

**Statement by Willem van Lanschot
on behalf of the International Chemical Trade Association
at the Fifth Session of the Conference of the States Parties
to Review the Operation of the Chemical Weapons Convention
presented in The Hague on May 16th, 2023**

Esteemed Ambassador, esteemed Delegates,

It is a great honor to speak to you today about the opportunities for further improvement of the implementation of the Chemical Weapons Convention to achieve the goal of a world permanently free of chemical weapons.

About the chemical distribution industry and ICTA

Over 100,000 commercial chemical substances are used to make an almost infinite number of products. The chemical supply chains that support the production processes are long and complex. The chemical distribution industry, represented by ICTA, enables these global supply chains. Our members add value by helping producers sell to hard-to-reach markets, solving logistical challenges (transport, storage) and providing handling services (formulate, repackage). They improve supply chain safety and security and enable innovation.

Distributors are key chemical security stakeholder. One distributor can have up to 10.000 products, 5000 suppliers and 200.000 customers. Distributors typically sell chemicals in smaller quantities than producers. Aside from taking responsibility for the safety of their own operations, they help their customers in working with the chemical products safely and securely.

Given their critical role in chemical supply chains, chemical distributors, through ICTA, pay a lot of attention to chemical security. It is a central topic in our Responsible Care/ Responsible Distribution program, which contains a special Security Code. ICTA has also written a Code of Conduct of Substances Subject to Controls and supports its members with setting up reliable know-your-customer schemes.

About ICTA and the OPCW

Over the past three years, the OPCW and ICTA have intensified their cooperation, following a formal exchange of letters. In 2022, ICTA had the opportunity to contribute to OPCW policy meetings and events, including the OPCW Chemical Industry Coordination Group, the OPCW Associates program, the Article XI Workshop and Global Annual Meeting of National Authorities. Furthermore, ICTA shared knowledge and best practices in support of the development of the OPCW guidelines for the transportation of hazardous chemicals by road. ICTA has also been involved in the Open-Ended Working-Group to prepare for this week's conference.

Last year, ICTA has also endorsed the Hague Ethical Guidelines, which were developed at the initiative of OPCW. The Guidelines have a clear directional overlap with our Responsible Care/ Responsible Distribution program. Key elements of both programs include the health and safety of people and planet, chemical security, education and training, and exchange of information.

Considerations to jointly further improve security of the chemical supply chain

Improving chemical security throughout the supply chain requires a close interplay between OPCW, State Parties, industry and other stakeholders. A continued effort to further strengthen coordination and information-sharing amongst these parties will benefit chemical security globally. One focus point could be to raise awareness of chemical security risks and potential measures, especially in developing countries. Moreover, these OPCW and State Parties could engage with chemical distributors in discussions and initiatives on traceability and accountability throughout the supply chain for dual-use chemicals.

Jointly, these parties must find a balance between mitigating the risks of certain chemicals, while avoiding undue restrictions on the legitimate use of and access to these chemicals. Harmonizing rules and enforcement internationally can help to achieve this. Such efforts can only be successful through long-term and concrete international cooperation, of which the Convention is a prime example.

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Related to the Convention, ICTA has three recommendations.

Firstly, ICTA notes that industry are main users of the scheduled substances for non-prohibited activities. Yet when it comes to amending the chemical listed in the annexes of the Convention, industry is not actively consulted. ICTA therefore recommends OPCW to hold formal or informal consultations for policy decisions that could impact industry, including annex updates. If there are other relevant changes, for example to the OPCW Handbook or Database, industry would ideally be informed in a uniform and practical manner that highlights what has changed, and why.

Secondly, declaration discrepancies between reports published by the different States Parties have since long plagued the Convention. Industry trade scheduled substances between customers in different countries on a regular basis. As required by the Convention, they report these trades to National Authorities. The discrepancies between the reports of different National Authorities cause anxiety within industry for fear of seeming dishonest. To ensure that project to improve data reports are practical and effective, ICTA requests that industry be involved.

Finally, ICTA re-emphasizes the importance to harmonize the implementation of the Convention. There are still substantial differences in the degree of implementation between State Parties. This results in compliance challenges, in particular for multinational companies. We call upon OPCW and State Parties to continue to harmonize inspections and Sampling & Analysis to reduce regulatory burden. This can in part be achieved by providing more guidance on what to expect during inspections. Companies preparing for inspections have detailed questions (such as if a fume cupboard is needed) as well as a need for more general guidance from OPCW on will happen during Sampling & Analysis.

In short, the chemical distribution industry sees the value of the Convention in achieving a world free of chemical weapons and reducing chemical security risks. To further improve the situation we request that industry be involved in changes to the scheduled substances and efforts to reduce declaration discrepancies. To reduce regulatory burdens, harmonizing State Party CWC implementation as well as OPCW inspections remains a priority. Finally, we call upon all those present to always keep the supply chain perspective in mind!

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