



OPCW

ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS



ESTABLISHED YEAR: 1997
HEADQUARTERS: THE HAGUE, NETHERLAND
OFFICIAL LANGUAGES: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN, SPANISH



PURPOSE OF ESTABLISHMENT

- To achieve the object and purpose of the Chemical Weapon Convention (CWC)
- To ensure the implementation of the provisions of the CWC
- To provide a forum for consultation and cooperation among the States Parties (SP)



193 STATES PARTIES
1 SIGNATORY STATES- ISRAEL
3 NON-SIGNATORIES - DPRK, EGYPT, SOUTH SUDAN

DIRECTOR GENERAL OF OPCW

- The interface between the Technical Secretariat and the Conference of State Parties (CSP) and the Executive Council (EC)
- Is appointed by the CSP for a 4-year term with the possibility of one renewal only



3 MAIN BODIES IN OPCW

CONFERENCE OF STATES PARTIES

- Meets annually and holds Review Conferences every 5 years
- Adopts Programme and Budget of the OPCW
- Appoints the Director-General
- Decides on the scale of financial contributions to be paid by States Parties
- Establishes such subsidiary organs as it finds necessary for the exercise of its functions
- Elects members of the Executive Council

EXECUTIVE COUNCIL

- Responsible to the CSP
- Meets at least three times per year
- Guides the OPCW's operations
- Makes arrangements for the CSP sessions
- Considers and Submits the draft Programme and Budget to the CSP
- Concludes or approves agreements
- Considers cases of non-compliance
- Executive Council: Composition
 - Africa - 9 members
 - Asia - 9 members
 - Eastern Europe - 5 members
 - Latin America and Caribbean- 7 members
 - Western Europe and Others - 10 members
 - 1 member on a rotation basis between Asia and Latin America

TECHNICAL SECRETARIAT

- Assists the Conference of State Parties (CSP) and the Executive Council EC
- Implements the CWC
- Prepares the draft Programme and Budget and submits it to the EC
- Provides administrative and technical support to CSP, EC and subsidiary organs
- Negotiates agreements
- Administers the voluntary fund for assistance

Implementation of the CWC by the OPCW (1997- July 2022)

- 193 Member States and 192 National Authorities
- 99% of Chemical Weapons destroyed; 98% of world population living under the protection of the Convention
- The last possessor State party to the Convention is expected to complete the destruction of its stockpile by 2023
- OPCW has conducted some 4,232 industry inspections to date in over 80 States parties
- 118 States with comprehensive national implementing legislation covering all initial measures of the Convention
- 40 States with national implementing legislation covering some initial measures of the Convention
- Stakeholders: chemical industry, customs, NGOs, academia etc.
- 11 SPs in Africa have legislations covering some of the initial measures; 19 do not have any



Looking ahead – adapting to a changing world

- Approaching complete destruction of all declared stockpiles
- Ensuring that chemical weapons never re-emerge
- Conducting inspections at industrial sites and other chemical production facilities
- Threat of states using chemical weapons recedes, the threat of chemical terrorism is growing
- Monitoring advances in science and technology
- National implementation
- Building broader partnerships and reaching out to multiple stakeholders

Budget

Annual budget : ~ EUR 71m (2021)

- The budget provided by all States Parties through Annual contributions according to the UN Assessment Scale
- Additional financial contributions: Voluntary Contributions
- Trust Fund for Syrian CW destruction programme



CHEMICAL WEAPON CONVENTION

ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION



OPCW

FEATURES OF CWC

- Eliminates an entire category of Weapon Mass Destruction (WMD)
- Comprehensive characteristics of “weapons” defined
- Non-self-executing treaty
- Non-discriminatory multilateral treaty
- Universality
- A balanced approach – objectives of the Convention vis-à-vis rights of State Parties (SPs)
- Cooperative methods of compliance management/verification regime
- Assistance & protection against Chemical Weapon

THE CONVENTION

- Preamble
- 24 Articles
- 3 Annexes

The Preamble

Rationales for the Agreement of States Parties to the Convention

- Disarmament and elimination of all types of weapons of mass destruction
- Exclude completely the possibility of any use of chemical weapons
- Achievements in chemistry should be used for the benefit of mankind

Annexe on Chemicals

- Guidelines for schedules (lists) of chemicals
 - Schedule 1: chemical weapons & high-risk precursors with little or no industrial use
 - chemical weapons & precursors to Schedule 1 chemicals and has some industrial use
 - chemical weapons & precursors or toxic chemicals but used commonly in industry
- Listing of toxic chemicals and their precursors under each Schedule.

Annexes on Verification

- provides detailed procedures regarding verification and inspection

Annexes on Confidentiality

- guarantees the protection of sensitive information during inspections
 - General Principles
 - Employment and Conduct of Personnel
 - Measures to protect Information
 - Procedures for breaches in Confidentiality

List Of Article

- ARTICLE I: General Obligations
- ARTICLE II : Definitions & Criteria
- ARTICLE III : Declarations
- ARTICLE IV : Chemical Weapons
- ARTICLE V : Chemical Weapons Production Facilities (CWPFs)
- ARTICLE VI : Activities not Prohibited
- ARTICLE VII : National Implementation Measures
- ARTICLE VIII : The Organization
- ARTICLE IX : Consultations, Cooperation and Fact-Finding
- ARTICLE X : Assistance & Protection
- ARTICLE XI : Economic and Technological Development
- ARTICLE XII : Measures to Redress a Situation to Ensure Compliance, including Sanctions
- ARTICLE XIII : Relation to other International Agreements
- ARTICLE XIV : Settlement of Disputes
- ARTICLE XV : Amendments
- ARTICLE XVI : Duration and Withdrawal
- ARTICLE XVII : Status of the Annexes
- ARTICLE XVIII : Signature
- ARTICLE XIX : Ratification
- ARTICLE XX : Accession
- ARTICLE XXI : Entry in Force
- ARTICLE XXII : Reservations
- ARTICLE XXIII: Depositary
- ARTICLE XXIV : Authentic Texts



“CHEMICAL WEAPONS” MEANS THE FOLLOWING, TOGETHER OR SEPARATELY:

- (a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;
- (b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices;
- (c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b)

“TOXIC CHEMICAL” MEANS:

Any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals. This includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere. (For the purpose of implementing this Convention, toxic chemicals which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)

“PRECURSOR” MEANS:

Any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. This includes any key component of a binary or multicomponent chemical system. (For the purpose of implementing this Convention, precursors which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)

“PURPOSES NOT PROHIBITED UNDER THIS CONVENTION” MEANS:

- a) Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
- b) Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
- c) Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;
- d) Law enforcement including domestic riot control purposes





NATIONAL AUTHORITY CHEMICAL WEAPONS CONVENTION (NACWC)



Malaysia signed the CWC on 13 January 1993 and ratified the Convention on 20 April 2000. The Convention entered into force in Malaysia on 20 May 2000.

LEGISLATIONS

- The Chemical Weapons Convention Act 2005 (CWC Act 2005)
- The Chemical Weapons Convention Regulations 2007
- Customs (Prohibition of Imports/Exports) Order 2000



MEMBERS OF NACWC

- Ministry of Foreign Affairs as the lead agency
- Ministry of Defence
- Ministry of Home Affairs
- Ministry of International Trade and Industry (MITI)
- Ministry of Science, Technology and Innovation (MOSTI)
- Ministry Of Natural Resources, Environment and Climate Change
- Pesticide Board
- Department of Chemistry
- Department of Environment
- Royal Malaysian Police
- Royal Malaysian Customs
- Pharmaceutical Services Department (Ministry of Health)
- Science and Technology Research Institute for Defence (STRIDE)
- Department of Occupational Safety and Health (DOSH) (Ministry of Human Resource)

ROLES AND FUNCTIONS

- Coordination
 - Within the NA structure – inter-ministerial / departmental body
- Engagement
 - Chemical and other industry – private sector
- Facilitation
 - CWC implementing national legislation
- Reporting
 - Initial and Annual Declarations
 - Other reporting requirement
- Liaising
 - Technical Secretariat (OPCW)
 - Other States Parties

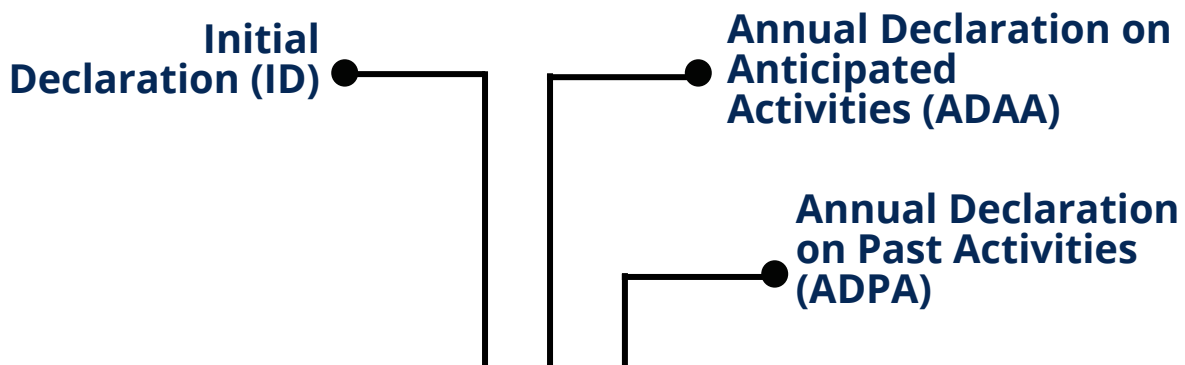
National Authority Chemical Weapons Convention (NACWC)
Ministry of Foreign Affairs, Wisma Putra,
No. 1, Jalan Wisma Putra, Precint 2,
62602 Putrajaya
Fax: 03 – 8889 4276 :: Emel: nacwc@kln.gov.my

DECLARATION UNDER THE CHEMICAL WEAPONS CONVENTION

Article VI establishes the right of States Parties (SP) to manufacture and use toxic chemicals and their precursors for activities not prohibited under the Convention.

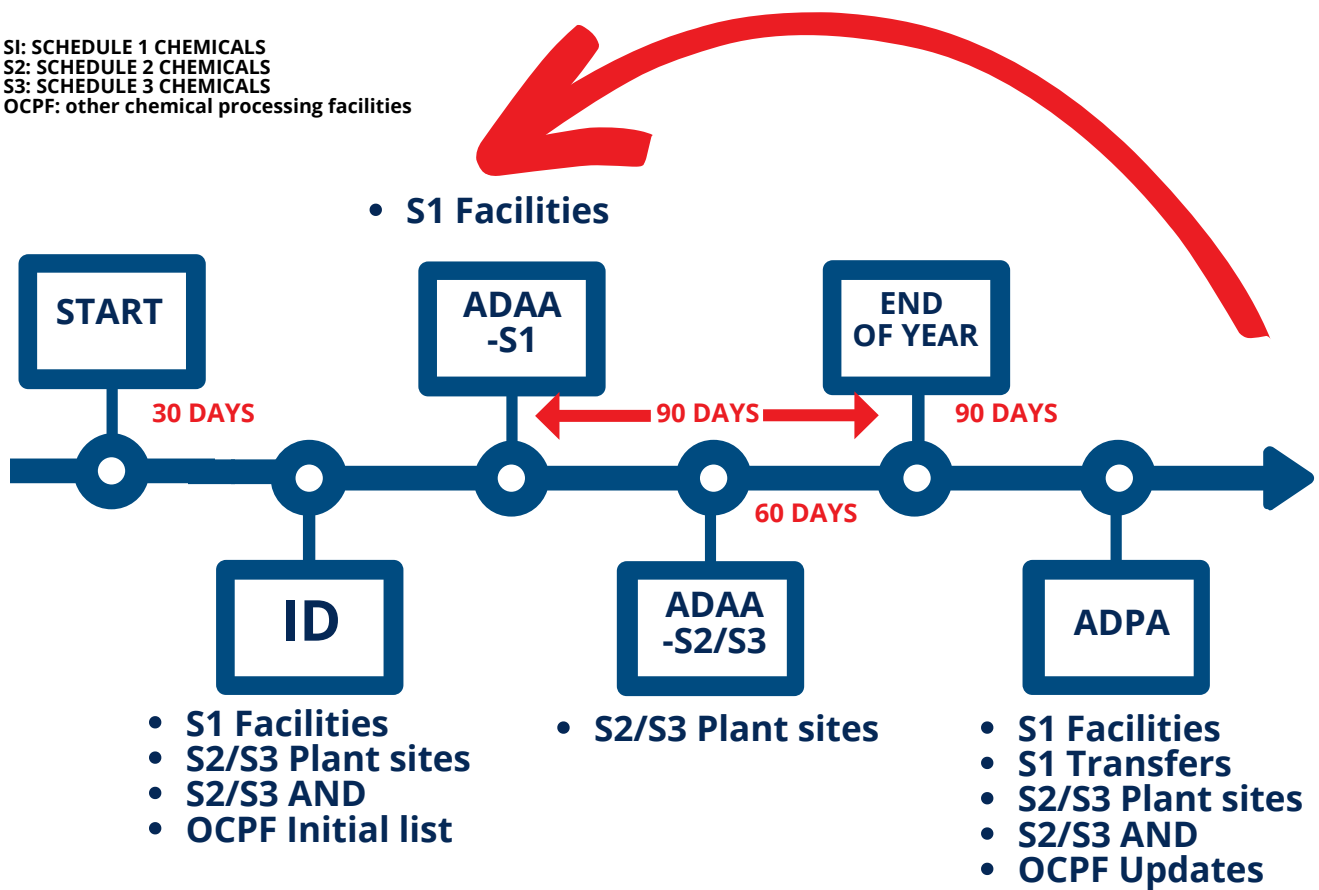
Article VI creates the foundation of the Declaration and Verification regimes related to relevant chemicals, facilities and activities (Verification Annex Parts VI to IX).

TYPES OF DECLARATION



TIMELINE OF DECLARATION

S1: SCHEDULE 1 CHEMICALS
S2: SCHEDULE 2 CHEMICALS
S3: SCHEDULE 3 CHEMICALS
OCPF: other chemical processing facilities



DECLARABLES ACTIVITIES

SCHEDULE 1	SCHEDULE 2	SCHEDULE 3	OCPF
PRODUCTION	PRODUCTION	PRODUCTION	PRODUCTION RANGE
CONSUMPTION STORED SUPPLIED/ RECEIVED WITHIN SP	CONSUMPTION PROCESSING	IMPORT/ EXPORT	
IMPORT/ EXPORT	IMPORT/ EXPORT		



CHEMICALS TO BE MONITORED UNDER THE CWC

GUIDELINES FOR SCHEDULED CHEMICALS	SCHEDULE 1	SCHEDULE 2	SCHEDULE 3	DISCRETE ORGANIC CHEMICALS (DOC)
INFO	<ul style="list-style-type: none"> • 16 families or individual chemicals • Theoretically several million individual chemicals • More than 1500 individual chemicals declared • Traded in very small amounts (often grams or less) 	<ul style="list-style-type: none"> • 14 families or individual chemicals • Theoretically millions of individual chemicals • 529 individual chemicals declared to the OPCW • Approx. 32 regularly traded in moderate volume. 	<ul style="list-style-type: none"> • 17 individual chemicals • 15 chemicals are regularly traded – some in very large volume • The other two chemicals are not generally traded but produced and used on-site (hydrogen cyanide & cyanogen chloride) 	<ul style="list-style-type: none"> • DOCs means any unscheduled chemical belonging to the class of chemical compounds consisting of all carbon compounds except for its oxides, sulfides and metal carbonates. • DOCs containing phosphorus, sulfur or fluorine are called PSF-chemicals. • DOCs do not cover oligomers and polymers, whether or not containing phosphorus, sulfur or fluorine and chemicals containing only carbon and a metal. • Example of DOCs: <ul style="list-style-type: none"> ◦ Petrochemicals: <ul style="list-style-type: none"> ▪ Hydrocarbons such as Ethylene or Benzene ▪ Methanol and other industrial alcohols ▪ Methyltert-butyl ether (MTBE) a fuel additive ▪ Formaldehyde, acetone, ethylene oxide, etc ◦ Pharmaceuticals production (not formulation) ◦ Pesticides production (not formulation) ◦ Production of urea (fertilizer) ◦ Production of monomers for polymerisation ◦ Production of detergents ◦ Production of speciality chemicals, e.g. for: <ul style="list-style-type: none"> ▪ Flavours and food additives ▪ Inks and dyes ▪ Flame retardants (excluding those covered under Schedule 2)
RISK	Poses a high risk to the object and purpose of the CWC	Poses a risk to the object and purpose of the CWC	Poses a risk to the object and purpose of the CWC	
PRECURSOR	Precursor in final stage of CW production	Precursor for Schedule 1 or 2B chemicals	Precursor to Schedule 1 or Schedule 2A chemicals	
PURPOSES	Little or no use for purposes not prohibited by CWC	Maybe produced commercially in large quantities for purposes not prohibited by CWC	Not produced commercially in large quantities for purposes not prohibited by CWC	
EXAMPLE	sarin, ricin or mustard gas	thiodiglycol used for textile dyeing or dimethyl methylphosphonate (DMMP) as a flame retardant	phosgene used for plastics, triethanolamine for cosmetics/toiletries and cement	

THRESHOLD	DECLARATION THRESHOLD	VERIFICATION THRESHOLD
SCHEDULE 1	Every quantity needs to be declared	Every quantity needs to be declared
SCHEDULE 2	1 KG - S2A* (BZ)	10 KG - S2A* (BZ)
	100 KG - S2A	1 TONNE - S2A
SCHEDULE 3	1 TONNE - S2B	10 TONNES - S2B
	30 TONNES	200 TONNES
DOC	200 TONNES	200 TONNES
PSF-CHEMICALS	30 TONNES	200 TONNES

*in any of last 3 years or anticipated to do so in the next year (BZ) - 3-Quinuclidinyl benzilate

TRADE DECLARATIONS

Schedule 1

- SPs shall notify Technical Secretariat 30 days before transfer (exemption for ≤5mg Saxitoxin for medical/diagnostic purposes)
- Each State Party shall make a detailed annual declaration regarding transfers during the previous year

Schedule 2

- Annual declaration of Aggregate National Data (AND) for the previous calendar year on the quantities produced, processed, consumed, imported and exported of each Schedule 2 chemical, plus the quantitative specification of import and export for each country involved

Schedule 3

- Annual declaration of AND for the previous calendar year on the quantities produced, imported and exported of each Schedule 3 chemical, plus quantitative specification of import and export for each country involved