

**SWITZERLAND****STRENGTHENING THE OPCW'S VERIFICATION REGIME****I. Introduction**

The use of chemicals as weapons in recent years constitutes an unacceptable violation of the global prohibition stipulated by the Chemical Weapons Convention (CWC) and threatens our collective determination, *“for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons”*.

As States Parties to the CWC, we have the collective responsibility to follow and enforce the provisions of the Convention, which includes ensuring compliance and identifying States and non-state actors who use chemical weapons. In order to give effect to this obligation, we must enhance the capacity and tools of the Technical Secretariat (TS) to verify compliance and strengthen the OPCW's verification regime. The Fourth CWC Review Conference (RC-4) provides an opportunity to take concrete steps towards a more robust verification regime and address pertinent technical issues. This will allow States Parties to uphold the credibility of the OPCW and strengthen the global norm against the weaponisation of toxicity.

To this end, Switzerland proposes a number of elements and steps that should be reflected by the RC-4.

**II. Science and Technology**

The RC-4 should re-affirm the beneficial role of science and technology (S&T) in enhancing verification and request the OPCW to respond and keep up-to-date with developments in S&T. The Organisation should allocate ample resources to adopt improved methodologies and implement state-of-the-art technologies. It is crucial that the TS have highly qualified and competent staff members who are continuously trained to be proficient in the ever advancing nature of S&T. Switzerland welcomes the establishment of the Science Advisory Board's Temporary Working Group (TWG) on Investigative Science and Technology to review developments in S&T relevant to investigations, such as those mandated under Articles IX and X of the Convention.

On the other hand, the RC-4 should also acknowledge the potential risks that advances in S&T may pose to the object and purpose of the Convention. It should call upon all stakeholders to continuously assess the implications of S&T and how relevant developments could be misused for malevolent purposes.



### **III. Scientific Advisory Board**

The Scientific Advisory Board (SAB) has constantly demonstrated its important role in enabling the Director-General to render specialised advice on S&T to States Parties. The body and its TWGs provide useful recommendations on how to best cope with evolving scientific and technological challenges relevant to the Convention. The RC-4 should acknowledge the substantial efforts of the SAB to enhance the ability of the Organisation in all areas of the CWC and specifically with regard to verification related issues. In order to keep up with the vast possibilities offered by developments in S&T, the RC-4 should urge the Policy Making Organs (PMOs) to consider and adopt recommendations from the SAB in a timely manner.

### **IV. OPCW Central Analytical Database**

Switzerland has repeatedly stressed the importance of Sampling and Analysis (S&A) as a crucial tool to prevent the use and proliferation of chemical weapons. In this regard, the RC-4 should underline the important role of the OPCW Central Analytical Database (OCAD) that should steadily be expanded based on technical considerations rather than political ones. The RC-4 should endorse the important expert work carried out by the Validation Group, which through its technical expertise ensures that only relevant data is included. The RC-4 should strongly encourage States Parties to continue submitting data on both Scheduled and relevant non-Scheduled chemicals in order to allow for an accurate detection of a wide range of chemicals so that the TS can further develop this analytical reference library as the most comprehensive database for chemical weapons analysis. The OCAD should also include data on chemicals such as Central Nervous System-acting chemicals and so-called “Novichoks” that could be encountered during on-site inspections.

### **V. OPCW Laboratory**

The OPCW Laboratory performs key functions and is of pivotal importance for the effectiveness and integrity of the verification regime. It is not only tasked with the preparation of two proficiency tests per year, capacity building, training, certification of equipment, maintenance of OCAD and S&A during Article VI inspections. It has also been mandated to perform confidence-building exercises in toxin analysis, build competence in bio-medical sampling along with appropriate proficiency tests, and to support exceptional missions regarding CW use, such as the Fact Finding Mission (FFM), the Declaration Assessment Team (DAT), Technical Assistance Visits (TAV) or the Joint Investigative Mechanism (JIM). The RC-4 should acknowledge the ever-growing tasks of the OPCW Laboratory and endorse its upgrade into a Centre of Chemistry and Technology. To achieve these aims, the RC-4 should recommend allocating funds from the regular budget and encourage voluntary contributions from States Parties.

Considering the high workload as well as the aspiration to establish a state-of-the-art lab, the RC-4 should recommend filling open staff positions with best-qualified experts. This guarantees quality assurance for any kind of verification mission. Moreover, as future users, States Parties should be encouraged to give expert advice for an optimised and more functional OPCW Laboratory.

## **VI. Designated Laboratories**

The network of Designated Laboratories (DLs) and the OPCW Laboratory provide and maintain the gold standard in detecting and identifying chemical warfare agents. DLs must have accredited quality assurance systems in place and pass stringent proficiency tests each year. This demanding system ensures that only qualified DLs are authorised to receive environmental or biomedical samples for analysis from the OPCW. It is for these reasons that Switzerland has complete trust in the work of the DLs. It rejects and condemns any attempts to undermine or discredit their credibility, integrity and technical competence. The RC-4 should emphasise that DLs are subject to thorough scrutiny and have a high-quality system in place; and that, therefore, analytical reports from DLs are factual and credible. The RC-4 should also express its appreciation to concerned States Parties for their allocation of substantial human and financial resources to maintain labs on the roster of designation.

In addition, the Conference should welcome the growing commitment to strengthen the analytical capabilities in other States Parties' laboratories to expand the number of DLs. The ability of additional labs to detect and identify chemicals – especially in regions with no DLs – is essential to deter the development, production, stockpiling or use of chemical weapons. Finally, the RC-4 should recognise the support of the TS to laboratories in developing improved environmental or biomedical analytical techniques for the retrospective identification of exposure.

## **VII. Central Nervous System-acting chemicals**

The use of Central Nervous System (CNS)-acting chemicals for law enforcement purposes constitutes a risk in terms of renewed interest in, and the re-emergence of, chemical weapons. This could undermine the object and purpose of the CWC. We recall that this pressing issue has been under informal discussions in various fora since almost two decades with no tangible outcome. Switzerland is of the view that it is high time to act. The RC-4 should encourage formal discussions in the PMOs to clarify the status of CNS-acting chemicals under the Convention. The Conference should also encourage the TS to start preparations for verification activities relevant to CNS-acting chemicals that could be required in an investigation of alleged use.

## **VIII. New types of nerve agents**

Switzerland is deeply concerned by the use of a novel type of nerve agent in the United Kingdom. The tragic incidents in Salisbury on 4 March 2018 and Amesbury on 30 June 2018 were caused by exposure to an undeclared nerve agent of the so-called “Novichok” class. Switzerland highly welcomes the commitment of the SAB to shed light on these new types of nerve agents. We encourage the elaboration of reference standards and the inclusion of analytical data in OCAD on these chemicals in order to establish analytical methods. Switzerland fully aligns itself with the SAB's recommendations to the RC-4 that considerations should be given to whether any changes to the Schedules, involving new nerve agents, would be warranted to ensure appropriate restrictions on, and monitoring of, such chemicals.

## **IX. Industry Verification**

The OPCW's verification regime is affected by the convergence of disciplines like chemistry and biology along with advances in the life sciences and enabling technologies. Industry experts estimate that by 2020, between 10-20% of bulk chemicals will be produced through bio-mediated processes. While Switzerland declares Other Chemical Production Facilities (OCPFs) by including the aggregate amount of Discrete Organic Chemicals (DOCs) derived from biologically mediated syntheses, national practices among States Parties regarding this issue vary widely. In order to ensure a consistent implementation of the CWC, the RC-4 should urge States Parties to continue deliberations on biologically mediated syntheses in the Industry Cluster, with a view to reaching consensus in the PMOs. In this regard, the RC-4 should recall the definition of a toxic chemical in Article II – it applies to chemicals *regardless of their origin or of their method of production*.

Moreover, as highlighted by the SAB<sup>1</sup>, an increasing number of OCPFs are producing DOCs at lower production volumes than the verification threshold of 200 tons. This is mainly due to the increased focus on the development of personalised medicines (diagnostics and therapies), which often require highly active pharmaceutical ingredients (HAPI) at lower volumes. These facilities do not only have strong research and development and analytical skills to cope with demanding chemistry, but also flexible and highly sophisticated, corrosion-resistant multi-purpose equipment, located in contained, air-controlled production areas. Because of this, such facilities are highly relevant production plants for the CWC. The RC-4 should encourage the Industry Cluster to consider this issue, taking into account the relevant recommendations by the SAB's TWG on Verification, with a view to reaching consensus in the PMOs.

## **X. Consultations, cooperation and fact-finding**

In order to be prepared for future challenges, the RC-4 should request the TS to maintain and further develop the ability and technical capacity, expertise, and necessary preparedness to execute with high competence on short notice any challenge inspection or investigation of alleged use. To this end, it should continue to conduct table-top exercises and mock inspections. The RC-4 should also underline that the implementation of the verification measures stipulated in the Verification Annex requires, as a prerequisite, a well-trained, adequately equipped and informed inspectorate that enjoys the necessary integrity and independence.

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<sup>1</sup> See SAB/REP/1/15 (recommendation 10).