

Maintaining the Effectiveness of the Chemical Weapons Convention

On 28 April 2003 a Special Conference of the States Parties to the Organisation for the Prohibition of Chemical Weapons (OPCW) will be convened to review the implementation of the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention, CWC) and to take into account new, relevant, scientific and technological developments. Whatever specific points may be considered, this Conference needs to address two underlying issues: States Parties' long-term interests in continued participation in the OPCW regime; and how the treaty's effectiveness can be maintained and enhanced given the latest shifts in the security environment (including the new urgency of counter-terrorist efforts), current political and financial realities and the fast pace of technological change. These can best be tackled if the Conference focuses its attention on a small number of manageable, well-conceptualized issues. Otherwise there is a risk that the Conference could become bogged down in open-ended discussions on a myriad of unresolved operational implementation issues. This paper is intended to inform such a conceptualized approach. It was prepared at SIPRI by John Hart, Frida Kuhlau, Ronald Sutherland and Jean Pascal Zanders. It was edited by Andy Mash.

*Alyson J. K. Bailes
Director of SIPRI*

1. Background

The Chemical Weapons Convention was opened for signature in January 1993 and entered into force on 29 April 1997. As of 1 October 2002, 147 states have ratified or acceded to the CWC and another 27 have signed but not ratified it.¹

The CWC and the OPCW

Upon entry into force the CWC established the Organisation for the Prohibition of Chemical

Weapons: a permanent international body whose membership consists of all States Parties to the CWC. Its principal task is to oversee the implementation of the convention. The OPCW consists of three bodies or 'organs': the Conference of the States Parties (CSP), the Executive Council (EC), and the Technical Secretariat (TS).

The Conference of the States Parties consists of all the parties to the CWC and is the highest decision-making body of the OPCW. All members have one vote (provided that they have met certain treaty obligations, including timely financial payments). The CSP meets annually in regular session. The CSP may also meet in special session. Special sessions may be convened if so decided by the CSP, at the request of the EC, following a request by a State Party with the support of one-third of all States Parties, or as a review conference (CWC, Article VIII, para. 12). The CSP may also be convened in the form of an amendment conference (CWC, Article XV, para. 2).

The Executive Council is composed of 41 States Parties, whose membership rotates every two years. EC membership is distributed according to five geographical regions, whereby each regional grouping selects a treaty-specified number of states. During the selection process, each group takes a number of factors into consideration such as the significance of group members' chemical industries.

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