

**Twenty-Sixth Session of the Conference of the
States Parties (CSP-26) to the Chemical Weapons Convention
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NGO Statement 8:
CWC National Implementation

Statement prepared by:¹

Thomas Brown, Yasemin Balci, Sonia Drobysz, Suzanna Khoshabi (VERTIC);
Timur Cherikov (Center for Non-Proliferation and Export Control);
Sherko Ahmad Abdulla (Green Environmental Organization)

***Chairperson, Director-General, Distinguished Delegates, CWC Coalition Colleagues,
Ladies and Gentlemen,***

Article VII of the Convention requires all States Parties to adopt the necessary measures to fulfil their obligations under the Convention, especially appropriate penal legislation. However, according to the OPCW, as of 4 September 2020, 38%² of States Parties still did not have the minimum legislative measures in place. States Parties which have not adopted the necessary implementing legislation yet must draft and adopt such legislation.

States Parties who have already adopted legislation implementing the CWC may also need to review such laws and regulations to reflect changes at the international level. We note that the changes to the Chemical Weapons Convention's Annex on Chemicals, agreed upon at the Twenty-Fourth Session of the Conference of States Parties in 2019, entered into force on 7 June 2020. As such, States Parties may need to assess their national legislation for implementation of the CWC and make corresponding changes to the Schedules as contained in their legal frameworks.

Comprehensive national legal frameworks are crucial to the functioning of the CWC's international system as a whole. The ongoing Covid-19 pandemic has highlighted the need for effective legislation to respond to biological threats, for example through coordinating the roles and responsibilities of government agencies or providing the legal basis for public health measures. Legislation is of similar importance to chemical incidents as it provides the framework for prevention and response as well as the peaceful, safe, and secure use of toxic chemicals. The 2005 International Health Regulations (IHR) are relevant as they apply not

¹ Please note: the following statement is a reflection of the views and opinions of the authors and the co-signers, and does not necessarily reflect the views of all organizations and individuals within the CWC Coalition.

² See Report by the Director-General, "Overview of the Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2020," EC-95/DG.8, C-25/DG.6, 4 September 2020, <https://www.opcw.org/sites/default/files/documents/2021/04/ec95dg08%20c25dg06%28e%29.pdf>.

only to the public health response to Covid-19 but also to the response to chemical incidents as well. States Parties should therefore ensure their full implementation at the national level.

We note the importance of assistance tools and programmes in relation to implementation of the CWC and the crucial work of the OPCW. States Parties should make use of available assistance activities where appropriate, to ensure that they have comprehensive legislation to implement the CWC. Training and awareness raising are also key components of implementation, allowing relevant stakeholders to gain sufficient knowledge about the Convention. Education activities addressing multiple uses of chemistry and training programmes on chemical safety and security are vital initiatives and we commend the work of the OPCW in this area. Civil society also plays a role in CWC awareness raising, training and legislative assistance. States Parties are therefore encouraged to continue to engage with members of this community to further national implementation of the Convention.

Further, cooperation between States Parties can help to advance the drafting of implementing legislation. There can be many different approaches to implementing the provisions of the Convention nationally, and States Parties are encouraged to share their practical experiences to provide lessons learned to other States. Regional initiatives can be important in this regard to demonstrate regional approaches to legislation. States Parties must also report any laws and regulations to the OPCW, to ensure that the relevant data at the international level remains up to date.

We note that other treaties that address terrorism, civil aviation and maritime navigation further include provisions prohibiting chemical weapons, and as such are relevant to the CWC framework. There are also a number of environmental treaties and non-binding instruments that are relevant to the broader issue of chemical safety and security and as mentioned the IHR are applicable to chemical incidents. CWC States Parties are therefore urged to consider adherence to these international instruments and to implement them in their national law.

Overall, we strongly encourage CWC States Parties to enhance national implementation of the Convention and seek international assistance where necessary. The pandemic has undoubtedly affected the provision of assistance, but we have all gained experience in adapting to working virtually and will continue to make use of this where useful. International collaboration is critical to furthering legislative implementation of the Convention, and comprehensive national frameworks serve to strengthen the CWC system as a whole.

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

Statement Co-Signers*:

Gen. (Ret.) Mansour Aburashid, *Chairman of Amman Center for Peace & Development*

Samuel Asamoah Asare, *High Hope*

Kwame Baah, *Margliz Foundation*

Dr. Daniel Esteban, *Consejo Argentino de Relaciones Internacionales (CARI)*

Maria J Espona, *ArgIQ (Argentina Information Quality)*

Alexander Ghionis, *The Harvard Sussex Program*

Kheder Kareem, *International Peace Bureau (IPB)*

Mustafa Kibaroglu, *MEF University, Istanbul, Turkey*

Daryl G. Kimball, *Executive Director, Arms Control Association*

Irene Kornelly, *Chair of Colorado Citizens' Advisory Commission*

Benjamín Ruiz Loyola, *Facultad de Química, Universidad Nacional Autónoma de México*

Kathryn Millett, *Biosecure Ltd*

Margaret Muturi, *Kenyatta University*

Thomas Kwame Osei, *Farmers Care Foundation*

Ralf Trapp, *International Disarmament Consultant, France*

Dr. Paul Walker, *Arms Control Association*

Dr Jean Pascal Zanders, *The Trench*

***Note:** endorsement by these individuals does not represent endorsement by the organization they are affiliated with.