

CWC Parties Hold 2nd Conference; Membership Reaches 106 States

- [Arms Control Today](#)

STATES-PARTIES TO the Chemical Weapons Convention (CWC) met for the Second Conference of States Parties (CSP) December 1-5 in The Hague to review the implementation of the treaty since it entered into force on April 29, 1997, to approve operations for 1998 and to consider some of the challenges the CWC will face in the year ahead. As of the end of December, 106 states had joined the convention; 62 other signatories have yet to ratify the accord. The December conference was convened following a decision by the first CSP in May 1997 to hold the treaty-mandated annual CSP in the same year.

During the conference, Russia and Iran became formal members to the treaty and were among the 81 states-parties in attendance. Both countries, whose participation in the CWC is viewed as important to improving world-wide confidence in the treaty, ratified the CWC in early November, in part to assure their formal participation in the CSP under treaty rules and deadlines. Each also became eligible for representation on the Executive Council and on the staff and inspector corps of the Organization for the Prohibition of Chemical Weapons (OPCW), the treaty's implementing body.

OPCW Director-General José Bustani said the main achievement of the conference was "the determination of states-parties to resolve all outstanding issues in a cooperative fashion." The CSP approved by consensus an OPCW operating budget for 1998 totaling \$83 million. The conference also adopted a revised scale of assessment for the 1997 and 1998 budget years that set a maximum rate (25 percent) and minimum rate (.01 percent) on the percentage of the budget a state-party should be responsible for. Previously the United States had been assessed at a rate of approximately 27 percent.

States-parties elected 20 new members to the 41-seat Executive Council, which is responsible for the day-to-day monitoring of the treaty, whose tenure will begin May 12, 1998. The council has the authority to block short-notice "challenge" inspection requests by a three-fourths majority vote, a matter that may be of particular concern for Russia and Iran, both of which gained two-year seats on the council. During the ratification debate in the U.S. Senate, Iran and Russia were cited as likely candidates for challenge inspections.

In a precedent-setting move, the conference also approved plans for the conversion of two former chemical weapon facilities, one in the Van Nuys, California, (where components of binary munitions were produced for the U.S. Army) and one in the United Kingdom, to peaceful purposes. The CSP's approval and the criteria by which the requests were approved, will prove important to any future Russian requests for conversion. During their address to the CSP, Russian officials asked that the OPCW conversion policy be "rational." Lastly, in addition to a number of other decisions on implementation, the conference scheduled the third CSP, to be held November 16-20, 1998, in The Hague.

As of December 31, the OPCW had completed or was still in the process of conducting 125 inspections in 22 countries. In addition, 73 of 106 states-parties had submitted their initial data declarations by the end of December, of which not all were complete. The treaty requires that the data declarations include the history and present scope of any chemical weapons programs and any facilities that fall under the treaty authority, including private industry.

The United States has so far been unable to submit a complete data declaration because the legislation required to complete the industry section of the declaration has been held up in the House of Representatives since June. At the same time, U.S. officials have indicated that accurate

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and timely submission of other countries' declarations would be a major factor in determining whether a request for a challenge inspection would be necessary to address compliance concerns. Prompt consideration of the implementing legislation is the Clinton administration's highest CWC-related priority in 1998.

At the CSP, Bustani emphasized the difficulties associated with incomplete or missing declarations, saying, "[I]f this situation of technical non-compliance continues at its current level in 1998, this may have serious implications.... [T]he absence of a declaration, or an incomplete declaration, could precipitate a challenge inspection."

Under the CWC, any party may request a short-notice, on-site inspection to verify compliance concerns, although the Executive Council can vote to block a request. In his speech, Bustani asked states-parties to consider whether a treaty member in non-compliance could request a challenge inspection of another party. Several countries voiced their concern over the number of incomplete data declarations before the CSP, but the conference took no substantive decisions on the link to challenge inspections.

A U.S. official said there were no current plans for issuing a challenge inspection on Iran. The official said the United States was waiting to see how well intelligence estimates correlated with the Iranian declaration, due in early January, "before passing judgment."

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