

CWC Review Conference Report

The Opening of the Conference: Procedures and statements

The Second five-yearly Review Conference for the 1993 Chemical Weapons Convention (CWC) formally opened on Monday afternoon, starting with a number of procedural matters and moving on to opening statements. The morning had been taken up with a separate meeting dealing with rules of procedure (see overleaf).

The Conference started by appointing Ambassador Waleed El Khereiiji (Saudi Arabia) as Chair of the Review Conference. Ambassador Benchaâ Dani (Algeria) was appointed Chair of the Committee of the Whole – it is this committee that does a considerable amount of the work in compiling the draft final declaration of the Conference. The Conference then appointed a number of delegates to other official functions to support the proceedings. A number of procedural decisions were taken, including admission to the Conference of non-states parties as observers, as well as representatives of international organizations and non-governmental organizations (NGOs).

The OPCW Director-General, Rogelio Pflirter (Argentina), then gave his opening statement to the Conference. Speaking for over half an hour, he described the OPCW as 'lean, effective and dynamic', citing Results-Based Budgeting and 'statutory personnel policies' as evidence of this. He noted that the OPCW had been in a position to respond to all assistance and protection requests from states parties. On chemical weapons destruction, he repeated his earlier suggestion of a special conference session to discuss this closer to the 2012 deadline and observed that once destruction is complete that this will bring the non-proliferation aspects of the Convention into more focus. He addressed the impact of scientific and technological changes and their impact on the Convention and spoke of the challenges relating to incapacitating agents. He noted that technological advances have brought about new levels of adaptability of 'Other Chemical Production Facilities' (OCPFs) and that the current level of inspection of these does not give sufficient confidence in the regime as well as having an unequal distribution. He remarked on the incorporation of the 'general purpose criterion' into national legislation as particularly important in maintaining the validity of the Convention in relation to new advances. On universality, he noted that there was now a 'small but critical group' of states remaining outside of the CWC some of whom cite regional political issues above a global ban on illegal and immoral issues – a position he disagreed with. He welcomed constructive engagement with NGOs.

The Chairman of the OPCW Executive Council then gave a brief outline of the Council's work in support of the Review Conference, including the establishment of the Open-Ended Working Group. Ambassador Lyn Parker (UK) was then invited to summarize the activities of the Group. He noted that it had held 34 meetings and had held 'extensive' informal consultations and indicated that all key issues that the Review Conference might be expected to address had been discussed. He described the draft text he had prepared as Chairman of the Group as having no formal status but as being there to serve as an 'aid to discussion' in the Review Conference's work to draw up a final declaration.

General debate

The 'general debate' offers the chance for states parties to make open statements. This part of the proceedings was opened with a message from the UN Secretary-General, Ban Ki-moon.

This was followed by statements from Slovenia (on behalf of the EU and associated states), the Netherlands (as host country), Cuba (on behalf of the 'NAM members of the CWC and China'), South Africa (on behalf of the African Group) and Kyrgyzstan (on behalf of the CIS states). As these statements covered a number of themes that will also be raised on Tuesday in the general debate, detailed consideration of them will be held over.

Regional groups

A number of international treaties have their own arrangements for regional groups, through which many of the administrative arrangements of meetings are carried out. For example, in the cases of the 1972 Biological Weapons Convention (BWC) and the 1968 nuclear Non-Proliferation Treaty (NPT) the regional groupings are: Western European and Other States (WEOG); Eastern European States and the Non-Aligned (NAM). The regional groups for the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) are: Africa; Eastern Europe; Latin America and the Caribbean; the Middle East and South Asia; South-East Asia, the Pacific and the Far East; and North America and Western Europe.

The CWC has five regional groups comprising Africa; Asia; Eastern Europe; Latin America and the Caribbean (GRULAC); and Western European and Other States. The titles of these groups are given in Article VIII, paragraph 23 in order to ensure 'equitable geographical distribution' for membership of the OPCW Executive Council. These regional groups are then used for similar purposes in other aspects of CWC implementation, although the Convention itself does not define which states fall within which group.

Rules of procedure amendment

As noted in yesterday's report, the Review Conference is legally a 'special session' of the Conference of the States Parties (CSP). In order to ensure fair allocation for officers of sessions of the CSP, these officers – such as Chairman, Vice-Chairmen, etc. – are taken from the groups in strict rotation. CWC Article VIII, paragraph 15 requires 'At the beginning of each regular session, [the CSP] shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next regular session'. Thus, Ambassador Noureddine Djoudi (Algeria), having been appointed Chairman of the Seventh Session of the CSP held at the end of 2002, was Chairman of the 2003 Review Conference.

Once the pattern of annual regular sessions of the CSP was established, rotating CSP chairmanship between five regional groups would have led to successive five-yearly Review Conferences being chaired by members of the same regional group. Therefore, if previous practice had been followed, Chairman of the Twelfth Session of the CSP, Ambassador Abuelgasim Abdelwahid Sheikh Idris (Sudan), would have chaired the Second Review Conference. This would have breached the spirit of 'equitable geographical distribution'. Amending the rules of procedure to make the rotation of appointments of officers of Review Conferences ('Special Review Sessions' in the words of the rules) distinct from rotations for the regular sessions of the CSP resolves this difficulty. This was done in the separate session held on Monday morning.

One of the quirks of the way meetings operate in The Hague is that the morning session – dealing with an issue that was neither likely to be controversial, nor one that would attract adverse comment – was held entirely behind closed doors.

This is the second report from the Second Review Conference for the Chemical Weapons Convention which is being held from 7 to 18 April 2008 in The Hague. These reports are designed to help people who are not in The Hague to follow the proceedings and are prepared by Richard Guthrie with financial support from the Ploughshares Fund <<<http://www.ploughshares.org>>>.

Copies of these reports (and details of how to subscribe to them by e-mail) are available on the CBW Events website at <<<http://www.cbw-events.org.uk/cwc-rep.html>>> and via the NGO resources page at <<<http://cwc2008.org>>>. This second website also includes other materials from the meeting. Richard Guthrie can be contacted during the Review Conference on +31 620 901 205 or <<richard@cbw-events.org.uk>>.