

**Statement by Dr Michael Crowley
University of Bradford and the Omega Research Foundation¹**

**25th Session of the Conference of the States Parties
to the Chemical Weapons Convention,
Organisation for the Prohibition of Chemical Weapons,
The Hague, The Netherlands**

Your Excellencies, Ladies and Gentlemen,

Longstanding concerns about inadequate regulation of riot control agents (RCAs) for law enforcement, their consequent widespread misuse and the associated health risks², have been exacerbated during the COVID-19 pandemic. Globally, medical professionals have highlighted the danger that RCAs could raise COVID-19 risk to individuals by increasing respiratory tract susceptibility to infection.³ Furthermore, RCA-induced sneezing, coughing and increased mask removal exacerbate threat of contagion, as does the breakdown of social distancing caused by RCA-induced crowd panic and disorientation. Such effects, clearly relevant to policing public assemblies, are exacerbated further if RCAs are used in confined spaces, notably prisons.⁴ **CWC States should ensure that RCA law enforcement use is consistent with both the CWC and international human rights standards, cognisant of the increased health risks due to COVID-19.**

In future, this situation may significantly worsen, following continued development, promotion and increasing use of “wide area” and “remote control” RCA delivery mechanisms, including indoor dispersion devices, external area denial devices, multiple projectile launchers, and delivery mechanisms mounted on remote weapons systems, unmanned ground vehicles, and drones.⁵ We have concerns regarding their potential use for inappropriate large scale RCA dissemination. In addition, the OPCW’s Scientific Advisory Board has warned that availability of certain systems “opens up the possibility that they could be filled intentionally with alternate types of chemicals including CWAs [chemical warfare agents] or CNS [central nervous system]-acting compounds.”⁶ **CWC States should establish a process to determine those delivery mechanisms that are prohibited under the CWC, and develop guidance on appropriate use of permitted delivery mechanisms.**

¹ Dr Michael Crowley is Honorary Visiting Senior Research Fellow at the University of Bradford, and Research Associate with the Omega Research Foundation.

² See for example: Crowley, M. *Chemical Control: Regulation of incapacitating chemical agent weapons, riot control agents and their means of delivery*, Palgrave-Macmillan, 2016.

³ See for example, American Thoracic Society, *Tear Gas Use During COVID-19 Pandemic Irresponsible; Moratorium Needed*, Says American Thoracic Society, 11 June 2020.

⁴ Omega Research Foundation, *Position paper: Lowering the risk – curtailing the use of chemical irritants during the COVID-19 pandemic*, 4 November 2020.

⁵ Crowley, M. *Tear Gassing by Remote Control: The development and promotion of remotely operated means of delivering or dispersing riot control agents*, University of Bradford/Omega Research Foundation/Remote Control Project, December 2015; Crowley, M., Dando, M., Shang, L. (eds) *Preventing Chemical Weapons: Arms Control and Disarmament as the Sciences Converge*, Royal Society of Chemistry, August 2018; Crowley, M. *Contemporary development, promotion and use of remote control riot control agent delivery mechanisms: challenges for effective State regulation*; 10th European Symposium on Non-Lethal Weapons, 20-23 May 2019, Royal Military Academy, Brussels, Belgium.

⁶ OPCW, *Report of the Scientific Advisory Board on developments in science and technology for the 4th Review Conference of the Chemical Weapons Convention, RC-4/DG.1*, 21 – 30 November 2018, 30 April 2018, paragraph 154.

Certain States have previously explored development and use of other toxic chemicals, notably CNS-acting chemicals, purportedly for law enforcement purposes, against individuals and in aerosolised form against groups. Despite grave dangers to health, and risk of employment for human rights violations and in armed conflict, there are indications of continued State interest; and we have increasing concerns that contemporary dual-use chemical and life science research may be harnessed for such weapons.⁷ **CWC States should introduce a moratorium on development, acquisition, stockpiling and use of all such weapons, until the OPCW collectively determines the applicability of the Convention in this area.**

⁷ Crowley, M. & Dando, M. Down the slippery slope: A study of contemporary dual-use chemical and life science research potentially applicable to incapacitating chemical agent weapons, University of Bradford and University of Bath, October 2014; Crowley, M., Dando, M., Shang, L.(August 2018) op.cit. Crowley, M. Shang, L., Dando, M. Preventing chemical weapons as sciences converge, Science, 16 November 2018, volume 362, Issue 6416, pp.753-755.