
Chemical weapons

Women's International League for Peace and Freedom

Background

The use of chemical weapons is universally considered to be a crime against humanity and contradictory to the dictates of public conscience. The Chemical Weapons Convention (CWC, 1992), prohibits the development, production, acquisition, stockpiling, and retention, transfer, or use of these weapons. Twenty-one years after its entry into force, the CWC has 193 states parties and one signatory state. The Organisation for the Prohibition of Chemical Weapons (OPCW) is tasked with regulating treaty compliance. Russia—formerly the largest possessor of chemical weapons—is officially said to have completed the destruction of its stockpile in 2017.¹

Current context

Since 2014, the discourse about chemical weapons in the First Committee has changed, to reflect real world concern about instances of their use. As First Committee statements have become more specific by citing incidents in Syria, Malaysia, and the United Kingdom, for example, a new dynamic is emerging as to whether or not the First Committee is the appropriate UN forum to references these specific cases, or if that is best left to the UN Security Council (UNSC) or meetings and mechanisms of the CWC. In both 2017 and 2018, the First Committee discussions were occurring against a backdrop of either debate in the UNSC about renewing the Joint Investigative

Mechanism (JIM), a partnership between the United Nations and the OPCW established in response to the use of chemical weapons in Syria, or efforts within the CWC to establish an attribution mechanism.

Most member states indicate through their statements and voting patterns that it is important to defend the norm, and law, against chemical weapons use in any forum by assigning responsibility and not allowing for impunity or continued transgression. In this context, France established in January 2018 an International Partnership against Impunity for the Use of Chemical Weapons, an association of 38 countries and international organisations, and in June 2018, a special session of CWC states-parties voted to establish another mechanism to attribute responsibility for chemical weapons attacks. Earlier this year, it was announced that that Ambassador Santiago Oñate Laborde would head the new OPCW's Investigation and Identification Team (IIT).

A smaller group of member states have argued argued against efforts to assign attribution to chemical weapon attacks and have taken issue with statements delivered at First Committee that speak to recent incidents of use, or their reference in the annual First Committee resolution on chemical weapons. They state that these references make

the issue unnecessarily politicised. This tends to come to a head in the context of voting on the chemical weapons resolution, which is traditionally sponsored by Poland. In 2018, resolution L.20 “Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,” elicited five paragraph votes and several explanations of vote, in which accusations of deliberate politicisation and double standards were highlighted along with statements reinforcing the importance of the rule of law and multilateralism.²

It is probable that this dynamic will continue at the 2019 First Committee, given that external efforts to assign attribution are on-going and that the CWC’s Fourth Review Conference was not able to agree on a consensus-based report in late 2018.³

Recommendations

During First Committee, delegations should:

- Highlight and publicly condemn any on-going activities that are prohibited under the CWC;

- Defend the norm against chemical weapons use; and
- Report on measures taken to implement provisions from the Convention.

Beyond First Committee, states should:

- Review national measures and policies and make changes or implement new ones to strengthen compliance with CWC; and
- Adopt and enforce necessary legal measures to ensure effective compliance with the Convention, develop national action plans, and share national experiences, challenges and initiatives, to adopt legal measures giving effect to the Convention, and share relevant laws and regulations.

Author: Allison Pytlak



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- 1 Yearbook 2018: Armaments, Disarmaments and International Security—Summary, Stockholm International Peace Research Institute (SIPRI), 2018, https://www.sipri.org/sites/default/files/2018-06/yb_18_summary_en_0.pdf.
 - 2 For an overview of 2018 explanations of vote, see our coverage in the 2018 First Committee Monitor, No. 6, 11 November, <http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/FCM18/FCM-2018-No6.pdf>.
 - 3 Alicia Sanders-Zakre, “States Fail to Agree to Final Review Conference Document,” Arms Control Now, 3 December 2018, <https://www.armscontrol.org/blog/2018/covering-cwc>.