AUSTRALIA

WEAPONISATION OF CENTRAL NERVOUS SYSTEM ACTING CHEMICALS FOR LAW ENFORCEMENT PURPOSES

1. The issue of incapacitating chemical agents (ICAs) used for law enforcement purposes was discussed within the Organisation for the Prohibition of Chemical Weapons (OPCW) at the Third Review Conference (8-19 April 2013). Australia would like to acknowledge Switzerland for its leadership in raising attention to this important issue, as well as other States Parties for their contributions to the ongoing rigorous discussions on the technical, legal and humanitarian aspects of the debate. We thank those States Parties which have made their positions known on the issue of ICAs.

2. Central Nervous System (CNS) acting chemicals, such as anaesthetics, sedatives or analgesics, have been misleadingly referred to as ICAs or non-lethal agents. This paper:
   (a) identifies the types of CNS acting chemicals currently of most concern to Australia; and
   (b) states Australia’s broader position on the weaponisation of anaesthetics, sedatives or analgesics for law enforcement purposes.

3. The weaponisation of CNS acting chemicals for law enforcement purposes is of concern to Australia due to the health and safety risks and the possibility of their deliberate misuse, both of which have the potential to undermine the global norm against the use of toxic chemicals for purposes prohibited by the Convention.
   (a) Fentanyl (opioid receptor agonists) are probably the best known of the CNS acting chemicals. These are highly toxic chemicals with some analogues having lethal doses (LD50 values) comparable to VX.
   (b) However, there are other anaesthetics, sedatives or analgesics that also could be considered including dexmedetomidine and clonidine (a2-adrenergic receptor), and halothane, isoflurane and sevoflurane (inhaled anaesthetics).

4. Australia’s position is that it is not possible for a State Party to disseminate anaesthetics, sedatives or analgesics by aerial dispersion in an effective and safe manner for law enforcement purposes. The effects of these chemicals are dose dependent and determined by a number of factors including the individual’s age,
weight, gender, general well-being and possible adverse reactions with other medications being taken.

5. Australia can confirm it is not developing, producing, stockpiling or intending to weaponise or use any CNS acting chemicals such as anaesthetics, sedatives or analgesics for law enforcement purposes, which is consistent with our statement to the Eighteenth Conference of the States Parties to the Chemical Weapons Convention.22

6. Australia calls on other States Parties which have not already done so to make their positions known on the weaponisation of CNS acting chemicals such as anaesthetics, analgesics and sedatives for law enforcement purposes.

7. Australia calls for consultations, in particular among members of the Executive Council of the OPCW, with a view to commencing discussions as to whether weaponisation of CNS acting chemicals should be permitted for law enforcement purposes.

2. Technical Workshop on Incapacitating Chemical Agents, Spiez, Switzerland, 8-9 September 2011.


9. Statement by H.E. Dr Fauziah Mohamad Taib, Permanent Representative of Malaysia to the OPCW at the Seventy-Seventh Session of the Executive Council.


