

**Twenty-Seventh Session of the Conference of the  
States Parties (CSP-27) to the Chemical Weapons Convention**

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NGO Joint Statement:  
***Chemical Security***

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

Terrorist groups, transnational criminal organizations, and other actors with malicious intent have used toxic chemicals, including those on the CWC Schedules, for illicit purposes – with much greater frequency than the illicit use of nuclear, radiological, or biological items. They continue to seek access to such chemicals. Although the tremendous growth in global chemical trade and the introduction of hundreds of new toxic chemicals into legitimate commercial endeavors every year create great benefits for humanity, it unfortunately also creates ever more opportunities for exploitation by these nefarious actors.

In common with all State Parties, the CWC Coalition and other civil society organizations (CSOs) wish to prevent the illicit uses of chemical materials for chemical weapons. Building on the sentiments expressed in CWC Coalition statements on chemical security at previous Conferences of State Parties, this statement highlights: the importance of robust national legal frameworks for chemical security for implementing the CWC and other international security and development obligations and commitments, but also the persistent gaps in many national legal frameworks for chemical security; the need for developing more widely accepted guidance on effective national chemical security regimes and practices; and the contributions that civil society organizations have and could make.

**Robust National Legal Chemical Security Frameworks Needed, but Lacking**

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<sup>1</sup> 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.

OPCW Deputy Director-General H.E. Ambassador Odette Melono recently emphasized that national legislation on implementing the chemical security aspects of the CWC marks “the first and best line of defence against malicious use of toxic chemicals.”<sup>2</sup> The need for strong national chemical security measures by State Parties arises through Articles VI, VII, X and especially XI of the Convention, and the OPCW has a mandate for a leading role.<sup>3</sup> In addition to obligations of State Parties under the CWC, all UN Member States also have legally binding obligations under UN Security Council resolution 1540 (2004) for securing and managing chemical weapons related materials. Concomitantly, securing toxic chemicals of disarmament and nonproliferation concern can contribute directly to implementation of State Party commitments to UN Sustainable Development Goals 3, 6, and 12, each of which include indicators on reducing risks from misuse of toxic chemicals, as well as Goal 16 on promoting peaceful societies.<sup>4</sup>

Unfortunately, after 25 years only 63% of State Parties have implemented initial legal measures in full, and only 53% have taken additional legal measures that contribute to implementation.<sup>5</sup> Moreover, less than 30% of UN Member States, as indicated in the Comprehensive Reviews of UNSCR 1540 and a recent study of national legal frameworks for chemical security have legal measures in place to secure chemicals of concern.<sup>6</sup> The CWC Coalition applauds the efforts of the OPCW Technical Secretariat to assist States in closing these gaps. Its members have and will continue to support such efforts, and it encourages State Parties to consider how to augment these efforts where appropriate.

### Developing International Guidance on Effective Measures

The lack of widely applicable and accepted guidance on chemical security has hindered the establishment of robust national legal frameworks in many countries. The 2021 OPCW *Indicative Guidelines for Chemical Safety and Security in Small and Medium-sized Enterprises to Foster the Peaceful Uses of Chemistry* marks a major step forward in helping the larger international community understand how to promote chemical security. The CWC Coalition commends the OPCW for its work in developing additional guidance documents, especially anticipated guidance on securing toxic chemicals in transport. The CWC Coalition shares an

<sup>2</sup> OPCW, “Deputy-Director General’s visit to El Salvador highlights importance of national implementation to regional chemical security,” 19 October 2022, <https://www.opcw.org/media-centre/news/2022/10/opcw-deputy-director-generals-visit-el-salvador-highlights-importance>.

<sup>3</sup> See S/1129/2013; E6-86/Dec. 9; C-SS-4/Dec. 3; and Indicative Guidelines 2021.

<sup>4</sup> See SDG Indicators 3.9, 6.3, and 12.4, [https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202022%20refinement\\_Eng.pdf](https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202022%20refinement_Eng.pdf).

<sup>5</sup> OPCW, Report by the Director-General Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2022: Additional Measures for States Parties That Possess Industrial Facilities Which Are Declarable under the Convention, EC-101/DG.14 C-27/DG.10, 12 September 2022, page 3.

<sup>6</sup> Richard T. Cupitt and Mary Vecellio, “Missing: Legal Frameworks for Chemical Security,” *Strategic Studies Quarterly*, Winter 2020, pp. 103 – 121.

understanding with many industry experts that toxic chemicals in transport pose the greatest risk for theft, diversion, or attack by terrorists and other criminals that calls for stronger national chemical security legal frameworks and close collaboration among State Parties to secure toxic chemicals in transport. CSOs will continue to research and develop practical ideas for guidance, codes of conduct and other tools aimed at making more and better guidance available.

### Civil Society's Role in Chemical Security

As noted elsewhere, CSOs play a key role in supporting the global effort against the existence and use of chemical weapons, from supporting ratification, helping in the secure and safe elimination of chemical weapons stockpiles, and assisting in national implementation. This work takes many forms, such as awareness raising, providing technical expertise, and creating innovative tools for securing and managing toxic chemicals, and CSOs have served as implementers in hundreds of assistance projects aimed at helping State Parties reduce their vulnerabilities to chemical terrorism and misuse of toxic chemicals. With almost all declared chemical weapons stockpiles destroyed and near universalization of the Convention, CSOs increasingly will turn their attention to other challenges, including chemical security. To do this work in ways that effectively complements and supplements the work of State Parties and the OPCW, CSOs need to access and participate in international forums consistently. The CWC Coalition will seek to contribute constructively its diverse voices in such forums in the year ahead.

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

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