

# CWC Review Conference Report

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## Week two: remembrance, thematic review and Committee of the Whole

The second week of the Review Conference started with the observation of the annual 'Day of Remembrance for All Victims of Chemical Warfare' in a Ceremony at the OPCW headquarters building which included statements from the Secretary-General of the Dutch Ministry of Foreign Affairs and the Mayor of The Hague inside the building (in the Ieper Room, named after the town that was the location of the first large-scale chemical weapons attack in April 1915) and the laying of wreaths and observance of a minute's silence at the memorial site adjacent to the grounds of the OPCW building.

The Conference proceedings commenced with an open plenary session in the morning. At lunchtime, the Chair of the Review Conference, Ambassador Agustín Vásquez Gómez (El Salvador), announced that the Committee of the Whole would start work in the afternoon and report on progress to the plenary at 17.30 on Wednesday 28 November. Ambassador Gómez also indicated that the twenty-third session of the Conference of States Parties, which had been suspended on Tuesday, would resume on Friday afternoon and that he hoped to complete the work of the Review Conference by Friday lunchtime.

The point at which the Committee of the Whole is convened is a useful moment to try to gauge the atmosphere of the Conference. There are clearly issues on which delegations disagree a great deal. While conveying a sense of the atmosphere of the Review Conference is difficult, the current atmosphere is much more characteristic of the tensions of the Second Review Conference (RC-2, held in 2008) at a similar stage of the proceedings than it is of the Third Review Conference (RC-3, held in 2013) which had relatively few tensions at this point, although there were many tensions that emerged in later proceedings that year. With a truncated Review Conference this year [8 working days instead of the usual 10], the timescale will be challenging to complete the work of the Conference.

### **The morning plenary session**

The plenary session started with a request by Syria to take the floor to inform the Review Conference of what it described as a 'terrorist' attack that appeared to have been carried out with chlorine on Saturday 24 November in Aleppo. Syria noted that its government had sent letters about this incident to the UN Secretary-General and the President of the UN Security Council as well as informing the OPCW. The OPCW Director-General informed the Conference that he had received a request for the Fact-Finding Mission to be deployed to investigate. Many delegations, at this point or later in the morning, condemned the use of chemical weapons by anyone, anywhere, at any time and under any circumstances.

The Conference then received a report from the Chair of the 'Open-Ended Working Group for the Preparation of the Fourth Review Conference' (OEWG). Ambassador I Gusti Agung Wesaka Puja (Indonesia) told the Conference that the OEWG had met 23 times since January and had received inputs from governments, civil society and industry. He indicated that, as well as the public report from the OEWG, he had prepared a 'Chairperson's draft provisional text', formulated under his personal responsibility as a best judgement that could be drawn from the inputs available to him and noted the text did not cover all issue areas as there were some issue areas with divergent views.

The next presentation was from the outgoing Chair of the Scientific Advisory Board (SAB), Christopher Timperley, who gave a presentation on the work of the Board, including its 4 Temporary Working Groups and 4 workshops held in 2016 and 2017.

The main part of the work of the morning was under Agenda item 9 'Review of the operation of the Chemical Weapons Convention as provided for in paragraph 22 of Article VIII, taking into account any relevant scientific and technological developments'. In the past this has been commonly known as the 'thematic review'. Many points raised under this agenda item had also been raised in the general debate and covered in the daily reports so are not repeated here. The section of the thematic review dealing with chemical weapons destruction that had been held in classified session during RC-3 was conducted in open session this year, although very little specific information was mentioned. Iran responded to this, suggesting that as chemical weapons destruction was a 'main pillar' of the Convention the US showed 'audacity' in accusing others in relation to CWC implementation. This prompted a forceful intervention from the US. China gave a detailed report on the situation relating to destruction of chemical weapons left behind by Japan on Chinese territory around the time of the Second World War and falling within the definition of 'abandoned chemical weapons' (ACWs) within the CWC [see also Erratum, below]. China noted that the destruction of tens of thousands of items had been carried out but that there were many thousands remaining and more ACWs were being discovered with more likely to be discovered in future. Japan also took the floor on this subject. Under one of the assistance sub-items, South Africa noted the help it had received from VERIFIN, Finland, in developing its laboratory capacity and highlighted that Protechnik Laboratories would be signing a cooperation memorandum this week with TNO Laboratories of the Netherlands.

### **The role of the Committee of the Whole**

Each international treaty has its own processes and procedures for preparation of documents produced from their meetings. For the CWC, the drafting work of the main elements of the final document is the responsibility of the Committee of the Whole which then reports back to the plenary. For this Review Conference, the Chair of the Committee of the Whole is Ambassador Marcin Czepelak (Poland). Unlike plenary sessions, which are open, the Committee of the Whole meets behind closed doors with no NGO access.

The issues likely to be of most concern for the content of the final document have been highlighted in the public sessions, such as in the general debate, thematic review, and through working papers and national papers submitted to the Conference. Indeed, experience of Review Conferences within a variety of treaties indicates it is very rare for a new issue to be raised at this stage of a Conference, although new aspects of an issue may become the focus of attention.

With the Committee of the Whole only just convened, and the underlying principle of negotiation that 'nothing is agreed until everything is agreed', experience suggests few firm decisions will be taken in the early run through of the text until delegations get a sense of where the ground lies. Unlike some negotiations where many delegations will have only a single issue as their negotiating priority, the issues under consideration within the CWC overlap each other and so the trade-offs between issues may be complex and not necessarily apparent to those who are not within the relevant meetings, whether this is the formal proceedings of the Committee of the Whole or informal consultations that may take place in side rooms or in corridors.

**Erratum** - A late edit for the report circulated on Monday introduced an error in which the last minute recasting of a sentence about Japan abandoning chemical weapons on the territory of China inadvertently suggested this was the other way around. Mea culpa. *This is the seventh report from the Fourth Review Conference of the Chemical Weapons Convention being held in The Hague 21-30 November 2018, preceded by the 23rd Session of the Conference of States Parties. These reports are prepared for the CWC Coalition, a global network of non-governmental groups with CWC interests, and are available at <<<http://www.cbw-events.org.uk/cwc-rep.html>>>. The author, Richard Guthrie of CBW Events, can be contacted via <<[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>>.*