

**BULGARIA, COLOMBIA, ESTONIA, GEORGIA, LATVIA, LITHUANIA, MEXICO,
POLAND, ROMANIA AND UKRAINE****BROADENING INTERNATIONAL COOPERATION ON SEA-DUMPED
CHEMICAL WEAPONS AND PROMOTING THE OPCW AS A FORUM
FOR VOLUNTARY COOPERATION ON THE ISSUE****I. Context**

Dumping of chemical weapons has been reportedly carried out around the globe, with considerable amounts in the areas of the Atlantic Ocean, the Mediterranean Sea, the Black Sea, the North Sea, and the Baltic Sea. Intensive exploitation of resources and other human activities in combination with natural processes pose certain risks to the security of the environment of oceans and seas with reported dumping of chemical weapons.

Many States, international organisations, non-governmental organisations and experts have been engaged to promote the development of international cooperation, and exchange of experience and practical knowledge on sea-dumped chemical weapons, including their safe disposal.

The OPCW may offer its good services by providing a venue for voluntary discussion and cooperation among the governments, relevant industries, academia, and the NGOs community, on the issues related to sea-dumped chemical weapons, and add value to efforts in this regard.

II. International Efforts

The knowledge and understanding about the possible challenges and threats resulting from sea-dumped chemical weapons have been increasing over the last several years. Greater awareness of the past disposal of chemical weapons at sea has motivated growing concern among the governments and public about potential risks to human, health, safety and the maritime environment.

In 2010, under Lithuania's initiative, the United Nations General Assembly at its sixty-fifth session adopted by consensus the resolution "Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea". This was achieved with a very good cooperation among all United Nations member States and remarkable input by scientific community and civil society. The core objective of the resolution, adopted also in 2013 and 2016, is to encourage States, and international and regional organizations to keep under observation this global issue,



voluntarily share information on this matter, and strengthen international efforts in raising awareness in order to create a safer, cleaner, and sustainable environment for all of us. The resolution also invites the UN Secretary General to seek views of United Nations Member States, and regional and international organizations on matters related to the environmental effects of waste originating from chemical munitions dumped at sea. The resolution of the United Nations General Assembly has prompted further interest to promote further dialogue and broader engagement on the issues of sea-dumped chemical weapons within international and regional fora and frameworks, including information, best practices and technologies.

Various international organisations could take part in dealing with sea-dumped chemical weapons. They could assist in addressing the risks which research activities and international exchanges identified with respect to sea-dumped chemical weapons, including risk of exposure to dumped chemical agents (e.g. fishing crews, washed ashore contents on beaches), and risk of increased contamination of sea organisms, caused by possible access to chemical weapons dumped in water depths. The international organisations could support improving national capabilities for response in the case of incidents involved sea-dumped chemical weapons.

III. Role of the OPCW

The topic of sea-dumped chemical weapons is not new at the OPCW.

The Convention leaves for the Member States the decision whether they declare sea-dumped chemical weapons to the OPCW, not posing any formal obligation. These provisions do not preclude, however, the OPCW from taking a more active stance as a venue for voluntary discussions and cooperation between the OPCW, the Technical Secretariat, and related international organisations, industries and NGOs, on the issue of sea-dumped chemical weapons.

This approach fits into broader picture provided by the Chemical Weapons Convention. According to Article VIII (1) of the Convention, the OPCW provides a forum for consultation and cooperation among States Parties on issues related to chemical weapons. Additionally, in line with Article VII (3) each State Party, during the Chemical Weapons Convention implementation of its obligations under the Chemical Weapons Convention shall assign the highest priority to ensuring the safety of people and to protecting the environment, and shall cooperate as appropriate with other States Parties in this regard.

The First Conference of the States Parties took a decision on declarations related to sea-dumped chemical weapons. Several events on sea-dumped chemical weapons were attended by the OPCW representatives, during which questions on how to engage the OPCW more actively in the domain of dumped chemical weapons were raised. Concern on this issue was also expressed in the recommendations of the Advisory Panel on Future OPCW priorities in 2011. In addition there were side events and informal consultations organised at the OPCW. All these confirmed a growing understanding of engaging international potential and interest of the international organisations, including the OPCW.

Furthermore, the Third Review Conference noted the United Nations General Assembly resolution “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea”, adopted at 65th session

by consensus, and invited States Parties to support voluntary sharing of information, raising awareness and cooperation on the issue.

During the process of the preparation of the Fourth Review Conference, based upon informal consultations, chairpersons of the Open-Ended Working Group on Future Priorities of the OPCW, Distinguished Ambassadors of Canada and South Africa, presented Recommendations to the Fourth Review Conference Of the Chemical Weapons Convention has been presented (RC-4/WP.1, dated 16 July 2018) in which the issue was reflected for further consideration as follows:

“Taking into account UN General Assembly Resolution 68/258, dated 24 July 2013, on “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea,” the Organisation should:

- (a) invite States Parties to support voluntary sharing of information related to chemical munitions dumped at sea;
- (b) raise awareness and facilitate cooperation on this issue, and;
- (c) continue to serve as a forum for voluntary consultation and cooperation on this matter”.

The importance of the issue has also been reflected in the ongoing works of the Scientific Advisory Board (SAB). In its report SAB-27/1 of March 23, 2018, regarding i.a. to challenges of old chemical weapons and verification the SAB notes that: “assistance [of the OPCW Technical Secretariat] in identifying and disposing of a small number of items of recovered old chemical weapons OCW, abandoned chemical weapons (ACW) or sea-dumped chemical weapons is expected to be an ongoing need for the Secretariat”. Furthermore, the SAB recognizes that: “the study and disposal, when required – of OCW, AC, and sea-dumped chemical weapons has produced the knowledge and methodologies needed to face the challenges of handling small number of items for disposal at the site of recovery. Scientific developments in this area should be monitored and inspector training might help facilitate engagement with experts”. In the note responding to this report the OPCW Director General (EC-88/DG.5) of May 9, 2018, “recognises the value of technical and operational knowledge from the analysis and disposal old and abandoned chemical weapons. This knowledge is usefully augmented through keeping abreast of research on legacy chemical weapons from outside the Secretariat (which includes studies on sea-dumped chemical weapons). Lessons learned and findings from such work provide useful insight on the environmental fate and transport of chemical warfare agents, as well as the handling of toxic chemicals under non-routine operating conditions. The Director-General views the Secretariat’s experience and associated knowledge in these areas as a valuable input for knowledge management initiative”.

This is yet another aspect stressing the need for the Organisation to retain specialist knowledge and expertise in the chemical weapons field.

Based upon this the following measures could be developed and implemented on a voluntary basis by the Technical Secretariat and States Parties:

- (d) Supporting the implementation of the United Nations General Assembly resolution “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea”;
- (e) Sharing information related to the disposal of sea-dumped chemical weapons;
- (f) Enhancing activities to inform the public of the possible hazards of coming into contact with sea-dumped chemical weapons, and continuing efforts to identify appropriate actions to mitigate such hazards if contact does occur;
- (g) Developing and spreading materials for maritime industries to educate about the potential hazards of sea-dumped chemical weapons; i.a. by identifying safety guidelines in the event that sea-dumped chemical weapons are accidentally from the seabed;
- (h) Consider ways to maintain knowledge, expertise and capabilities required to address the issue, as well as enhance national capacities in this regard.

IV. Way Ahead

The Fourth Review Conference shall welcome the ongoing implementation of the United Nations General Assembly resolution “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea”, and invite Member States to support this process. Accordingly, it could invite the Technical Secretariat and the States Parties to consider enhancing the OPCW role as a platform for dialogue and voluntary cooperation, including through information sharing, raising awareness and projects/initiatives among States Parties, international organisations, academia, the relevant industries and NGOs.

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