



AMERICAN UNIVERSITY

WASHINGTON, D C

DEPARTMENT OF CHEMISTRY

**Twenty-Seventh Session of the Conference of the
States Parties (CSP-27) to the Chemical Weapons Convention
The Hague, The Netherlands
November 28 – December 2, 2022**

Next Steps in Expanding the Chemical Weapons Convention Schedules

Statement prepared by:¹

Dr. Stefano Costanzi (Department of Chemistry, American University, Washington, DC)

Chairperson, Director General, Distinguished Delegates, Ladies and Gentlemen,

Any toxic chemical is to be considered a chemical weapon, unless it is intended for purposes not prohibited by the Chemical Weapons Convention (CWC). This principle, known as the *general purpose criterion*, is codified in Article II of the CWC. Beyond the generality of this principle, for the purposes of supporting the convention's declaration requirements and verification regime, the CWC contains within its Annex on Chemicals three schedules of toxic chemicals and precursors for their production. The CWC Schedules are fundamental for the implementation of the treaty's mandates and the pursuit of the treaty's mission: the complete elimination of an entire class of weapons. The CWC Schedules also support chemical weapons nonproliferation, as they are incorporated in various countries national export control lists.

The CWC Schedules have stood well the test of time, chiefly thanks to the inclusion, alongside individual toxic chemicals, of several entries that define large families of related chemicals. This family-based approach confers resilience to the CWC Schedules by proactively bringing under their umbrella not only existing chemicals of concern, but also chemicals that could be made in the future. Nonetheless, as evidenced by recent events, to optimally serve their purpose, the CWC Schedules need to be kept current.

The first and only modification to the CWC Schedules, which had remained unchanged since the treaty's entrance into force in 1997, was spurred by the attempted assassination of Sergey Skripal in March of 2018. The chemical used for that assassination attempt is a chemical warfare agent that, at the time of the incident, was not covered by the CWC Schedules. In November 2019, the

¹ Please note: the following statement is a reflection of the views and opinions of the author and the co-signers, and does not necessarily reflect the views of the author's organization or individuals within it.

24th Conference of States Parties to the CWC adopted by consensus two decisions that resulted in the addition of four new entries to CWC Schedule 1. This historical event, brought within the treaty's verification regime previously unscheduled chemical warfare agents, including the one reportedly employed in the Skripal incident.

Despite the great merits of this first amendment, a thorough examination of the CWC Schedules with the aim of further expanding their coverage is needed. In particular, as evidenced by the attempted assassination of Alexei Navalny in August 2020, which was perpetrated with an agent not covered by the CWC Schedules, there are toxic chemicals of concern that still lack such coverage. Moreover, the recent addition of toxic chemicals to the CWC Schedules was not accompanied by a parallel addition of precursor chemicals that can be used for their production. Hence, it is of fundamental importance to conduct a thorough evaluation the CWC Schedules with the intent of filling gaps that currently remain open. Whenever possible, the added entries should cover families of chemicals, rather than individual chemicals, as a family-based approach confers generality and resilience to the schedules.

Due the implications that adding chemicals to the CWC Schedules may have for state parties as well as chemical industry, any amendment should be crafted in such a way to minimize its impact on the peaceful applications of chemistry, while at the same time maximizing its benefits for chemical weapons disarmament and nonproliferation. This is especially important for precursor chemicals, which are often dual-use items that, beyond their role in the production of chemical warfare agents, may also have legitimate applications.

In conclusion, expanding the CWC Schedules to include relevant toxic chemicals and precursor chemicals for their production would strengthen the treaty and further advance its objective of achieving complete elimination of chemical weapons while also preventing their resurgence.

Thank you for your attention. I request that this statement be made part of the official CSP published proceedings.