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Question

Discuss critically and comprehensively the Chemical Weapons Convention of 1997 (2 pages).

ANSWER

INTRODUCTION

The Chemical Weapons Convention (CWC) is an arms control treaty that outlaws the production, stockpiling, and use of chemical weapons and their precursors. The full name of the treaty is the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and it is administered by the Organization for the Prohibition of Chemical Weapons (OPCW), an intergovernmental organization based in The Hague, The Netherlands. The treaty entered into force on 29 April 1997. The Chemical Weapons Convention prohibits the large-scale use, development, production, stockpiling and transfer of chemical weapons. Although till date very limited production for research, medical, pharmaceutical or protective purposes is still permitted. The main obligation of member states under the convention is to effect this prohibition, as well as the destruction of all current chemical weapons. And all destruction of chemical weapons must take place under OPCW verification.

AGENDA

As of May 2018, 193 states have become parties to the CWC and accept its obligations. As of November 2018, 96.62% of the world's declared chemical weapons stockpiles had been destroyed. The convention focused on certain key points in its agenda

* Prohibition of production and use of chemical weapons
* Destruction (or monitored conversion to other functions) of chemical weapons production facilities
* Destruction of all chemical weapons (including chemical weapons abandoned outside the state parties territory)
* Assistance between State Parties and the OPCW in the case of use of chemical weapons
* An OPCW inspection regime for the production of chemicals which might be converted to chemical weapons
* International cooperation in the peaceful use of chemistry in relevant areas

The 1992 Chemical Weapons Convention was heralded as a major breakthrough in multilateral arms control It was the first comprehensively verifiable multilateral treaty that completely banned an entire class of weapons and it went

further than any previous treaty in the depth, extent and intrusiveness of its verification. Verification under the includes compulsory national declarations about relevant industrial and military activities, destruction of chemical weapons within a time frame with intrusive verification, and a regime of routine inspections of declared industrial and military facilities. Additional features are provisions for challenge inspections, whereby a state party can request an inspection of any site in another state party at short notice, and provisions for the investigation of alleged use of chemical weapons.

Definition of Chemical Weapons

Article II, paragraph 1 of the CWC defines chemical weapons as:

1. Chemical Weapons means the following, together or separately:

(a) Toxic chemicals and their precursors, except where intended for purposes not prohibited

under this Convention, if 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).

Chemical Warfare (CW) agents are defined in a 1969 United Nations report as:  
"chemical substances, whether gaseous, liquid or solid, which might be employed because of their direct toxic effects on man, animals and plants"

The basic differences between the two definitions are:

1. The CWC includes both ammunition and chemical dispersion equipment, in addition to the actual toxic chemicals, as chemical weapons.

2. while toxic chemicals are defined as chemicals that can cause death or injury to people, animals, and plants, there is no mention of plants in the CWC.

# Conclusion

The ultimate aim of the CWC is to annihilate all chemical weapons in existence as well as their agents, this has been a challenge due to autocratic regimes such as the Assad regime in Syria, the dictatorship of North Korea, and the unwillingness of many sates such as china and Russia who continually break away from such conventions, other superpowers whose duty it is to enforce the convention such as the United States continually fail to do so which then empowers other rogue states to continue to breach the 1997 treaty, and putting the world at jeopardy.