

Director-General Rogelio Pfirter's Address to the 4th Singapore International Symposium on Protection against Toxic Substances (SISPAT)
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The Status of the Chemical Weapons Convention and its Contribution to the Fight against Terrorism

Excerpts

Singapore's commitment to the CWC's verification regime and its mandate of non-proliferation is highly appreciated. Singapore contributes to global efforts in the fight against the proliferation of weapons of mass destruction, including chemical weapons, and maintains a culture of compliance essential to confidence-building in this field.

Singapore has set an excellent example by putting comprehensive CWC implementing legislation in place, and by encouraging its authorities to assist other States Parties in the region with their implementation efforts.

The risk of terrorists gaining access to weapons of mass destruction requires a concrete response by States and international organisations. The existing international instruments of arms control, disarmament and non-proliferation must not be weakened under any circumstances, indeed, they must be strengthened.

The Chemical Weapons Convention is based on four main 'pillars' – disarmament, non-proliferation, international cooperation, and assistance and protection. It does not give an explicit mandate in relation to terrorism involving chemical weapons. Nevertheless, it is recognised that the OPCW has an important contribution to make in this area. The OPCW Executive Council's decision (EC-XXVII/DEC.5, dated 7 December 2001), adopted in the aftermath of the terrorist attacks in the United States of America on 11 September 2001, directly addressed this issue, and established an open-ended working group chaired by the Chairman of the Council. The OPCW also maintains close contact with the Executive Directorate of the UN Security Council's Counter-Terrorism Committee, as well as with the Committee established by the Security Council pursuant to Resolution 1540.

The Chemical Weapons Convention brings a quantitatively new dimension to international disarmament. All States Parties to the CWC agree never to develop, produce, otherwise acquire, stockpile, retain or transfer to anyone chemical weapons. All of the Convention's obligations are equally binding on all of its States Parties.

By providing for the monitoring of production, consumption and transfer of chemicals of proliferation concern, the Convention promotes transparency which in turn leads to confidence building. It provides for restrictions on transfers of various chemicals to States not Party to the Convention. Non-proliferation efforts can also make it more difficult for would-be terrorists to obtain chemical weapons and associated technology.

Nevertheless, the Convention's drafters understood that, for the CWC's non-proliferation regime to remain relevant, it had to stay ahead of scientific and technological developments that could pose a potential threat to its viability. Thus, the CWC has several safeguards to ensure that its prohibitions and stipulations are 'future-proof'. For example, the Convention's definition of 'chemical weapon' incorporates a general purpose criterion, through which the use of all toxic chemicals is banned unless they are used for purposes not prohibited under the Convention in legitimate quantities. In addition, the Scientific Advisory Board regularly reports on any developments of concern that might have an impact on the functioning of the CWC or OPCW.

The Convention also provides for challenge inspections of any facility or location, declared or undeclared, to resolve concerns about compliance and has a mechanism to carry out investigations into the alleged use or threat of use of chemical weapons.

The OPCW also makes positive contributions to global anti-terrorist efforts through its programmes to achieve universal adherence to the Convention, and the full and effective implementation of all of its provisions, including in relation to the completion in all States Parties of enforceable national legislative and administrative measures.

The response of the international community to the Convention has been very positive. As at November 2004, there are a total of 167 States Parties to the Convention. OPCW

Member States already account for 85% of the world's nations, represent more than 95% of the world's population, and are responsible for some 98% of its chemical production.

This level of support for an international disarmament agreement so early in its existence is unprecedented and a tribute to the provisions of the Convention and to its universal appeal.

Nevertheless, there remain 16 States which have signed the Convention but not yet ratified it, and 11 non-signatories. These states are largely in Africa, the Middle East, the Caribbean islands, and, in rapidly decreasing numbers, in the Asia-Pacific region. A few are considered by some to be of proliferation concern and every effort must, therefore, be made to bring these countries into the fold. Libya's accession to the Convention earlier this year, and its renunciation of its programmes for WMD, including chemical weapons, have sent a powerful and positive message to all States in that region and beyond. Iraq's interim government has already declared Iraq's intention to join the Convention once the elected authorities have taken office.

The universality of the Convention, in addition to its proper enforcement and legal cooperation with other States Parties, can ensure that there will no longer be any 'safe havens' for terrorists.

However, the majority of States Parties have yet to implement comprehensive legislation covering all key areas of the Convention. While this low level of national implementation to date continues to present a challenge to the Convention in achieving its full potential, the political support is in place, including an action plan approved in 2003 by the Conference of the States Parties to the Convention.

It is intended that all States Parties will have comprehensive implementing legislation in place by November 2005. The Technical Secretariat is working hard to assist those States Parties in need of assistance, and to coordinate offers of help by willing States Parties.

The Convention requires that States Parties cooperate with the OPCW in facilitating the coordination and delivery of assistance and protection, minimising the consequences of a chemical weapons attack, countering the threat of use of chemical weapons, and eliminating the threats posed by their existence.

By joining the Convention, States Parties renounce chemical weapons entirely. In return, each State Party has the right to request and receive assistance and protection against the use, or threat of use, of chemical weapons. States Parties also have the right to request the Secretariat of the OPCW to provide expert advice and assistance in identifying how their programmes for the development and improvement of a protective capacity against chemical weapons can be implemented

These two objectives – national and international capacity building – constitute the principles embodied in Article X of the Convention. The provisions of this positive security guarantee will be an indispensable part of the Convention for as long as chemical weapons exist and States remain outside the Convention, and for as long as the threat of the use of these weapons by terrorist groups continues to cast a shadow over our lives.

When drafting the Convention, Member States deliberately avoided the notion of an OPCW that would assume the role of an emergency agency. The model chosen rather was that of a partnership in which Member States have at their disposal a range of alternatives to help us fulfil our mandate. At the same time, possibilities for bilateral assistance remain open.

In times of crisis or emergencies we are ready to coordinate the dispatch and delivery of means of protection and to make emergency assistance available in accordance with the provisions of the Convention.

Fundamental to an understanding of the Chemical Weapons Convention is the fact that it is not only about States which possess chemical weapons. Indeed, the vast majority of States Parties have not declared chemical weapons stockpiles. Rather, they have seen the benefits which accrue directly under the Convention, including the OPCW's programmes for international cooperation, and assistance and protection against the nefarious use of

toxic chemicals, as well as the powerful signals which can be conveyed to other States, in terms of mutual confidence-building.

Ultimately, the extent to which the entire international community adopts and implements the Chemical Weapons Convention will determine the contribution that such a multilateral disarmament instrument can make to global anti-terrorist efforts, and thereby to improving the prospects for lasting international peace and security.