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***Beyond the Schedules: A Flexible Approach in the Implementation of
the Chemical Weapons Convention***

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

Since its entrance into force in 1997, the Chemical Weapons Convention (CWC) has achieved monumental progress in its mission. Remarkably, as of July 2023, all the declared chemical weapons stockpiles have now been destroyed. Going forward, it will be key to ensure that the CWC continues to meet the emerging challenges head-on, through a flexible approach to its implementation.

Profound and fast-paced advancements in science and technology are being driven, to a significant extent, by increasingly more capable artificial intelligence systems, enhanced automation, 3D printing, and an unprecedented availability of information. In such a rapidly changing world, it is imperative that the Organisation for the Prohibition of Chemical Weapons (OPCW) and CWC States Parties prioritize focus on the chemicals that constitute a threat now and operate with sufficient flexibility to adapt to a potentially rapidly evolving threat.

The general-purpose criterion of the CWC – which, in essence, establishes that any weaponized toxic chemical is to be considered a chemical weapon – confers to the Convention a remarkable resilience to the passage of time: newly developed chemicals will always be considered chemical weapons, if used as such. Beyond the generality of this principle, the implementation of the Convention relies significantly on the CWC Schedules, as the chemicals that they cover are unequivocally subject to declaration requirements and are the primary focus of the OPCW.

¹ This statement reflects the views and opinions of the author and does not necessarily represent those of the author's organization or its members.

However, the CWC Schedules were crafted with 20th century chemical weapons in mind and were only amended once since the Convention's entrance into force, in the wake of the 2018 Salisbury incident. A thorough examination of the CWC Schedules and a risk-based evaluation of the necessity and feasibility of implementing further amendments would be in order. Three areas that need particular attention are: (1) *Currently unscheduled chemical weapon agents and precursors for their synthesis*; (2) *Toxic chemicals acting on the central nervous system*; and (3) *Natural substances such as biological toxins and bioregulators*.² However, given the current geopolitical climate, such a thorough reassessment of the CWC Schedules might not be practical.

In this context, expanding the focus of the OPCW and the CWC States Parties beyond the CWC Schedules would offer a more flexible and adaptable approach. This strategy could enable a realignment with the current chemical weapons landscape, requiring minimal or no amendments to the CWC Schedules. Without amending the CWC Schedules, OPCW inspectors and OPCW designated laboratories could broaden their scope to include unscheduled chemicals of concern and expand in that direction the range of their analytical and forensic chemistry capabilities. Similarly, personal protective equipment could be tested and, whenever warranted, modified to make sure that it is effective in protecting against currently relevant unscheduled chemical threats. Broadening the OPCW inspectors' focus in such a way would facilitate the detection of chemical weapons-related activities involving non-scheduled chemicals without amending the CWC Schedules. This objective would also benefit from a deliberate application of the challenge inspection mechanism, a tool that has never been invoked but that could prove very practical if routinized and transformed from a counterproliferation instrument into a nonproliferation one.

Finally, it should be mentioned that the CWC Schedules play a pivotal role in supporting chemical weapons nonproliferation, as they constitute the backbone of national export control lists. If amending the CWC Schedules in a timely fashion proves unfeasible, alternative mechanisms exist to expand export controls promptly, both at the national level and on an international scale through the concerted efforts of likeminded states.

In conclusion, since its entrance into force, the CWC has made significant strides in fulfilling its objectives. In this era of rapid technological and scientific evolution, it is essential to guarantee its ongoing adaptation and response to new and arising challenges.

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

² Costanzi, S., Crowley, M. and Dando M.R. (2022). The CWC Schedules: Addressing Scientific and Technological Advances in the Fourth Industrial Revolution. NGO Joint Statement at the Fifth Review Conference of the Chemical Weapons Convention.

<https://www.opcw.org/sites/default/files/documents/2023/05/Joint%20NGO%20Statement%20-%20Statement%20on%20CWC%20Schedules%20.pdf>