

**NOTE BY THE TECHNICAL SECRETARIAT****REPORT ON A SERIES OF ONLINE REGIONAL TRAINING COURSES  
ON LEGISLATIVE AND REGULATORY ISSUES ON CHEMICAL SECURITY  
ORGANISED IN 2020 AND 2021**

1. The Technical Secretariat (hereinafter “the Secretariat”) of the Organisation for the Prohibition of Chemical Weapons (OPCW) organised a series of online training courses on legislative and regulatory issues on chemical security in 2020 and 2021.<sup>1</sup>
2. The online courses were organised in response to a growing number of requests from States Parties for technical assistance in enhancing their knowledge of legal and regulatory aspects of chemical security and addressing these issues at the national level. The courses followed up on a pilot technical workshop entitled “Sharing of Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security”, organised in July 2019.
3. The courses sought to enhance States Parties’ capacities to analyse their respective national legal and regulatory frameworks on chemical security, including the identification of possible approaches to addressing gaps. More specifically, the courses were aimed at enhancing the participants’ knowledge of the following issues:
  - (a) the existing international legal framework on chemical security;
  - (b) the Chemical Weapons Convention (hereinafter “the Convention”) and chemical security;
  - (c) the scope of a national legal and regulatory framework on chemical security;
  - (d) approaches to conducting a risk assessment and a gap analysis of the national regulatory framework on chemicals;
  - (e) the regulatory development process and drafting principles; and
  - (f) the roles of the chemical industry and distributors in strengthening chemical security.

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<sup>1</sup> The training course for States Parties in Asia (in English) was held from 13 to 20 November 2020, for States Parties in Africa (in English) from 19 to 22 April 2021, for States Parties in Africa (in French) from 16 to 22 October 2021, and for States Parties in Latin America and the Caribbean (in English and Spanish) from 8 to 14 December 2021.



4. Representatives of National Authorities and other relevant government agencies attended, along with national experts on the legal framework of the Convention and industry representatives. A total of 64 States Parties benefited from their participation: 49 representatives from 19 States Parties in Asia,<sup>2</sup> 89 representatives from 22 States Parties in Africa,<sup>3</sup> and 53 representatives from 23 States Parties in Latin America and the Caribbean.<sup>4</sup>
5. Technical experts from the OPCW, the International Council of Chemical Associations (ICCA), the International Chemical Trade Association (ICTA), the International Criminal Police Organization (INTERPOL), and the Pacific Northwest National Laboratory (PNNL) delivered subject matter presentations on:
  - (a) legislation implementing the Convention and chemical security;
  - (b) chemical security fundamentals;
  - (c) risk assessment methodology for chemical threats;
  - (d) protecting critical infrastructure from chemical threats;
  - (e) Responsible Care<sup>®</sup> and security programmes being implemented by the chemical industry;
  - (f) voluntary measures on chemical security being implemented by chemical distributors;
  - (g) good practices for a national legislative and regulatory framework for chemical security;
  - (h) the regulatory development process and drafting principles; and
  - (i) initiatives aimed at supporting countries in developing legal measures on chemical security.
6. Course participants familiarised themselves with the above subject matters through online training material made available by the Secretariat. Subsequent live sessions provided a forum to discuss the topics in an interactive manner and in more detail with the technical experts. Participants shared information beforehand that allowed the Secretariat to establish the level of knowledge about respective national legal frameworks on chemical security, to learn about regulatory development plans, and to

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<sup>2</sup> Afghanistan, Bahrain, Bangladesh, Bhutan, Cambodia, Iraq, Malaysia, Maldives, Oman, Pakistan, the Philippines, Qatar, Saudi Arabia, Singapore, Sri Lanka, the State of Palestine, Thailand, the United Arab Emirates, and Viet Nam.

<sup>3</sup> Algeria, Angola, Botswana, Burkina Faso, Cameroon, Côte d'Ivoire, the Democratic Republic of the Congo, Ghana, Guinea, Kenya, Madagascar, Mauritania, Mauritius, Morocco, Mozambique, Nigeria, South Africa, the Sudan, Togo, Tunisia, Uganda, and Zimbabwe; Togo and Tunisia sent different representatives to the training courses organised in English and French, respectively.

<sup>4</sup> Argentina, Barbados, Bolivia (Plurinational State of), Brazil, Costa Rica, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, and Venezuela (Bolivarian Republic of).

identify country-specific capacity-building needs. The interaction between technical, legal, and security experts from National Authorities and the chemical industry, as well as from international organisations, think tanks, and associations promoted an intensive exchange of substantive views and sharing of experiences.

### **Key findings**

7. The complementary contributions of the OPCW, ICCA, ICTA, INTERPOL, and PNNL enabled an inclusive approach to discussing legislative and regulatory issues of chemical security. The successful cooperation underlined the importance of continuously engaging with relevant partners. The OPCW's mandate for and key role in the provision of technical assistance to States Parties in developing or enhancing national legal frameworks on chemical security was confirmed.
8. States Parties' high level of interest in the training courses underscored the increasing importance that they attach to chemical security, in particular to the development of appropriate legal and regulatory frameworks. In addition, the Secretariat has been receiving requests from States Parties for technical assistance in developing chemical security legislation or in reviewing their existing legal framework.
9. Throughout the training courses, States Parties expressed the need for continued and/or enhanced capacity-building support. Based on these discussions and on the information provided by participants prior to the training, the Secretariat identified capacity-building needs—in connection with chemical security legislation—in the following areas:
  - (a) fundamental concepts of chemical security for lawyers, law enforcement officials, and officials from regulatory agencies;
  - (b) the development of measures regulating the entire chemical life cycle;
  - (c) the role and function of a regulatory authority on chemical security;
  - (d) relevant legislation and regulations of other States Parties;
  - (e) the identification of gaps in existing legal regimes;
  - (f) the application of relevant risk assessment methodologies and risk management strategies;
  - (g) raising awareness of policymakers on the importance of an appropriate legislative framework; and
  - (h) engagement with relevant national stakeholders in addressing legal and regulatory issues on chemical security.
10. In the same context, the Secretariat was called upon by States Parties to facilitate access to relevant learning material, including multilingual guidance on chemical security legislation; to facilitate information sharing and partnering among States Parties (in particular those with similar legal regimes) on good practices in addressing legal and regulatory issues on chemical security; to advise on and facilitate information sharing

on the development of a national database of chemicals of security concern; and to facilitate information sharing among States Parties on good practices in security in logistics associated with chemicals (transportation, handling, document processing) and in enhancing data collection methodologies and traceability of chemicals for security purposes.

### **Initial conclusions and next steps**

11. A number of States Parties have adopted and are already implementing laws and regulations on chemical security covering different thematic areas. Similarly, voluntary and industry-led mechanisms are already in place within a number of States Parties. As chemical industries and trade in chemicals continue to grow, an increasing number of States Parties are also recognising the need to adopt appropriate chemical security measures or enhance their existing legal regimes in order to avert any potential risk of an attack on a chemical facility or the unlawful release or theft of toxic chemicals. The OPCW, in view of its mandate and its near-universal membership, is well placed to support States Parties in their efforts at enhancing or developing national legal and regulatory frameworks on chemical security.<sup>5</sup>
12. In response to the needs identified above, the Secretariat is organising a series of regional workshops in 2022 for sharing good practices and experiences and is facilitating mentorship-partnership programmes to further States Parties' capacities to develop appropriate legislation on chemical security.
13. The outcomes of the regional workshops, together with the results of the technical workshop organised in July 2019, will inform the efforts of the Secretariat to generate a compendium of best practices in developing a legislative and regulatory framework on chemical security covering, among others, the following thematic areas: risk assessment; gap analysis of the national legal framework; national lists of chemicals of security concern; establishment and designation of a relevant regulatory authority; engagement with relevant stakeholders including the chemical industry, distributors, and government agencies; and the legislative adoption process.

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<sup>5</sup> A more comprehensive discussion of the mandate and activities of the OPCW is contained in the Notes by the Secretariat entitled "The Contribution of the OPCW to Chemical Safety and Chemical Security" (S/1129/2013, dated 30 September 2013), and "The OPCW's Role in the Field of Chemical Security, Discussion Paper" (S/1395/2016, dated 13 June 2016).