

# CWC Parties Hold First Conference, OPCW Declared Fully Operational

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THE CONFERENCE of States Parties to the Chemical Weapons Convention (CWC) met for its first session May 6-24 in The Hague to begin formal implementation of the treaty, which entered into force April 29. Eighty original states-parties (countries that ratified the treaty before its entry into force) attended the conference along with three late-ratifying states and 34 signatory states—including Russia—which attended as observers. (At the end of May, 165 countries had signed the CWC.) In addition to filling the top positions in the newly established Organization for the Prohibition of Chemical Weapons (OPCW), the body that administers the treaty, the conference approved more than 70 decisions on implementation, verification and administrative issues (most of which had already been taken by the Preparatory Commission (PrepCom) before the treaty's entry into force) and began debating a long list of outstanding issues. It also approved an operating budget for 1997 of nearly \$45 million, two-thirds of which will go toward verification costs.

## OPCW Takes Shape

The conference appointed Ambassador Jose Mauricio Bustani of Brazil to head the OPCW. In turn, after some discussion, conference delegates confirmed Bustani's appointments for the top management of the Technical Secretariat, which he heads. The secretariat prepares the OPCW budget, collects data declarations and other verification-related communiques, negotiates agreements with states-parties on the implementation of the CWC and provides administrative support. The secretariat also houses the Inspector Corps, to be headed by Acari Akiyama of Japan (responsible for routine and challenge inspections). American representatives hold 15 top management posts, and France and China also have representatives in management.

Ambassador Prabhakar Menon of India was appointed chairman of the Executive Council, which oversees the day-to-day operations of the treaty. The Council's 41 members were selected based on three criteria: "equitable geographical distribution, ...the importance of chemical industry" and "political and security interests" (Article VIII, Section C, Para. 23). CWC states-parties are divided into regional blocks which select their own representatives to serve for two-year terms, though during this originating term, 20 states-parties will serve for one year. The first Executive Council includes: nine from Africa, nine from Asia, five from Eastern Europe (which includes Russia), seven from Latin America/Caribbean, ten from Western Europe/"Other states" and one appointment from the combined regions of Asia and the Latin America/Caribbean regions. In a previous negotiation, regional partners ensured the United States a seat.

When Secretary of State Madeleine Albright and a U.S. congressional delegation visited the OPCW in the last days of the conference, Chairman Pieter Feith of the Netherlands thanked President Bill Clinton, Albright and the Congress for the "positive outcome" of U.S. ratification of the CWC. He informed the U.S. delegation that an "internal" auditing office had been established for the OPCW, as required by the Senate in its resolution of advice and consent to ratification.

The United States will pay approximately 27 percent of OPCW funds, or \$12 million in 1997 and \$21 million in 1998. The conference confirmed PrepCom proposals for 480 staff members and inspectors to be hired by the end of 1998. Currently, the OPCW staff numbers 165, of which 17 are American. Additionally, 138 inspectors are on the rolls of the Technical Secretariat, of which nine are American.

The conference approved several other proposals made during the PrepCom, including conduct guidelines for routine, challenge and investigative inspections. Procedures for the transmission of assistance to a state in the event of use or threat of use of chemical weapons against it were also adopted.

Outstanding issues, to be resolved by inter-session facilitators, include Russia's difficulty bearing the costs associated with inspections for old and abandoned chemical weapons. Cuba raised questions about specifications for inspection equipment and the details of Article XI economic and technological development assistance. Iran echoed Cuban concerns, while stating that inspection equipment should be made commercially available to all states-parties. Facilitators will make proposals on these issues when the conference reconvenes in the first week of December.

### U.S. Implementation Measures

The United States transmitted an extensive report to the OPCW on May 29, within 30 days of entry into force, as specified by the CWC. The report included the size and content of the current U.S. chemical weapons stockpile (previously estimated at approximately 30,000 agent tons) and the planned destruction schedule (now projected for completion as early as 2005 and as late as 2007). It also included the required data declarations on the status of chemical weapons stockpiles, on old and abandoned weapons, on riot control agents in use and on chemical weapons production and other facilities. None of these documents are planned for public release, nor are details available about other countries' submissions.

The House of Representatives' version of the CWC implementing legislation, which outlines the authority and enforcement mechanisms for applying the CWC domestically, was introduced and referred to the Judiciary and International Relations Committees on May 14. A Senate version was referred to the House on May 30, and spokesmen for the committees said final versions will be worked out in conference in the coming months.

According to the legislation, the president shall designate the location of the National Authority (the U.S. liaison to the OPCW). Depending on committee markup of the legislation, the office may ultimately reside in the National Security Council or the Department of State, with participation by several U.S. agencies.

By the end of May, the OPCW was fully operational and ready to conduct inspections, according to organization spokesmen. While there have been no requests for challenge inspections, some routine inspections will be conducted in June, with the aim of extending these to all parties as soon as possible. The OPCW and the United States are currently negotiating the "transitional verification agreements," or protocols for civilian and military facilities inspections, which they plan to complete in July or August.

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