

Research Report

Committee: Disarmament

Topic: The Question of Regulating the Production and Use of Chemical Weapons

Introduction:

The use and possession of chemical weapons are prohibited under international law. However, several nations continue to maintain active chemical weapons programs, despite a prevailing norm against the use of chemical weapons and international efforts to destroy existing stockpiles. Chemical weapons could easily lead to serious disaster and take away thousands of lives, hence, the question of regulating the Production and Use of Chemical Weapons become increasingly important for all of the nations and some form of official legislation is required to tackle it soon, in order to preserve and maintain a peace world.

Definition of Key Terms:

Chemical Weapons - A chemical weapon is any toxic chemical that can cause death, injury, incapacitation, and sensory irritation, deployed via a delivery system, such as an artillery shell, rocket, or ballistic missile (chemical weapons are considered weapons of mass destruction and their use in armed conflict is a violation of international law)

Primary form of chemical weapons - Forms which include nerve agents, blister agents, choking agents, and blood agents

Chemical warfare - Warfare that involves using the toxic properties of chemical substances as weapon

Stockpile - a large accumulated stock of goods or materials, especially one held in reserve for use at a time of shortage or other emergency

Classic agents - agents that can be manufactured using existing chemical infrastructure, and most have legitimate commercial uses

Nerve agents - the most deadly of the different categories of chemical weapons, nerve agents – in liquid or gas form - can be inhaled or absorbed through the skin

Human Rights – Rights which are believed to belong to each and every person, such as the right to life, as laid out under the 1948 United Nations Universal Declaration of Human Rights

Contextual information:

The 1993 Chemical Weapons Convention (CWC) is the most recent arms control agreement with the force of International law. Its full name is the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. That agreement outlaws the production, stockpiling and use of chemical weapons. It is administered by the Organisation for the Prohibition of Chemical Weapons (OPCW), which is an independent organisation based in The Hague. The OPCW administers the terms of the CWC to 192 signatories, which represents 98% of the global population. As of June 2016, 66,368 of 72,525 metric tonnes, (92% of CW stockpiles), have been verified as destroyed. The OPCW has conducted 6,327 inspections at 235 chemical weapon-related sites and 2,255 industrial sites. These inspections have affected the sovereign territory of 86 States Parties since April 1997. Worldwide, 4,732 industrial facilities are subject to inspection under provisions of the CWC.

It is significant to realise the importance of cooperation between nations in order to promote peace and harmony. The Question of regulating production and use of chemical weapons had been emphasised in the past treaties, however, there are still nations acting outside the United Nations and any attempts to harm other nations and civilians are not allowed. Chemicals weapons are extremely powerful and harmful, therefore, apart from considering how to set up certain rules to

regulate production and use of chemical weapons; the relative punishments and control for nations who break up rules need to be discussed in the conference as well.

The use of harmful chemicals in warfare, personal attacks, and assassinations dates back centuries, but the rise of industrial production of chemicals in the late 19th century opened the door to more massive use of chemical agents in combat. Hence, it is significant to recognise the positive side of chemical weapon and how to classify the difference between its positive function and negative destructions could be addressed in the conference to help further regulating nations apply the chemical weapons inappropriately.

Eight countries declared chemical weapons stockpiles when they joined the CWC: Albania, India, Iraq, Libya, Syria, the United States, Russia and an anonymous state widely believed to be South Korea. Of those eight countries, Albania, South Korea, India, Iraq, Syria, Libya and Russia have completed destruction of their declared arsenals. Syria, however, may not have declared its entire stockpile. The United States plans to complete the destruction of its chemical weapons by September 2023. Thus, the disposal of chemical weapons after the regulations of its usage come into force is worth mentioned in the conference as destroying the chemical weapons in an environmentally friendly way is expected by the United Nations. Historically, chemical munitions have been disposed of by land burial, open burning, and ocean dumping (referred to as Operation CHASE). However, in 1969, the National Research Council (NRC) recommended that ocean dumping be discontinued. The Army then began a study of disposal technologies, including the assessment of incineration as well as chemical neutralisation methods. In 1982, that study culminated in the selection of incineration technology, which is now incorporated into what is known as the baseline system. Construction of the Johnston Atoll Chemical Agent Disposal System (JACADS) began in 1985. Different nations are applying different methods of disposing the chemical weapons, however, the necessity of following the same method is left for nations to decide.

The transparency of nations' stockpiles and the process of destroying them is important and it could only be achieved under the cooperation between nations and the United Nations, under the help of legislations. When a nation is not a signatory of the CWC and has never officially acknowledged the existence of its CW program, however, the country is believed to possess a substantial arsenal of chemical weapons, some form of measures are required to deal with this circumstance to protect the world peace and avoid conflicts between nations.

Major countries and organisations involved:

Israel - Although Israel has signed the CWC, it has not ratified the treaty and therefore is not officially bound by its tenets. The country is believed to have a significant stockpile of chemical weapons, likely the most abundant in the Middle-East, according to the Russian Foreign Intelligence Service

The Democratic People's Republic of Korea - North Korea is not a signatory of the CWC and in 2009, the International Crisis Group reported that the consensus expert view was that North Korea had a stockpile of about 2,500 to 5,000 tonnes of chemical weapons, including mustard gas, sarin (GB) and other nerve agents including VX

CWC - An arms control treaty that outlaws the production, stockpiling, and use of chemical weapons and their precursors. The full name of the treaty is the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

OPCW - The Organisation for the Prohibition of Chemical Weapons (OPCW) is an intergovernmental organisation and the implementing body for the Chemical Weapons Convention.

EC - The Executive Council (EC) is the executive organ of the OPCW and consists of 41 states parties, which are appointed by the conference on a two-year term.

UNODA - The UN Office for Disarmament Affairs is an Office of the United Nations Secretariat established in January 1998 as the Department for Disarmament Affairs, part of United Nations Secretary-General Kofi Annan's plan to reform the UN as presented in his report to the General Assembly in July 1997

Timeline of Events:

Date:	Events:
1899	The Hague Peace Conference Declaration, the first international attempt to limit chemical agents in warfare, which banned only "the

	use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases.”
April 1915	The first major use of chemical on the battlefield, when Germany released chlorine gas from pressurised cylinders at Ypres, Belgium.
1985	Construction of the Johnston Atoll Chemical Agent Disposal System (JACADS) began
2002	The first Russian chemical weapons demilitarisation facility opened
2017	Only North Korea and the United States are confirmed to have remaining stockpiles of CW
2017	The United States had destroyed approximately 90.6 percent - about 25,154 metric tons - of the chemical weapons stockpile it had declared as the CWC entered into force

Relative UN treaties and events:

The Hague Convention - since 1899

The Washington Naval Treaty - On February 6, 1922

The Geneva Protocol - On June 17, 1923

The formation of CWC - 1933

Possible Solutions:

For any universal legislation regarding the destruction of the existing CW, it must seek to achieve this goal whilst simultaneously not damaging the environment. Hence, environmental friendly legislation is required and regarding the production of CW, it is significant to realise the importance of the cooperation between nations and any attempts which could possibly damage the worldwide peace are not accepted by the United Nations. The formation of CWC is an successful step towards the destruction of CW and countries are aware of the harmfulness of CW. However, some nations are not the members of CWC and they are confirmed to have remaining stockpiles of CW although it was requested by the U.N. to destroy them. The Disarmament Committee concerns the Question of regulating the production and the use of chemical weapons as CW had been applied several times in the battlefields and then, killed millions of people.

For nations which do not want to give up on CW, relevant penalties must be introduced under this circumstance since the application of CW on human is immoral and the protection of human rights is an essential task for the United Nations and all of the nations around the world. The necessity of sanctions, could either be economic or militarily, is left to be decided by the nations that attend the conference and the disarmament committee is expecting a reasonable legislation which clearly lay out the regulations and the penalties of the production and the use of CW.

It is worth paying attention to the potential objections from nations such as Israel and the Democratic People's Republic of Korea as due to some beneficial concerns, they are hiding their stockpiles of CW from the public. Moreover, countries like Russia in the early years requires the technical and financial support from other CWC members in order to meet its treaty deadlines, and it is absolutely understandable if some nations require any support from member states or the United Nations, or if they want to extend their deadlines of the destruction of CW. Relative adjustments could be made under these circumstances and the members of the CWC could sign a treaty which assures the developing nations that they would receive help if there are any technical or financial difficulties.

New organisation could be set up and it is essential to ensure that as many nations to attend meetings held by the organisation as possible, and countries are encouraged to advice any beneficial suggestions to the regulation of the production and the use of CW.

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