Loh Mousavi, Secretary General Statement of the Association of Supporting Victims of Chemical Weapons*. 2020.

¹³⁷ Organisation for the Prohibition of Chemical Weapons. *Gender Equality, Diversity, and the Chemical Weapons Convention*. 2023. p. 5.

¹³⁸ *ibid.*

¹³⁹ *ibid.* p. 3.

¹⁴⁰ Organisation for the Prohibition of Chemical Weapons. *Supporting Victims of Chemical Weapons*. 2024.

¹⁴¹ *ibid.*

¹⁴² *ibid.*

¹⁴³ Organisation for the Prohibition of Chemical Weapons. *Gender Equality, Diversity, and the Chemical Weapons Convention*. 2023.

¹⁴⁴ Organisation for the Prohibition of Chemical Weapons. *Supporting Victims of Chemical Weapons*. 2024.



especially vulnerable populations, are invited and encouraged to utilize the Support Network for Victims of Chemical Weapons, composed of a voluntary trust fund, NGOs, CSOs, a medical symposium, and medical assistance and treatment.¹⁴⁵

Conclusion

Universal membership and full compliance with the CWC is crucial for international peace and should be the focus of concerted efforts from all Member States, OPCW, and other entities.¹⁴⁶ Universality has still not been achieved, although the international community condemns the use and stockpiling of chemical weapons as a violation of international law.¹⁴⁷ Until membership to the treaty is truly universal, harmful uses of chemicals can be prevented largely by regional initiatives and concerted monitoring efforts.¹⁴⁸ The CWC, the most comprehensive international treaty on banning chemical weapons, codifies international humanitarian law and is an important puzzle piece in achieving the United Nations goal of international peace and security.¹⁴⁹ Only four more Member States need to join for universal membership.¹⁵⁰ OPCW is the backbone of the counter-chemical weapons regime and ensures adherence to the CWC.¹⁵¹ Unfortunately, there have been instances of chemical weapons use by Member States, illustrating potential inadequacies of the chemical weapons ban.¹⁵² The effectiveness of the CWC depends on Member States' full compliance with its provisions, which should also be mirrored in national legislations.¹⁵³ Once the CWC is truly universal, a major threat to international peace and an endangerment of people's lives, especially of marginalized groups, will have been removed.¹⁵⁴

Further Research

As delegates conduct further research, they should consider: What further steps can the international community take to achieve universality of the CWC? How will national security and interests be protected if the OPCW regime achieves universality? What additional measures can the international community take to support the marginalized communities impacted by chemical weapons usage? Since all chemical weapons stockpiles have been verified as destroyed, how can the international community ensure that all States parties continue to comply with the CWC? What can OPCW and Member States do to prevent misuse of dual-use chemicals?

¹⁴⁵ *ibid.*

¹⁴⁶ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality*. 2024.

¹⁴⁷ United Nations, Department of Global Communications. *General Assembly Adopts 56 First Committee Texts as Geopolitical Realities Test Sustainability of Non-Proliferation Regime, Scuttle Consensus*. 2023.

¹⁴⁸ Organisation for the Prohibition of Chemical Weapons. *Achieving Universality*. 2024; Organisation for the Prohibition of Chemical Weapons. *The Hague Ethical Guidelines*. N.d; The Australia Group. *Guidelines for Transfers of Sensitive Chemical or Biological Items*. 2015.

¹⁴⁹ Organisation for the Prohibition of Chemical Weapons. *History: Looking back helps us look forward*. 2024; United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

¹⁵⁰ Organisation for the Prohibition of Chemical Weapons. *Member States*. 2024.

¹⁵¹ Organisation for the Prohibition of Chemical Weapons. *Mission: A world free of chemical weapons*. 2024.

¹⁵² Organisation for the Prohibition of Chemical Weapons. *Statement on Ukraine from the OPCW Spokesperson*. 2024; Organisation for the Prohibition of Chemical Weapons. *Case of Mr Alexei Navalny*. 2024; Organisation for the Prohibition of Chemical Weapons. *Syria and the OPCW*. 2024.

¹⁵³ Organisation for the Prohibition of Chemical Weapons. *Welcome Remarks at the United Nations Disarmament Fellowship Programme*. 2024.

¹⁵⁴ Organisation for the Prohibition of Chemical Weapons. *Supporting Victims of Chemical Weapons*. 2024.



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<https://www.carnegiecouncil.org/media/series/www/the-rise-and-fall-and-rise-of-chemical-weapons>

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<https://nationalinterest.org/feature/should-israel-ratify-chemical-weapons-convention-204682>

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<https://www.opcw.org/sites/default/files/documents/2020/11/CWCC%20CSP25%20Plenary%20Statement%20Association%20for%20Supporting%20Victims%20of%20Chemical%20Weapons%20Mousavi.pdf>

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<https://www.opcw.org/sites/default/files/documents/2023/11/FINAL%20Humanitarian%20Impact%20of%20CWC%20CSP28%20Final%20Edit.pdf>

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2. Preventing the Use of Chemical Weapons by Non-State Actors

*Preventing non-state actors from acquiring and using weapons of mass destruction is among the most important responsibilities of the international community.*¹⁵⁵

Introduction

The threat of use of chemical weapons by non-state actors is becoming an increased and urgent issue which was recognized by the 86th Session of the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW).¹⁵⁶ Previously, the focus of OPCW was on states providing assistance and support in a less active capacity against non-state actors.¹⁵⁷ However, the Executive Council of OPCW has advocated for developing strategies to prevent the acquisition of chemical weapons by non-state actors, focusing on response mechanisms, increased state accountability, and increased prosecution of responsible parties.¹⁵⁸

Chemical Weapons are defined in article II of the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction* (1993), commonly known as the Chemical Weapons Convention (CWC).¹⁵⁹ The CWC defines chemical weapons as toxic chemicals and their precursors designed for purposes prohibited under the Convention, including munitions and devices designed to facilitate the prohibited use of those chemicals.¹⁶⁰ Further, the CWC specifies toxic chemicals as chemicals having the capacity to cause temporary or permanent harmful effects on humans or animals, including death.¹⁶¹ According to General Assembly resolution 32/84 on the “Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons” (1977), chemical weapons are also classified as weapons of mass destruction (WMD).¹⁶²

Non-state actors are organizations and individuals that are not affiliated, directed by, or funded through the government such as private financial institutions, non-governmental organizations (NGOs), and paramilitary and armed resistance groups.¹⁶³ While non-state actors are a variety of organizations, the non-state actors that commonly use chemical weapons are paramilitary, armed resistance, and terrorist organizations.¹⁶⁴ The Islamic State of Iraq and Syria (ISIS) frequently uses chemical weapons such as nerve agents in Iraq and Syria.¹⁶⁵ Some examples of non-state actors using chemical weapons are in

¹⁵⁵ United Nations, Department of Global Communications. *Eliminating Weapons of Mass Destruction Only Way to Prevent Non-State Actors from Acquiring Them, Deputy Secretary-General Tells Security Council*. 2016.

¹⁵⁶ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

¹⁵⁷ *ibid.*

¹⁵⁸ *ibid.*

¹⁵⁹ United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

¹⁶⁰ *ibid.*

¹⁶¹ *ibid.*

¹⁶² United Nations, General Assembly. *Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons (A/RES/32/84)*. 1977.

¹⁶³ Longley. *What are Non-State Actors?*. 2022.

¹⁶⁴ *ibid.*; Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

¹⁶⁵ *ibid.*



Malaysia in 2017, Syria, Iraq, the United Kingdom in 2018, and Russia in 2020.¹⁶⁶ While the 2017 VX Nerve Agent attack in Malaysia led to the loss of one life, it did highlight deficiencies in the surveillance and detection of chemical weapons at a size of a few milligrams.¹⁶⁷

In 2023, OPCW confirmed the destruction of 72,304 metric tons of chemical agents, as declared by the 193 States parties to the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction* (1993) since its inception in 1997.¹⁶⁸ However, despite this achievement, the threat posed by non-state actors using chemical weapons persists.¹⁶⁹ In 2021, over 1,000 attacks by non-state actors harmed more than 7,150 people in over 40 countries.¹⁷⁰ Many of the chemicals used for those attacks were acquired by criminals taking advantage of weak points in the supply chain, acquiring dual-use and precursor chemicals, commonly used in the production of pharmaceuticals, cleaning supplies, and fertilizers.¹⁷¹ The International Criminal Police Organization (INTERPOL) points out the complexity of chemical threats and calls for efforts across the supply chain to strengthen chemical security worldwide.¹⁷²

International and Regional Framework

The *Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare* (1925) (Geneva Protocol), is the first international agreement after World War I that prohibits the use of chemical weapons in war.¹⁷³ Though this protocol prohibits the use of chemical weapons in war, the development, manufacturing, or possession of such weapons lacks recognition.¹⁷⁴ The *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction* (1972) (BTWC) was added to the Geneva Convention by further addressing the prohibition of the development, production, and stockpiling of chemical and biological weapons.¹⁷⁵ Prohibited materials are defined in the BTWC as biological or chemical agents without a peaceful purpose, also including weapons, equipment, or means of delivery for those materials.¹⁷⁶

¹⁶⁶ *ibid.*; Corera. The British Broadcasting Company. *Salisbury poisoning: What did the attack mean for the UK and Russia?*. 2020.

¹⁶⁷ Subramanian. *VX Nerve Agent Incident: Lessons Learned, Best Practices, and the Challenges Ahead*. 2024.

¹⁶⁸ Organisation for the Prohibition of Chemical Weapons. *Preventing chemical weapon re-emergence by countering chemical terrorism*. 2024.

¹⁶⁹ *ibid.*

¹⁷⁰ International Criminal Police Organization. *Chemical security experts call for multisector cooperation against terrorism*. 2022.

¹⁷¹ *ibid.*

¹⁷² International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

¹⁷³ Geneva Convention. *Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare*. 1925; Organisation for the Prohibition of Chemical Weapons. *History*. N.d.

¹⁷⁴ *ibid.*

¹⁷⁵ Conference of the Committee on Disarmament. *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*. 1972.

¹⁷⁶ *ibid.*



The CWC is the primary document of OPCW and addresses shortcomings of the 1925 Geneva Protocol.¹⁷⁷ Articles I, III, and IV of the CWC express how Member States should declare, safely store, and eliminate chemical weapons within their jurisdiction, which would limit non-state actors' access to chemical weapons.¹⁷⁸ Articles VI and VII advise Member States to adopt measures to ensure the legitimate use of chemical weapons and promote capacity building, legislation, and especially national law to prevent any violation of CWC.¹⁷⁹ Through article VIII, OPCW is established, including the Scientific Advisory Board (SAB) that provides advice to the organization on scientific and technological developments relevant to the topic of chemical weapons.¹⁸⁰ In addition, it provides OPCW with the possibility to address the risk that rapidly evolving technology poses for abuse by non-state actors.¹⁸¹ Under the CWC, States parties are required to implement national legislation such as the United Kingdom's *Chemical Weapons Act* which, for example, outlines the requirements for inspections under the CWC in the United Kingdom and holds directors of companies accountable for notifying the government of an overproduction of controlled chemicals.¹⁸²

Role of the International System

OPCW is committed to preventing the acquisition and use of chemical weapons by non-state actors.¹⁸³ In 2017, the Executive Council decided during its 86th session to focus on the use of chemical weapons by non-state actors.¹⁸⁴ Through the OPCW Open-Ended Working Group on Terrorism (OEWG-T), the organization provides a platform for its States parties to communicate with international experts.¹⁸⁵ The participants highlighted effective legislation against chemical weapons, sufficient laboratory capacity, and having sound diplomatic relations for support during and after an attack.¹⁸⁶ Further, OEWG-T highlighted the special threat that arises from technological advances, such as Artificial Intelligence (AI).¹⁸⁷ INTERPOL reported that an AI system would be able to create tens of thousands of chemical compounds that could be used as chemical weapons within six hours, pointing to the potential of AI to facilitate chemical synthesis for malicious purposes.¹⁸⁸ OPCW's SAB provides the organization with thematic

¹⁷⁷ United Nations, Conference on Disarmament. *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/47/27)*. 1992.

¹⁷⁸ *ibid.*

¹⁷⁹ *ibid.*

¹⁸⁰ *ibid.*

¹⁸¹ Organisation for the Prohibition of Chemical Weapons. *Scientific Advisory Board*. N.d.

¹⁸² Government of the United Kingdom. *Chemical Weapons Act*. 1996; Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008; Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

¹⁸³ Organisation for the Prohibition of Chemical Weapons, Executive Council. *Addressing the Threat Posed by the Use of Chemical Weapons by non-State Actors*. 2017.

¹⁸⁴ Foy et. al. *NGO Joint Statement: Preventing Acquisition of Chemical Weapons by Non-State Actors*. 2023.

¹⁸⁵ Organisation for the Prohibition of Chemical Weapons. *Note by the Director-General*. 2021.

¹⁸⁶ Organisation for the Prohibition of Chemical Weapons. *Preventing chemical weapon re-emergence by countering chemical terrorism*. 2024.

¹⁸⁷ Organisation for the Prohibition of Chemical Weapons. *OPCW - Twenty-Seventh Session of the Executive Council: OPCW Establishes Anti-Terrorism Working Group*. 2001; Organisation for the Prohibition of Chemical Weapons. *Preventing chemical weapon re-emergence by countering chemical terrorism*. 2024.

¹⁸⁸ *ibid.*; International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.



advice and lately evaluated the risks and chances of AI for chemical security.¹⁸⁹ The evaluation revealed potential benefits of using AI for the work of OPCW, for example through document and open-source data analyses.¹⁹⁰ In October 2024, OPCW hosted the Global Conference on the Role of AI in Advancing the Implementation of the CWC, where stakeholders from science, politics, and the industry discussed AI's role in preventing and detecting chemical terrorism.¹⁹¹

General Assembly resolution 60/288 (2006) on "The United Nations Global Counter-Terrorism Strategy" lays out strategies to address the threat of chemical weapon acquisition by non-state actors.¹⁹² The strategy, both in form of a resolution and an annexed Plan of Action, addresses the emergence of terrorism, its prevention and combat, strengthening national and United Nations capacities in this regard, and respecting human rights and the rule of law in the process.¹⁹³ The Plan of Action highlights the need for enhanced coordination and cooperation amongst Member States but also international organizations and United Nations entities against crimes connected with terrorism, including smuggling of chemical materials and money-laundering.¹⁹⁴ Further, the Plan of Action outlines how issues like the absence of the rule of law, human rights violations, and various forms of discrimination contribute to terrorism.¹⁹⁵ It also encourages for Member States to seek guidance and support from other United Nations bodies such as the United Nations Office on Drugs and Crime (UNODC), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism in addressing these conditions.¹⁹⁶ The implementation of the strategy is reviewed biannually with the latest review unanimously adopted in 2023.¹⁹⁷ The next review will not be conducted until February 2026.¹⁹⁸

The latest review expresses concern over the misuse of new and emerging technologies such as AI, 3D printing, or unmanned aircraft systems but also information and communication technologies for terrorist purposes.¹⁹⁹ Further, it calls upon Member States to increase cooperation to counter the trafficking of illicit drugs as it can be a significant contributor to the financial resources of terrorist groups.²⁰⁰ The review also urges Member States to adopt and implement the necessary legislation to criminalize the illegal manufacturing, possession, stockpiling, and trade of materials which can be used for the illegal manufacture of arms such as dual-use materials or chemical components.²⁰¹ As OPCW is not part of the United Nations system, it is part of the *United Nations Global Counter-Terrorism Coordination Compact*,

¹⁸⁹ Organisation for the Prohibition of Chemical Weapons. *The OPCW Artificial Intelligence Research Challenge*. 2024.

¹⁹⁰ *ibid.*

¹⁹¹ Organisation for the Prohibition of Chemical Weapons. *Global Conference in AI and CWC implementation*. 2024.

¹⁹² United Nations, General Assembly. *The United Nations Global Counter-Terrorism Strategy (A/RES/60/288)*. 2006.

¹⁹³ United Nations Office of Counter-Terrorism. *The Largest UN Counter-Terrorism Framework Explained*. 2022. p. 19.

¹⁹⁴ United Nations, General Assembly. *The United Nations Global Counter-Terrorism Strategy (A/RES/60/288)*. 2006.

¹⁹⁵ *ibid.*

¹⁹⁶ *ibid.*

¹⁹⁷ United Nations Office of Counter-Terrorism. *United Nations Global Counter-Terrorism Strategy*. N.d.

¹⁹⁸ United Nations, General Assembly. *The United Nations Global Counter-Terrorism Strategy: eighth review (A/RES/77/298)*. 2023.

¹⁹⁹ *ibid.*

²⁰⁰ *ibid.*

²⁰¹ *ibid.*



an inter-agency framework that coordinates the United Nations counter-terrorism efforts.²⁰² The compact aims to strengthen the coordination and coherence of United Nations counter-terrorism efforts, and support Member States in implementing the United Nations Global Counter-Terrorism Strategy.²⁰³

Through measures addressing Weapons of Mass Destruction (WMDs), several Security Council efforts support preventing the use of chemical weapons by non-state actors.²⁰⁴ Through Security Council resolution 1540 (2004) on “Non-proliferation of weapons of mass destruction,” the 1540 Committee was established.²⁰⁵ With its Group of Experts, the 1540 Committee oversees the implementation of the resolution and provides an annual review that reports on monitoring and national implementation, assistance requests, and cooperation with international, regional, and subregional organizations.²⁰⁶ The Security Council continuously addresses the topic of non-proliferation of WMDs, for example in its resolution 2325 (2016), on “Non-proliferation of weapons of mass destruction,” where it suggests national action plans and national Points of Contact for the 1540 Committee to improve the national implementation of resolution 1540 (2004).²⁰⁷ Security Council resolution 2325 (2016) also pays attention to the evolving nature of science, technology, and international commerce, tasking the 1540 Committee to take note of them in its work.²⁰⁸ Further, Security Council resolution 2325 (2016) highlights the threat of chemical terrorism and non-state actors acquiring WMDs.²⁰⁹

The United Nations Counter-Terrorism Centre (UNCCT) works with OPCW and different partners to reduce the threat of chemical terrorism.²¹⁰ In collaboration with Member States, United Nations entities, civil society, international and regional organizations, as well as academia to implement the Global Counter-Terrorism Strategy, UNCCT works on capacity-building programmes and projects with partners like OPCW, INTERPOL, and UNODC covering topics like border security, cyber security, or Weapons of Mass Destruction/Chemical Biological, Radiological, and Nuclear (WMD/CBRN) terrorism.²¹¹ Through their Programme on Preventing and Responding to WMD/CBRN Terrorism, Member States and international organizations can seek support on prevention, preparedness, and response.²¹² The Programme aims to strengthen partnerships and capacity-building efforts in areas such as border and export control, illicit trafficking, and protection of CBRN materials.²¹³ Under this programme, UNCCT jointly established the Network of Focal Points to enhance the communication between relevant United Nations agencies and international organizations on the topic of chemical weapons with OPCW.²¹⁴

²⁰² United Nations Office of Counter-Terrorism. *The Largest UN Counter-Terrorism Framework Explained*. 2022. p. 3.

²⁰³ *ibid.*

²⁰⁴ United Nations, Security Council. *2023 review of the implementation of Security Council Resolution 1540 (2004)*. 2023; United Nations, Security Council. *Non-proliferation of weapons of mass destruction (S/RES/2325(2016))*. 2016.

²⁰⁵ United Nations Office for Disarmament Affairs. *UN Security Council Resolution 1540 (2004)*. N.d.

²⁰⁶ United Nations, Security Council. *2023 review of the implementation of Security Council Resolution 1540 (2004)*. 2023.

²⁰⁷ United Nations, Security Council. *Non-proliferation of weapons of mass destruction (S/RES/1540(2004))*. 2016.

²⁰⁸ *ibid.*

²⁰⁹ *ibid.*

²¹⁰ United Nations Office of Counter-Terrorism. *About us*. N.d.

²¹¹ United Nations Office of Counter-Terrorism. *Programmes and projects*. N.d.; United Nations Office of Counter-Terrorism. *UNCCT Annual Report 2022*. 2022.

²¹² United Nations Office of Counter-Terrorism. *UN Counter-Terrorism Centre*. N.d.

²¹³ *ibid.*

²¹⁴ United Nations Office of Counter-Terrorism. *UNCCT Annual Report 2022*. 2022.



Further, UNCCT launched a Border Security and Management (BSM) Programme in 2019 to hinder non-state actors from sharing resources used to develop chemical weapons, including illicit drugs and materials, or suspected terrorists.²¹⁵ Through the Programme, UNCCT offers a platform for technical assistance, good practice and information sharing, inter-agency and cross-border cooperation.²¹⁶

Border security efforts are essential for preventing non-state actors from sharing resources used to develop chemical weapons.²¹⁷ To address such issues, OPCW signed a Memorandum of Understanding (MoU) with the World Customs Organization (WCO) in 2017 to improve border controls through consultations, exchanges of information and documents, and technical cooperation.²¹⁸ In partnership with UNODC and INTERPOL, OPCW and WCO host training for frontline customs officers on the enforcement of the CWC to strengthen border control of toxic chemicals.²¹⁹ In 2022, UNCCT organized an online forum on new technologies and their use in maritime border security in African Member States with more than 290 participants from 85 countries.²²⁰

As a civil society network, the Chemical Weapons Convention Coalition (CWCC) works towards universal implementation of the CWC.²²¹ CWCC aims at achieving universal membership of the CWC, the safe elimination of all chemical weapons, and exclusively peaceful use of chemicals, for which they promote and facilitate civil society and NGO engagement in the work of OPCW.²²² During OPCW's annual Conference of States Parties (CSP), CWCC hosts an NGO Open Forum that allows NGOs to present their work with the CWC to CSP delegates.²²³

Strengthening National Legislation and Regulatory Framework

Chemical weapons are the preferred weapon of terrorist, insurgent, and paramilitary groups because of their ability to cause chaos, physical injury, and psychological damage.²²⁴ States with instability face more frequent chemical weapons attacks from insurgents and paramilitary groups.²²⁵ For example, in February and March of 2007, insurgents in Iraq were able to use liquefied chlorine in several attacks.²²⁶ Another example is in 2015, the Islamic State in Iraq and Levant (ISIL) was the force behind chemical weapons in Marea, Syria.²²⁷ Additionally, Iraq has multiple potential sources of chlorine and due to instability within its borders it has been difficult to control chemicals.²²⁸ OPCW is committed to working in close cooperation with WCO to strengthen national legislation, particularly with the improvement of border control

²¹⁵ United Nations Office of Counter-Terrorism. *Border security and management*. N.d.

²¹⁶ *ibid.*

²¹⁷ *ibid.*

²¹⁸ World Customs Organization. *Memorandum of Understanding*. 2017.

²¹⁹ Organisation for the Prohibition of Chemical Weapons. *OPCW and World Customs Organization help address security challenges of international trade in chemicals*. 2021; United Nations Office on Drugs and Crime. *UNODC Continues to Promote the International Legal Instruments Against Chemical Terrorism*. 2024.

²²⁰ United Nations Office of Counter-Terrorism. *UNCCT Annual Report 2022*. 2022.

²²¹ Chemical Weapons Convention Coalition. *What We Do*. N.d.

²²² Chemical Weapons Convention Coalition. *History*. N.d.

²²³ Chemical Weapons Convention Coalition. *What We Do*. N.d.

²²⁴ Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008.

²²⁵ *ibid.*

²²⁶ *ibid.*

²²⁷ Organisation for the Prohibition of Chemical Weapons. *OPCW identifies ISIL as perpetrators of 2015 chemical attack in Marea Syria*. 2024.

²²⁸ Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008.



mechanisms.²²⁹ Additionally, the CWCC advocates that states could improve their export and import controls to be tighter and more stringent to prevent the risk of unauthorized movement of chemical weapons and any related equipment and materials during transit.²³⁰

Without proper regulatory frameworks, chemical weapons and chemical weapon materials are especially at risk of falling into the hands of non-state actors along the supply chain therefore necessitating the cooperation of all supply chain actors.²³¹ The CWCC advocates for tight and stringent controls with clear and harsh penalties when there are violations of export and import controls, particularly by private actors.²³² According to the CWCC, chemical exports could be subjected to conscientious screening with enhanced protections at customs by border and customs agents.²³³ Because of this, intergovernmental organizations such as INTERPOL point to the need for diverse strategies.²³⁴ The CWC requires obligations on the exporting and importing of chemicals focusing on monitoring transfers and restrictions on trade.²³⁵ The signing of the MoU between OPCW and WCO is an example of international cooperation to limit the trade of chemical weapon materials.²³⁶ The MoU includes consultations, information and document exchange, and technical expertise sharing.²³⁷ The MoU also allows for OPCW and WCO to cross-represent each other at any relevant meetings.²³⁸ Starting in 2019, UNCCT launched a BSM course to prevent non-states from acquiring chemical weapons and relevant materials.²³⁹

The Chemical Weapons Convention Coalition advocates for robust national legislation and regulatory frameworks to prevent the illicit acquisition of chemicals.²⁴⁰ Academics argue that the high availability and accessibility of toxic chemicals and chemical weapons allow for improvised terrorist attacks which is a threat to counter-terrorism efforts.²⁴¹ Academics advocate for precautions for regulating chemical weapons including controls on monitoring of bulk access points to ensure compliance with the CWC.²⁴² The CWCC encourages states to have legislation and regulatory frameworks that adhere to and comply with the CWC.²⁴³ CWCC advocates that full compliance with the CWC would significantly prevent and limit the ability of non-state actors to access chemical weapons.²⁴⁴ Under the CWC, states are required to

²²⁹ World Customs Organization. *Memorandum of Understanding*. 2017.

²³⁰ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023; Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008.

²³¹ International Criminal Police Organization. *Chemical security experts call for multisector cooperation against terrorism*. 2022.

²³² Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²³³ *ibid.*

²³⁴ International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²³⁵ Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

²³⁶ World Customs Organization. *Memorandum of Understanding*. 2017.

²³⁷ *ibid.*

²³⁸ *ibid.*

²³⁹ United Nations Office of Counter-Terrorism. *Border security and management*. N.d.

²⁴⁰ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁴¹ Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008.

²⁴² *ibid.*; Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. N.d.

²⁴³ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁴⁴ *ibid.*



adopt laws criminalizing actions that are a contravention of the CWC, such as reporting requirements and codes of practices.²⁴⁵ Another example of regulatory action comes with punishment levied by the United States of America for the mishandling of chemicals.²⁴⁶ In 2008, the United States fined Nalco Co. of Naperville, Illinois \$115,000 for exporting chemical weapons materials without the proper licensing under the *Export Administration Act*, which is intended to prevent exports of goods and technology with the potential to provide military advantage to potential threats.²⁴⁷

Capacity-building and Information Sharing

The use of chemical weapons by non-state actors can cause massive casualties, increased panic, and destabilized international security.²⁴⁸ When chemical weapons are used by non-state actors there is a breakdown of trust in international agreements and conventions.²⁴⁹ In 2023, media stations in Ecuador received chemical weapons on USB keys, in response, INTERPOL was able to issue a Purple Notice and prevent future attacks.²⁵⁰ A Purple Notice is a tool used by INTERPOL to seek out background information and motive of criminals as a way to anticipate their behavior.²⁵¹ For INTERPOL efforts to be successful, it requires the cooperation of law enforcement agencies and intelligence agencies on all levels worldwide.²⁵² OPCW and INTERPOL advocate for technical support that can be used for the identification of involved parties such as perpetrators, organizers, and sponsors.²⁵³ INTERPOL has advocated that there needs to be an end of information silos and a building of relationships to assist in successfully preventing chemical weapons from being obtained by non-state actors.²⁵⁴ Capacity-building and technical assistance include training, equipment, and technical support to strengthen the ability of states with the focus being on the areas of chemical safety; chemical security, risk assessment, and response to incidents.²⁵⁵ The significance of these focus areas is that they prevent chemical weapons from falling into the hands of terrorist groups.²⁵⁶ All states are facing an escalating threat from non-state actors using chemical weapons, but there is a higher risk to states where there is increased conflict and tensions within the state.²⁵⁷

²⁴⁵ Organisation for the Prohibition of Chemical Weapons. *Preventing the Re-Emergence of Chemical Weapons*. 2024.

²⁴⁶ FreightWaves. *Illinois chemical shipper settles \$115,000 export penalty*. 2008.

²⁴⁷ *ibid.*; Oppenheimer. *The Threat of Chemical Weapons: Use by Non-State Actors*. 2008; University of Charlotte, Division of Research. *Overview of Export Controls*. N.d.

²⁴⁸ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁴⁹ *ibid.*

²⁵⁰ International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁵¹ International Criminal Police Organization. *About Notices*. 2024.

²⁵² Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁵³ Organisation for the Prohibition of Chemical Weapons. *Addressing the Threat from Chemical Weapon Use*. 2024.

²⁵⁴ International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁵⁵ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁵⁶ *ibid.*; International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁵⁷ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.



Information sharing and intelligence cooperation include the cooperation and inclusion of law enforcement and security agencies.²⁵⁸ The CWCC advocates for information sharing on suspicious transactions or movements of chemical weapons or chemical weapons materials.²⁵⁹ Relevant information for states to gather should include intelligence on non-state acquisition and best practices for preventing non-state acquisition.²⁶⁰ In General Assembly resolution 60/288 (2006), on “The United Nations Global Counter-Terrorism Strategy,” the annexed Plan of Action emphasized the need for coordination and cooperation between Member States, international organizations, and the United Nations in addressing terrorist crimes including chemical weapons trade and smuggling.²⁶¹ The 1540 Committee advocates for Member States to voluntarily share experiences, lessons, and best practices.²⁶² INTERPOL has warned of the importance of information being shared with the right actors at the right time to ensure law enforcement and governments are able to remain ahead of criminals, terrorists, and other non-state actors.²⁶³

Capacity-building and information sharing are not limited to states but also include international organizations and civil society stakeholders.²⁶⁴ In paragraph 1 of article IX of the CWC, there is support for States parties consulting other States parties, OPCW, other organizations, and other relevant procedures.²⁶⁵ In 2018, the Fourth Special Session of OPCW’s Conference of the States parties decision in paragraphs 20 and 21 of “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3), there was a focus on improving capacity through proposals from the States parties and the ability of the Director-General to provide technical assistance when a state is investigating chemical weapons attacks.²⁶⁶ The Secretariat of OPCW can establish an Investigation and Identification Team (IIT), with the purpose of identifying and reporting all relevant information concerning chemical weapon attacks.²⁶⁷ The Director-General can utilize outside experts to have independent and neutral input.²⁶⁸

Despite measures to foster capacity-building efforts and information sharing, security gaps continue to be an issue when it comes to the use of chemical weapons by non-state actors.²⁶⁹ Such issues have been recognized and addressed with the assistance of the Global Chemical Congress and Emerging Threats

²⁵⁸ *ibid.*; International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁵⁹ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁶⁰ *ibid.*; International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁶¹ United Nations, General Assembly. *The United Nations Global Counter-Terrorism Strategy (A/RES/60/288)*. 2006.

²⁶² United Nations, Security Council. *Non-proliferation of weapons of mass destruction (S/RES/2663(2022))*. 2022.

²⁶³ International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.

²⁶⁴ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁶⁵ Organisation for the Prohibition of Chemical Weapons, Conference of the State Parties. *Addressing the Threat from Chemical Weapon Use*. 2018.

²⁶⁶ *ibid.*

²⁶⁷ Organisation for the Prohibition of Chemical Weapons. *Addressing the Threat from Chemical Weapon Use*. 2024.

²⁶⁸ *ibid.*

²⁶⁹ International Criminal Police Organization. *Sharing information critical to tackling chemical threats*. 2023.



network which was established in 2018.²⁷⁰ The Global Chemical Congress and Emerging Threats network is made up of more than 1,500 experts and is a platform for exchanging expertise, and sharing information on threats and best practices.²⁷¹ The October 2023 meeting identified the increasing risk of AI and 3D printing with the acknowledgment that cybersecurity and technology innovation is needed to address the issue.²⁷² AI is undergoing rapid development which can be used to assist non-state actors in procuring chemical weapons or the materials and technology to create them.²⁷³

Conclusion

Although OPCW has been successful in eliminating all chemical weapons declared since the inception of the CWC in 1997, the threat of non-state actors using chemical weapons persists.²⁷⁴ The threat of non-state actors acquiring chemical weapons is increasing, with their usage holding the potential to cause massive casualties, increased panic, and destabilize international security.²⁷⁵ Effective implementation of the CWC into legislation and regulatory framework is necessary for the prevention of chemical weapons and chemical weapons materials coming into possession of non-state actors.²⁷⁶ International cooperation assists in capacity-building along with intelligence gathering, and technical expertise.²⁷⁷ While the threat of non-state actors acquiring and using chemical weapons is significant, the international community has taken steps to address the issue and has committed to continue to decrease the threat.²⁷⁸

Further Research

As delegates conduct further research and consider how to address this topic, they should consider: How can OPCW address the risks that fast-developing science and technology bare? How can Member States more effectively implement the CWC to prevent non-state actors from gaining chemical weapons? How can information be efficiently and effectively shared without any risks to national security? How can OPCW work more effectively with other organizations to reduce the risk of non-state actors acquiring chemical weapons? How can IIT play a role in future acquisition and use of chemical weapons by non-state actors?

²⁷⁰ *ibid.*

²⁷¹ International Criminal Police Organization. *Global Partnerships against Chemical and Explosives terrorism*. N.d.

²⁷² International Criminal Police Organization. *Global Partnership Against the Spread of Weapons and Materials of Mass Destruction. Chemical Security is Global Responsibility*. N.d.

²⁷³ *ibid.*

²⁷⁴ Organisation for the Prohibition of Chemical Weapons. *Preventing chemical weapon re-emergence by countering chemical terrorism*. 2024.

²⁷⁵ Foy et al. *NGO Joint Statement: Preventing the Acquisition of Chemical Weapons by Non-State Actors*. 2023.

²⁷⁶ *ibid.*

²⁷⁷ *ibid.*

²⁷⁸ *ibid.*



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hreats](https://www.interpol.int/en/News-and-Events/News/2023/Sharing-information-critical-to-tackling-chemical-threats)

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establishes-anti](https://www.opcw.org/media-centre/news/2001/12/opcw-twenty-seventh-session-executive-council-opcw-establishes-anti)

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