



OPCW

Conference of the States Parties

Second Review Conference
7 – 18 April 2008

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SWITZERLAND

ARTICLE X: ASSISTANCE AND COOPERATION AGAINST CHEMICAL WEAPONS

Relevance of Article X

1. The Chemical Weapons Convention (hereinafter “the Convention”) requires States Parties not only to destroy their stocks of chemical weapons, but also to give up all offensive chemical weapon research and development activities. In the absence of any possibility of retaliation in kind, it is of paramount importance that States Parties continue to be equipped and trained to defend themselves against chemical weapon attacks. In the absence of universal membership, a credible chemical weapons defence capability is an important deterrent against use or threats of use of chemical weapons. Furthermore, the threat of terrorist attacks with toxic chemicals has not decreased in the current security context.

The Second Review Conference should therefore:

- (a) Reaffirm the continuing relevance and importance of the provisions of Article X on assistance and protection against the use, or threat of use, of chemical weapons.
 - (b) Recognise their relevance as a contribution to global anti-terrorist efforts.
2. Under the Convention, the protection of States Parties against the use or threat of use of chemical weapons is both active and passive. It is passive in the sense that nothing in the Convention impedes in any way the right of any State Party to conduct research into, develop, produce, acquire, transfer or use means of protection against chemical weapons, for purposes not prohibited under the Convention.

The Second Review Conference should therefore:

Reaffirm the rights of States Parties to conduct research into, develop, produce, acquire, transfer, or use means of protection against chemical weapons, for purposes not prohibited under the Convention.

3. The Convention encourages States Parties to exchange equipment, material and scientific and technological information concerning means of protection against chemical weapons. A further active component is the right of each State Party to



request and to receive assistance and protection from other States Parties against the use or threat of use of chemical weapons. Obviously, the requesting states cannot receive such assistance unless other States Parties contribute to the voluntary fund for assistance and provide assistance in response to an appeal by the Organisation. Such pledges for assistance are a prerequisite for a successful and credible implementation of Article X.

The Second Review Conference should therefore:

- (a) Commend the undertaking of the States Parties to facilitate the fullest possible exchange of equipment, material, and scientific and technological information concerning means of protection against chemical weapons.
- (b) Encourage the States Parties to further review the measures they have elected to provide assistance, with a view to ensuring an effective and timely response to any assistance request.

Implementation of Article X by States Parties

4. Paragraph 4 of Article X requires States Parties to provide information annually on their protective programmes. Though there has been some progress in the implementation of this paragraph, there remains a significant number of States Parties that have never submitted information to the OPCW.

The Second Review Conference should therefore:

- (a) Stress the importance of compliance with this obligation.
 - (b) Urge all States Parties to submit their information annually, using the agreed format, and in a timely fashion.
5. Paragraph 7 of Article X requires States Parties to choose from one or more of three distinct measures to comply with the obligation to provide assistance through the OPCW. Since the First Review Conference, only a small number of States Parties have actually implemented one or more of these measures.

The Second Review Conference should therefore:

- (a) Stress the importance of compliance with this obligation.
- (b) Urge all States Parties that have yet to do so to make their offers of assistance to the OPCW and encourage them to use the agreed new format.

Activities of the Technical Secretariat

6. Paragraph 5 of Article X requires the Technical Secretariat (hereinafter “the Secretariat”) to provide expert advice and assist requesting States Parties regarding how their programmes for the development and improvement of a protective capacity against chemical weapons could be implemented. The First Review Conference reiterated that the Secretariat must respond to such requests in an effective manner, within the limits on the resources available to it. Furthermore, it called upon States Parties to voluntarily provide support to the OPCW so it can respond more effectively

to requests for expert advice. Since the First Conference, numerous training activities by the Secretariat and with the assistance of States Parties have continued to take place.

The Second Review Conference should therefore:

- (a) Appreciate the Secretariat's efforts to provide expert advice and training to States Parties wishing to build their own defence capacities.
- (b) Commend efforts of States Parties to assist the Secretariat in those activities and encourage them to continue to do so.
- (c) Request the Secretariat, on the basis of its relevant concept paper, to keep updated its roster of qualified experts.

7. These training activities have shifted in recent times from purely national to more regional and sub-regional capacity building, allowing the Secretariat to reach out to more requesting States Parties, while at the same time increasing the efficiency and effectiveness of the programmes.

The Second Review Conference should therefore:

- (a) Welcome the new focus on regional and sub-regional training programmes and encourage the Secretariat to build upon experiences gained at programmes such as the three-year training project in Central Asia.
- (b) Request the Secretariat's flexibility in addressing capacity building for major political or sports events with international participation.
- (c) Also request the Secretariat to keep the programmes under review in order to assess and evaluate their effectiveness and efficiency.

8. Paragraph 5 of Article X requires the Secretariat also to establish a databank containing freely-available information concerning various means of protection against chemical weapons, as well as such information as may be provided by States Parties.

The Second Review Conference should:

- (a) Acknowledge the progress made on setting up the databank
- (b) Request the Secretariat to keep it updated and make it available on the External Server as soon as possible.

9. The implementation of Article X in terms of assistance and protection is an important incentive to join the Convention, as well as a contribution to global anti-terrorist efforts. In this context, the readiness of the Secretariat to deliver assistance is crucial for the credibility of this provision.

The Second Review Conference should therefore:

- (a) Request the Secretariat to keep the policy-making organs informed about the status of assistance pledges by States Parties, and about any problems requiring attention and resolution.
- (b) Request the Secretariat to further develop its Assistance Response System, including the ACAT concept, to participate in relevant field exercises designed to train the coordination of international assistance, and to apply the lessons learned.
- (c) Encourage the Secretariat to engage relevant international organisations as partners to respond to assistance requests, in order to avoid duplication of effort and to ensure coordination and complementarity in the field.

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