

SRMUN ATLANTA 2019 SRMUN 30 November 21 - 23, 2019

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Greetings Delegates,

Welcome to SRMUN Atlanta 2019 and the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council. My name is Aanchel Shah, and I will be serving as your Director for the OPCW Executive Council. This will be my third conference as a SRMUN staff member. Previously, I served as the Assistant Director for the General Assembly Plenary at SRMUN Atlanta 2018 and the Assistant Director for the Group of Twenty (G20) at SRMUN Atlanta 2017. I recently graduated from the University of Florida with a Bachelor's degree in Political Science. Our committee's Assistant Director is Chantel Hover. This will be Chantel's first time as a staff member, but she is not new to the SRMUN scene as she has been a delegate at multiple SRMUN conferences. Chantel is a recent graduate from Santa Fe College in Gainesville, Florida, and is currently pursuing her Bachelor's of Arts in Political Science at Columbia University.

The OPCW's mission is to globally promote the destruction and permanent prohibition of chemical weapons. It was founded in 1997 and follows to the guidelines of the Chemical Weapons Convention (CWC). Currently, the OPCW is composed 193 Member States. The OPCW Executive Council, specifically, consists of 41 Member States and is responsible to further adhere, promote, and implement the CWC. The OPCW works toward achieving its goals by verifying the removal of chemical weapons through onsite inspections and further evaluations of Member States' declarations.

Taking into consideration the mission of the OPCW Executive Council, we have established the following topics for delegates to discuss and develop meaningful and sustaining solutions:

- I. Preventing the Re-Emergence of Chemical Weapons in Modern Warfare
- II. Ensuring the Destruction of Abandoned Chemical Weapon Stockpiles in Post-Conflict Environments

The background guide provides a strong introduction to the committee and the topics and should be utilized as a foundation for the delegate's independent research. While we have attempted to provide a holistic analysis of the issues, the background guide should not be used as the single mode of research for the topics. Delegates are expected to go beyond the background guide and engage in intellectual inquiry of their own. The position papers for the committee should reflect the complexity of these issues and their externalities. Delegations are expected to submit a position paper and be prepared for a vigorous discussion at the conference. Position papers should be no longer than two pages in length (single spaced) and demonstrate your Member State's position, policies and recommendations on each of the two topics. Delegates should visit srmun.org for more detailed information about guidelines, formatting, and the position papers. *All position papers MUST be submitted no later than Friday, November 1, 2019, by 11:59 pm EST via the SRMUN website.*

Chantel and I are enthusiastic about serving as your dais for the OPCW Executive Council. We wish you all the best of luck in your conference preparation and look forward to working with you in the near future. Please feel free to contact Deputy Director-General Victoria Suri-Beltran, Chantel, or myself if you have any questions while preparing for the conference.

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History of the Organisation for the Prohibition of Chemical Weapons

The official mission statement of the Organisation for the Prohibition of Chemical Weapons (OPCW) is "to implement the provisions of the Chemical Weapons Convention to achieve our vision of a world free of chemical weapons and the threat of their use, and in which chemistry is used for peace, progress, and prosperity." Defined by the OPCW, a chemical weapon is "a chemical used to cause intentional death or harm through its toxic properties," as well as "munitions, devices, and other equipment specifically designed to weaponize toxic chemicals." While small-scale treaties have deterred the use of chemical weapons throughout history, the first large-scale international declaration condemning and prohibiting the use of chemical weapons in warfare was written as part of an expansive treaty detailing laws and customs of war at the 1899 Hague Peace Conference in the Netherlands. The section pertaining to chemical weapons required all Member States to agree to "abstain from the use of projectiles, the sole object of which is the diffusion of asphyxiating or deleterious gases." This language laid the foundation for international consensus on opposing the use of chemical weapons in warfare.

The beginning of World War I in 1914 resulted in a shift away from the progress made at the Hague Conference. During the war, German military forces fired shells containing dianisidine chlorosulfate and xylyl bromide, and employed chlorine gas, phosgene, and mustard gas.5 French forces deployed tear gas grenades and other Allied countries began using mustard gas. It was estimated in 1918 that 10 percent of all United States of America's (US) artillery shells contained chemical weapons.6 The massive casualties from chemical weapons during this war prompted the 1925 Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, also referred to as the Geneva Protocol. 7 The Geneva Protocol focused solely on the use of chemical weapons in war and did not restrict the development, production, or possession of chemical weapons, which allowed Member States to amass enormous stockpiles of chemical weapons throughout World War II and the Cold War era.8 Recognizing the threat of these stockpiles and the legal loopholes within the Geneva Protocol, an ad hoc working group was established at the Conference of Disarmament in 1980 with the goal of producing a new, and more detailed, chemical weapons prohibition treaty.9 The result of this work was the Chemical Weapons Convention (CWC), formally adopted in 1992, which ultimately banned the development, stockpiling, and use of chemical weapons, both in times of peace and war. 10 The CWC also called for the creation of an implementing body to ensure that the agreements of the CWC were upheld, and to aid in the elimination and conversion of chemical weapons and their production facilities.11 The OPCW was established as the implementing body in 1997, and the committee began operations later that same year.12

The OPCW is composed of three principal organs: the Conference of the States Parties, the Executive Council, and the Technical Secretariat. The Conference of the States Parties is comprised of representatives from each of the 193 Member States of the OPCW. As the oversight committee for the workings of the Executive Council and the Secretariat, the Conference of the States Parties is responsible for the election of the members to of the Executive Council and the appointment of the Director General. The committee also oversees the implementation of the

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1 "Mission," OPCW, https://www.opcw.org/about-us/mission (accessed June 13, 2019).
2 "What is a Chemical Weapon?," OPCW, https://www.opcw.org/our-work/what-chemical-weapon (accessed June 6, 2019)
3 "Origins of the Chemical Weapons Convention and the OPCW," OPCW, March 2016,
         https://www.opcw.org/sites/default/files/documents/Fact_Sheets/Fact_Sheet_1_-_History.pdf
4 "History," OPCW.
5 "'War of Nerves': A History of Chemical Weapons," NPR, May 8, 2006.
         https://www.npr.org/templates/story/story.php?storyId=5390710
6 "A Brief History of Chemical War," Science History Institute, https://www.sciencehistory.org/distillations/a-brief-history-of-
         chemical-war (accessed June 6, 2019).
7 "Geneva Gas Protocol," Encyclopedia Britannica, https://www.britannica.com/event/Geneva-Gas-Protocol (accessed July 13,
8 "History," OPCW, https://www.opcw.org/about-us/history (accessed June 6, 2019).
9 "History," OPCW.
10 "History," OPCW.
11 "History," OPCW.
12 "History," OPCW.
13 "History." OPCW.
14 "History," OPCW.
15 "The Structure of the OPCW," OPCW, https://www.opcw.org/sites/default/files/documents/Fact_Sheets/English
         /Fact_Sheet_3 - OPCW_Structure.pdf (accessed June 13, 2019).
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CWC and compliance of all Member States is authorized to decide if a Member State's rights and privileges within the OPCW should be restricted. 16 The Conference of the States Parties may also vote to bring issues of critical concern to the attention of the United Nations General Assembly (UNGA) and the Security Council. 17

The Executive Council is comprised of 41 Member States, distributed by geographic representation among the five main regional groups: Africa, Asia, Eastern Europe, Latin America and the Caribbean, and Western European and Others.18 The Council is responsible for drafting the agenda for the annual Conference of the States Parties sessions and certifying Member State agreements made through the Conference.19 The Executive Council is required to fulfill the CWC's mission and solve any concerns regarding the convention. In accordance to Article 10 of the CWC, the Executive Council is also tasked to help assist and protect Member States against the threat or use of chemical weapons.20 Although the Executive Council believes in the principle of "consensus," this OPCW organ generals votes by a two-third majority vote for substantial matters, while procedural matters proceed through a simple majority vote.21

The Technical Secretariat is largely responsible for the logistical aspects of implementing the goals of the CWC.22 Comprised of roughly 500 staff members from more than 80 Member States, the Technical Secretariat handles day-to-day tasks within the OPCW and coordinates between the OPCW and other United Nations (UN) bodies.23 It is responsible for verifying Member State compliance with the CWC by conducting regular on-site inspections of chemical weapons storage facilities and industrial chemical facilities in OPCW Member State territories.24

The OPCW is funded through mandatory annual dues paid by OPCW Member States, which are calculated using an adjusted scale of assessments created by the UN.25 The resulting budget is divided between funds dedicated towards administrative costs and funds dedicated to verification costs.26 If an OPCW Member State is found to be in arrears of payment for more than two years, its voting rights are restricted until payment has been made.27 Member States may also make voluntary financial contributions beyond its annual dues to aid in funding for OPCW missions.28

The OPCW's dedication to the destruction of declared chemical weapons stockpiles, as well as the safe conversions of chemical weapons production facilities, standardized procedures for chemical industry facility inspections, and comprehensive implementation of legislation, have resulted in the destruction of 97 percent of the world's declared chemical weapons stockpiles.²⁹ In recognition of its efforts and efficiency in eliminating declared chemical weapons stockpiles and promoting the peaceful use of chemistry for humanitarian endeavors, the OPCW was the recipient of the Nobel Peace Prize in 2013.³⁰ That same year, the Syrian Arab Republic, under international scrutiny, declared its chemical weapon stockpiles and joined the OPCW.³¹ Due to the security risk to personnel evaluating facilities and eliminating chemical weapons in an area immersed in civil war, a special OPCW-UN Joint Mission was established through the authority of the OPCW Executive Council and the UN Security Council to strategically perform key

16 "The Structure of the OPCW," OPCW.

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17 "The Structure of the OPCW," OPCW.
18 "The Structure of the OPCW," OPCW.
19 "The Structure of the OPCW," OPCW.
20 "Executive Council The governing body of the OPCW," OPCW, https://www.opcw.org/about-us/executive-council, (accessed
         September 16, 2019).
21 "Executive Council The governing body of the OPCW."
22 "The Structure of the OPCW," OPCW,
         https://www.opcw.org/sites/default/files/documents/Fact_Sheets/English
         /Fact_Sheet_3 - OPCW_Structure.pdf (accessed June 13, 2019).
23 "The Structure of the OPCW," OPCW.
24 "The Structure of the OPCW," OPCW.
25 OPCW, Chemical Weapons Convention (CWC), September 5, 2005, Article VIII - The Organization,
         https://www.opcw.org/chemical-weapons-convention/articles/article-viii-organization (accessed July 13, 2019).
26 OPCW, Chemical Weapons Convention (CWC), Article VIII.
27 OPCW, Chemical Weapons Convention (CWC), Article VIII.
28 OPCW, Chemical Weapons Convention (CWC), Article VIII.
29 "OPCW By the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed June 6, 2019).
30 "Organization for the Prohibition of Chemical Weapons," Nuclear Threat Initiative (NTI), https://www.nti.org/learn/treaties-
         and-regimes/organization-for-the-prohibition-of-chemical-weapons/ (accessed June 14, 2019).
31 "Syria and the OPCW," OPCW, https://www.opcw.org/media-centre/featured-topics/syria-and-opcw (accessed June 13, 2019).
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missions in Syria.³² While all declared chemical weapons stockpiles were eliminated, therefore fulfilling the mandate of the OPCW-UN Joint Mission in 2014, a new program, the OPCW Fact Finding Mission (FFM) was created as a next step after the close of the Joint Mission. The FFM's objective was "to establish facts surrounding allegations of the use of toxic chemicals, reportedly chlorine, for hostile purposes in the Syrian Arab Republic."³³ The findings from this mission are still being evaluated, with the most recent report of the FFM introduced as S/1731/2019 by the OPCW Technical Secretariat on March 1, 2019.³⁴

^{32 &}quot;OPCW-UN Joint Mission," UN Missions, https://opcw.unmissions.org/mandate-and-timelines (accessed June 13, 2019).

^{33 &}quot;Fact-Finding Mission," OPCW, https://www.opcw.org/fact-finding-mission (accessed June 13, 2019).

^{34 &}quot;Fact-Finding Mission," OPCW.

I. Preventing the Re-emergence of Chemical Weapons in Modern Warfare

Introduction

Throughout the last century, Member States have used chemical weapons, or CW, as weapons of mass destruction (WMD) to cause mass casualties during war.35 One of the first incidents involving the use of chemical weapons was the beginning of World War I, where both parties to the conflict engaged in chemical warfare.36 By using chlorine as a choking agent and mustard gas to cause burns, these two components caused significant casualties on the battlefield, and resulted in severe physical suffering for those who came into contact with them.37 These chemicals caused nearly 100,000 deaths, and in turn served as a catalyst to the 1925 signing of the Geneva Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and Bacteriological Methods of Warfare.38

The scientific advancement of chemical weapons matched with the shortcomings of the Geneva Protocol, led to the establishment of the Chemical Weapons Convention (CWC) in 1997. With the acceptance of the CWC as a multilateral treaty, it not only outlawed the use but also outlawed the possession of chemical weapons, and charged Organisation for the Prohibition of Chemical Weapons (OPCW) with its enforcement.39 Since then, 97 percent of chemical weapons stockpiles declared by possessor Member States have been verifiably destroyed and 98 percent of the world population lives under the protection of the CWC.40 Nevertheless, the threat of re-emergence remains through state-sponsored programs, actions of terrorists or other criminal groups, or lone individuals.41 It is imperative for Member States to further collaborate with international actors and follow the provisions laid out in the CWC to continue to safely destroy and prevent further re-emergence of CWs while respecting sovereignty.

History

Following the dangerous precedent set in World War I to use poisonous gases in wars and invasions, the Geneva Protocol of 1925 was signed at the Conference for the Supervision of the International Trade in Arms and Ammunition in Geneva under the auspices of the League of Nations.42 This Protocol prohibited the use of asphyxiating, poisonous, or other gases, and bacteriological warfare methods in war, but it did not prohibit their production, development, or stockpiling.43 Compliance to the Protocol was voluntary, and there were no verification methods to confirm compliance with the Protocol.44 What is more, a large fraction of the Protocol parties "reserved a right to retaliate in kind if chemical and/or biological weapons should ever be used against them by enemies or allies of enemies."45 Even though the Protocol served as a leap towards preventing chemical weapons, in practice it

- 35 "Chemical Weapons," United Nations Office For Disarmament Affairs, https://www.un.org/disarmament/wmd/chemical/ (accessed April 25, 2019).
- 36 "Chemical Weapons," United Nations Office for Disarmament Affairs.
 37 "Chemical Weapons," United Nations Office for Disarmament Affairs.
 38 "Chemical Weapons," United Nations Office for Disarmament Affairs.
- 39 "The Chemical Weapons Convention at a Glance," Arms Control Association,
 - https://www.armscontrol.org/factsheets/cwcglance (accessed August 26, 2019).
- 40 "OPCW by the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed August 28, 2019).
- 41 "Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergencechemical-weapons (accessed August 28, 2019).
- 42 "Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)," Nuclear Threat Initiative, https://www.nti.org/learn/treaties-and-regimes/protocolprohibition-use-war-asphyxiating-poisonous-or-other-gasses-and-bacteriological-methods-warfare-geneva-protocol/ (accessed August 28, 2019).
- 43 "Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)," Nuclear Threat Initiative.
- 44 "Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)," Nuclear Threat Initiative.
- 45 "Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)," Nuclear Threat Initiative.

left large gaps that allowed the use of chemical weapons to continue. In World War II, poison gasses were used in Nazi concentration camps and in Asia despite the absence of chemical weapons on European battlefields.46

The Cold War highlighted the weaknesses of the Geneva Protocol through a significant increase in the development, manufacturing, and stockpiling of chemical weapons.47 In 1980, it was estimated that 25 Member States possessed the ability to make chemical weapons.48 Most notably, the use of chemical weapons in the Iran-Iraq War created a dangerous precedent. During the years of 1980-1988, it is estimated that 100,000 Iranian soldiers died due to mustard gas and nerve gas attacks, making it the most extensive use of chemical weapons since World War I. 49 It was later admitted by Iraq that the Member State used 1,800 tons of mustard gas, 140 tons of the nerve agent tabun, and more than 600 tons of sarin.50 The Special Projects Division of Research Planning, Incorporated's (RPI) Senior Policy Analyst Javed Ali explained, "Despite the existence of the Protocol and the long-standing norm it established against CW use in war, the repeated use of such weapons by both combatants during the Iraq-Iran War fundamentally altered the debate about CW control and compliance."51 After this conflict and 12 years of negotiations, the CWC was adopted by the Conference on Disarmament in Geneva on September 3, 1992, and entered into force in 1997.52 With the convention into force, the OPCW was established to implement the CWC's provisions and "to ensure a credible, transparent regime to verify the destruction of chemical weapons" and prevent their re-emergence.53 The CWC is unique from other multilateral treaties as it is the first to ban an entire category of weapons of mass destruction and requires international verification of destruction of chemical weapons or conversion of facilities to peaceful purposes.54

Current Situation

In today's global sphere, the CWC is the primary document in effect to prevent the re-emergence of chemical weapons in modern warfare. To do so, the CWC ensures all existing stockpiles of chemical weapons are destroyed, and utilizes a framework of binding obligations on States Parties and a verification regime run by the Technical Secretariat.55 For verification, the Conference of the States Parties to the CWC must first verify that all toxic chemicals, and their precursors, are only used for purposes that are not prohibited by the Convention.56 Dual-use chemicals, such as thiodiglycol, hydrogen cyanide, and phosphorus trichloride are often the focus of this CWC obligation due to their ability to be used peacefully or to create chemical weapons.57 To ensure these chemicals are used peacefully, States Parties must collect information and submit declarations to the OPCW of these chemicals in their borders.58 Then, based on the information provided in the declarations, OPCW inspectors visit the facilities where these chemicals are produced, processed, or consumed to assess risk and confirm the accuracy of the submitted declaration.59 These inspections are routine and not investigative.60

- 46 "Chemical Weapons," United Nations Office For Disarmament Affairs, https://www.un.org/disarmament/wmd/chemical/ (accessed April 25, 2019).
- 47 "Chemical Weapons," United Nations Office For Disarmament Affairs.
- 48 Charles Duelfer, ed. "Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD," Central Intelligence Agency, https://www.cia.gov/library/reports/general-reports-1/iraq_wmd_2004/ (accessed June 13, 2019).
- 49 "Chemical Weapons," Public Broadcasting Service, https://www.pbs.org/opb/historydetectives/feature/chemical-weapons/ (accessed April 25, 2019).
- 50 Charles Duelfer, ed. "Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD," Central Intelligence Agency, https://www.cia.gov/library/reports/general-reports-1/iraq_wmd_2004/ (accessed June 13, 2019).
- 51 Javed Ali, "Chemical Weapons and the Iran-Iraq War: A Case Study in Noncompliance," *The Nonproliferation Review*, Spring 2001, https://www.nonproliferation.org/wp-content/uploads/npr/81ali.pdf (accessed August 28, 2019).
- 52 "Chemical Weapons," United Nations Office For Disarmament Affairs, https://www.un.org/disarmament/wmd/chemical/(accessed April 25, 2019).
- 53 "Chemical Weapons," United Nations Office For Disarmament Affairs.
- 54 Ramesh Thakur and Ere Haru, "The Chemical Weapons Convention: Implementation, Challenges, and Opportunities," *United Nations University Press*, 2006 (accessed June 10, 2019).
- 55 "Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergence-chemical-weapons (accessed August 27, 2019).
- 56 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 57 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 58 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 59 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 60 "Preventing the Re-Emergence of Chemical Weapons," OPCW.

If non-compliance of the Convention is suspected, the CWC takes one step further to prevent re-emergence. Article IX of the Convention allows any State Party to "request the Secretariat to conduct an on-site challenge inspection anywhere in the territory of any other State Party," which may not refuse the inspection. Challenge inspections are designed to clarify and resolve questions concerning non-compliance of the Convention, however State Parties are encouraged to resolve concerns through consultations before requesting one.62 This is a unique and powerful article in the Convention because they can be launched at very short notice, and can be directed at both declared and undeclared facilities and locations within the States Party.63 If Member States are found to be non-compliant, the OPCW is able to recommend collective punitive measures.64 In cases of "particular gravity," the OPCW can request the aid of the United Nations (UN) Security Council and the UN General Assembly (UNGA).65 If the non-compliant Member State does not take measures to address the questions raised about their compliance, the OPCW is able to restrict or suspend CWC-related rights, such as voting and trade rights.66

Beyond verification and inspections, the Convention also notably obligates States Parties to control international transfers of chemicals in three Schedules. In the CWC's Annex on Chemicals, chemicals are categorized into Schedule 1, Schedule 2, and Schedule 3.67 The most dangerous chemicals such as nerve and blister agents are classified into Schedule 1, while the more common commercial chemicals for cleaners are classified into Schedule 3.68 For international transfers, Schedule 1 and 2 chemicals may only be transferred between States Parties to the Convention. Schedule 3 chemicals may only be transferred to non-States Parties "if the recipient provides an enduse certificate and pledges not to transfer them onward." Every transfer of scheduled chemicals must be declared to the OPCW Secretariat.

The threat of chemical terrorism poses a significant challenge to chemical weapon prevention and the Convention. The OPCW has long recognized this threat by non-State actors and has emphasized that a full implementation of the entirely of the Chemical Weapons Convention is a contribution to global counter-terrorism efforts. 70 Even though the Convention was not designed to prevent chemical terrorism, there are a number of provisions to help prevent an attack, respond effectively if one were to happen, and ensure legal accountability. 71 The Convention's ability to seek legal accountability through Article VII is perhaps the most notable because all State Parties are required to adopt laws that criminalize all conduct prohibited by the CWC. 72 As a result, any individuals "can be prosecuted in national courts if they develop, produce, otherwise acquire, retain, transfer, or use chemical weapons." 73 Even though the OPCW and CWC focus on the prevention of chemical weapons, it is important to understand how those in violation of the Convention can be held accountable.

- 61 "Article IX: Consultations, Cooperation, and Fact-Finding," OPCW, https://www.opcw.org/chemical-weapons-convention/articles/article-ix-consultations-cooperation-and-fact-finding (accessed August 27, 2019).
- 62 "Article IX: Consultations, Cooperation, and Fact-Finding," OPCW.
- 63 "Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergence-chemical-weapons (accessed August 27, 2019).
- 64 https://www.armscontrol.org/factsheets/cwcglance
- 65 "The Chemical Weapons Convention (CWC) at a Glance" Arms Control Association
 - https://www.armscontrol.org/factsheets/cwcglance (accessed April 25, 2019).
- 66 "The Chemical Weapons Convention at a Glance," Arms Control Association,
 - https://www.armscontrol.org/factsheets/cwcglance (accessed August 26, 2019).
- 67 "Annex on Chemicals," OPCW, https://www.opcw.org/chemical-weapons-convention/annexes/annex-chemicals/annex-chemicals (accessed August 27, 2019).
- 68 "The Chemical Weapons Convention: A Quick Guide," United States Department of Commerce, Bureau of Industry and Security, https://www.cwc.gov/outreach_industry_publications_cwc002.html (accessed August 27, 2019).
- 69 "Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergence-chemical-weapons (accessed August 27, 2019).
- 70 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 71 "Preventing the Re-Emergence of Chemical Weapons," OPCW.
- 72 "Article VII: National Implementation Measures," OPCW, https://www.opcw.org/chemical-weapons-convention/articles/article-vii-national-implementation-measures (accessed August 27, 2019).
- 73 "Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergence-chemical-weapons (accessed August 27, 2019).

Case Study: Syrian Arab Republic

Stemming from the start of the Syrian Civil War in 2011, an international report found that the regime of President Bashar al-Assad was active in their persistent use of chemical weapons against civilian populations and rebel groups. 74 With 336 confirmed chemical attacks taking place between 2011 and 2019, "around 98 percent of these attacks were attributed to the Assad regime..." refuting the claims that the Islamic State in Iraq and the Levant (ISIL) or rebel groups perpetuated the majority of use of chemical weapons. 75 With 90 percent of attacks using chlorine as the main agent, the regime also utilized sarin and sulfur mustard gas to carry out their attacks. 76 These acts of military aggression against civilians during armed conflict has resulted in hundreds of thousands of Syrians losing their lives and displaced more than ten million civilians.77

In 2013, the Syrian government "acknowledged for the first time that it had in its possession chemical weapons, and threatened to use them in the event of military operations by Western countries, but not against its own population." In response, international organizations and Member States such as the United States of America (US), vocalized their concern and called for international action. 4 After the regime's sarin gas attack near Damascus in August 2013 that resulted in the death of 1,429 people, UN Security Council unanimously called for the disarmament of Syria in Resolution 2118 (S/RES/2218). Recognizing that a Member State had violated the CWC with their use of chemical weapons through military aggression against their own civilians, this resolution served as a framework for the elimination of chemical weapons in the Member State. Within the resolution, the OPCW would discharge designated personnel that would have "immediate and unfettered access to and the right to inspect any and all chemical weapons sites." 81 More specifically, Syria was given until November 1, 2013, to eliminate its chemical weapons arsenal, with specific instructions and guidance on how to do so.82

This resolution ushered in the establishment of the OPCW Fact-Finding Mission (FFM) in 2014.83 The OPCW FFM had a primary role in investigating any claims of chemical weapons used, and could collect the use of environmental and physical evidence in its investigations of Syria.84 These clauses showed the renewed commitment of the UN towards accountability, however did not address any solutions for seeking criminal justice for the crimes committed against citizens by a State. Instead it made it a priority for the immediate destruction and removal of any and all chemical weapons, reaffirming that the "use of chemical weapons anywhere, constituted a threat to international peace and security."85 By January 2014, it was reported that despite ongoing efforts, only four percent of the chemical weapons in Syria were destroyed. 86 In 2015, it was decided and endorsed with the Security Council that

- 74 Obias Schneider, Theresa Lutkefend, "Nowhere to Hide," GPPI, February 2019. https://www.gppi.net/media/GPPi_Schneider_Luetkefend_2019_Nowhere_to_Hide_Web.pdf.
- 75 Obias Schneider, Theresa Lutkefend, "Nowhere to Hide," GPPI.
- 76 "More Than 300 Chemical Attacks Lunched During Syrian Civil War, Study Says," National Public Radio, https://www.npr.org/2019/02/17/695545252/more-than-300-chemical-attacks-launched-during-syrian-civil-war-study-says (accessed April 25, 2019).
- 77 "Article I: General Obligations," OPCW, https://www.opcw.org/chemical-weapons-convention/articles/article-i (accessed May 27, 2019).
- 78 "Syria has been using chemical weapons for 5 years, here's a time line" PRI, September 6, 2017,
 - https://www.pri.org/stories/2017-09-06/syria-has-been-using-chemical-weapons-5-years-heres-timeline.
- 79 "Syria has been using chemical weapons for 5 years, here's a time line" PRI.
- 80 Obias Schneider, Theresa Lutkefend, "Nowhere to Hide," GPPI, February 2019.
 - https://www.gppi.net/media/GPPi_Schneider_Luetkefend_2019_Nowhere_to_Hide_Web.pdf.
- 81 "Security Council Requires Scheduled Destruction of Syria's Chemical Weapons, Unanimously Adopting Resolution 2118 (2013)," United Nations, September 27, 2013, https://www.un.org/press/en/2013/sc11135.doc.htm.
- 82 Radziejowska, Maria, "Syria: Resolution 2118 and the Legal Aspects of an intervention," Bulltien, October 10, 2013 https://www.files.ethz.ch/isn/171366/Bulletin%20PISM%20no%20108%20(561),%2010%20October%202013.pdf.
- 83 "OPCW Issues Fact-Finding Mission Report on Chemical Weapons Use Allegation in Douma, Syria, in 2018," OPCW, https://www.opcw.org/media-centre/news/2019/03/opcw-issues-fact-finding-mission-report-chemical-weapons-use-allegation (accessed August 28, 2019).
- 84 "OPCW Issues Fact-Finding Mission Report on Chemical Weapons Use Allegation in Douma, Syria, in 2018," OPCW.
- 85 Stahn, Carsten "Syria, Security Resolution 2118 and Peace versus Justice," EJIL October 3, 2018,
 - https://www.ejiltalk.org/syria-security-resolution-2118-2013-and-peace-versus-justice-two-steps-forward-one-step-back/.
- 86 "A New Normal: Ongoing chemical Weapons Attacks in Syria," Syrian American Medical Society, https://www.sams-usa.net/reports/a-new-normal-ongoing-chemical-weapons-attacks-in-syria/ (accessed August 28, 2019).

the FFM should stay in place.87 In conjunction with the OPCW UN Joint Investigative Mechanism (JIM) that was established in Resolution 2235 (S/RES/2235) in August 2015 to aid the OPCW in identifying the persons responsible for the use of chemical weapons in Syria.88 In their report published in October 2017, the FFM found that the Syrian government was responsible for sarin gas attacks in Khan Sheikoun, which was an opposition-held town.89 Additionally, as reported by the Syrian American Medical Society, through the establishment of the FFM and JIM, there were 161 attacks using chemical weapons, 77 percent of attacks taking place after the passage of Resolution 2118.90 After the report was published, the Syrian government under President al-Assad denied any involvement or possession of any chemical weapons.91

Actions Taken by the United Nations

The most prominent success in preventing the re-emergence of CWs has come from the implementation of the CWC, through the work of the OCPW. Currently, the OPCW has destroyed 97.08 percent of the world's declared chemical weapons stockpiles, or 70,199 metric tons of the 72,304 metric tons of declared stockpiles of chemical agents.92 Out of the 97 declared chemical weapons production facilities (CWPF), the OPCW has destroyed 74 and converted 23 for peaceful purposes.93 Additionally, the OPCW has completed 1,904 inspections of chemical weapons destruction facilities (CWDF) and 511 inspections of chemical weapons storage facilities (CWSF) since 1997.94 The OPCW's diligent and continued work to destroy chemical weapons and verify toxic chemicals has set a high precedent to ensure chemical weapons do not re-emerge.

In order to strengthen coordination of counter-terrorism efforts of the UN, the Counter-Terrorism Implementation Task Force (CTITF) was created in 2005 by the UN Secretary-General and endorsed by the UNGA through the United Nations Global Counter-Terrorism Strategy.95 The Task Force consisted of 38 international entities, including the OPCW, which "have a stake in multilateral counter-terrorism efforts" and can make contributions consistent with their mandate.96 The primary goal of CTITF was to "maximize each entity's comparative advantage by delivering as one to help Member States implement the four pillars of the Global [Counter-Terrorism] Strategy."97 In 2018, the CTITF was replaced by the United Nations Global Counter-Terrorism Coordination Compact to build upon the CTITF's mission and strengthen prevention of violent extremism work of the UN system.98 As a member of the Global Compact, the OPCW continues to prevent the re-emergence of CWs through a counter-terrorism lens. Specifically, by promoting chemical plant and transport security, and organizing seminars and workshops on preventing and responding to chemical terrorism.99

One of the most important ways the OPCW works to prevent re-emergence of CWs is through education and outreach to increase knowledge of CWs, the work of the OPCW, the goals of the CWC, and the importance of practicing science responsibly. 100 The Hague Ethical Guidelines "are intended to serve as elements for ethical codes

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87 "Fact-Finding Mission," OPCW, https://www.opcw.org/fact-finding-mission (accessed August 28, 2019).
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^{88 &}quot;Fact-Finding Mission," OPCW.

^{89 &}quot;UN panel blames Syrian forces for Khan Sheikhoun attack," Al Jazeera, October 27, 2017,

https://www.aljazeera.com/news/2017/10/panel-blames-syrian-forces-khan-sheikhoun-attack-171026212414046.html.

^{90 &}quot;A New Normal: Ongoing chemical Weapons Attacks in Syria," Syrian American Medical Society, https://www.samsusa.net/reports/a-new-normal-ongoing-chemical-weapons-attacks-in-syria/ (accessed August 28, 2019).

^{91 &}quot;UN panel blames Syrian forces for Khan Sheikhoun attack," Al Jazeera, October 27, 2017,

https://www.aljazeera.com/news/2017/10/panel-blames-syrian-forces-khan-sheikhoun-attack-171026212414046.html.

^{92 &}quot;OPCW by the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed August 28, 2019).

^{93 &}quot;OPCW by the Numbers," OPCW.
94 "OPCW by the Numbers," OPCW.

^{95 &}quot;Coordination and Coherence of the Counter-Terrorism Efforts of the United Nations," UN Office of Counter-Terrorism, https://www.un.org/counterterrorism/ctitf/en/about-task-force (accessed August 28, 2019).

^{96 &}quot;Coordination and Coherence of the Counter-Terrorism Efforts of the United Nations," UN Office of Counter-Terrorism.

^{97 &}quot;Coordination and Coherence of the Counter-Terrorism Efforts of the United Nations," UN Office of Counter-Terrorism.

^{98 &}quot;Entities," UN Office of Counter-Terrorism, https://www.un.org/counterterrorism/ctitf/en/structure (accessed August 28, 2019)

^{99 &}quot;Interagency Coordination in the Event of a Terrorist Attack Using Chemical or Biological Weapons or Materials," CTITF, August 2011, https://www.un.org/counterterrorism/ctitf/en/interagency-coordination-event-terrorist-attack-usingchemical-or-biological-weapons-or-materials.

^{100 &}quot;Preventing the Re-Emergence of Chemical Weapons," OPCW, https://www.opcw.org/our-work/preventing-re-emergencechemical-weapons (accessed August 28, 2019).

and discussion points for ethical issues related to the practice of chemistry under the Convention."¹⁰¹ When debating ethics in relation to chemical disarmament and non-proliferation, the OPCW encourages stakeholders to refer to and promote these guidelines.¹⁰² In the greater UN sphere, the created an annual Remembrance Day for Victims of Chemical Warfare and commemoration events for the anniversary of the CWC.¹⁰³

Despite the varying measures of success, the UN still faces limitations in its efforts of eliminating chemical weapons through failure of compliance. An issue the OPCW faces is how Member States may maintain "a high degree of secrecy around the size, location, composition, and destruction of their weapons." 104 Nevertheless, the clarifying language in the Convention has allowed the OPCW and UN to make progress to prevent the re-emergence of CWs. Former OPCW Director-General, Ambassador Ahmet Üzümcü, acknowledged how the Convention "prohibits not only the use of chemical weapons, but also their development, production, acquisition, stockpiling, retention and transfer." 105 What is more, the CWC has explicit provisions for addressing noncompliance, "ranging from suspension of rights and privileges under the Convention, to imposition of sanctions under international law." 106 More importantly, the CWC's rights and obligations apply to all States Parties equally while the CWC's verification regime holds States Parties to their obligations. 107

Conclusion

Through the OPCW, 98 percent of the global population lives safely under the protection of the CWC, while 97 percent of all chemical weapon stockpiles declared by Member States have been verifiably destroyed. 108 By adding mandatory obligations on Member States possessing chemical weapons, OPCW ensures chemical weapons are accounted for, and later, safely discarded. Since 1997, OPCW has been able to destroy tens of thousands of tons of chemical weapons in accordance with the regulations listed in the CWC, however, there still remains a threat of chemical weapons and warfare in many Member States across the globe. It is the responsibility of UN and OPCW to safely eliminate chemical weapons and ensure there is no re-emergence as it has proven to have devastating effects globally. OPCW has the resources to propose important resolutions such as S/RES/2118 by Security Council, and the network to connect Member States in order to achieve its goal of eliminating chemical weapons as mentioned throughout this guide. While the infrastructure is available and accessible, the challenges existing alongside it need to be addressed first, including the secrecy and anonymity from Member States refusing to be entirely transparent, confirming logistics of destroying chemical stockpiles in specific Member States and ensuring timelines are followed. 109110

Committee Directive

Delegates of the OPCW Executive Council are expected to be well-informed on the topic of chemical weapons and how they are used as WMDs. Delegates, in both their preparation for committee session and for their performance during committee sessions, should consider the following questions: Which Member States have the largest

- 101 "The Hague Ethical Guidelines," OPCW, https://www.opcw.org/hague-ethical-guidelines (accessed August 28, 2019). 102 "The Hague Ethical Guidelines," OPCW.
- 103 "Statements and Press Releases on the Chemical Weapons Convention" United Nations Office for Disarmament Affairs, https://www.un.org/disarmament/statements-and-press-releases-on-the-chemical-weapons-convention/ (accessed June 14, 2019).
- 104 Chemical Weapons" Frequently Asked Questions, Arms Control Association https://www.armscontrol.org/factsheets/Chemical-Weapons-Frequently-Asked-Questions#V (accessed August 4, 2010)
- 105 "The Chemical Weapons Convention: A Model of International Solidarity and the Power of a Universal Ideal."
- 106 "The Chemical Weapons Convention: A Model of International Solidarity and the Power of a Universal Ideal."
- 107 "The Chemical Weapons Convention: A Model of International Solidarity and the Power of a Universal Ideal."
- 108 "OPCW by the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed June 13, 2019).
- 109 Chemical Weapons," Frequently Asked Questions, Arms Control Association,
 - https://www.armscontrol.org/factsheets/Chemical-Weapons-Frequently-Asked-Questions#V (accessed August 4, 2019).
- 110 "Syria chemical weapons to be destroyed at sea," Al-Jazeera, https://www.aljazeera.com/news/middleeast/2013/12/syria-chemical-weapons-be-destroyed-at-sea-2013121891629510488.html (accessed August 12, 2019).

stockpiles currently? How can the OPCW continue to incentivize Member States to follow proper protocol? What counter-terrorism efforts should OPCW employ to ensure the weapons do not transfer to unauthorized parties? What are proper punitive measures that can be used against non-complying Member States? How can OPCW serve in a capacity that not only reduces chemical weapons, but also ensures a future free of their threats? In addition, Member States should consider ways in which OPCW can continue to serve its role as a legitimate body, and how it may enforce its policies. Furthermore, delegates should discuss whether the UN, CWC, and other related bodies are doing enough to protect civilians from the dangers of chemical weapons, and if not, what is lacking from their efforts.

II. Ensuring the Destruction of Abandoned Chemical Weapon Stockpiles in Post-Conflict Environments

Introduction

The Organisation for the Prohibition of Chemical Weapons (OPCW) is the only United Nations (UN) body charged with the mission and authority to act internationally in eliminating all categories of chemical weapons. 111 Noting the potentially devastating economic, social, and health impacts of undiscovered or uncontained Old Chemical Weapons (OCWs) and Abandoned Chemical Weapons (ACWs), the OPCW must maintain a balance of due adherence to Member State sovereignty while promoting cooperation, fiscal responsibility, and transparency within and between OPCW Member States. 112 Through the creation of further international bodies to aid in cross-border transparency, such as the International Council of Chemical Associations (ICCA), the OPCW has led the focus on Member State chemical industry security and verification concentrations. 113 Through its specialized focus on aid to security measures and verifications, the OPCW has stopped environmentally detrimental practices such as the dumping of OCWs and ACWs into ocean waters, and the release of contaminated OCW scrap metal back into civilian and industrial production processes. 114, 115

History

Upon the signing and ratification of the Chemical Weapons Convention (CWC), Member States immediately become Member State Parties to the OPCW. Member States are required to declare all chemical weapons stockpiles, ACWs, OCWs, production facilities, and other relevant chemical industrial and laboratory facility information within the first thirty days of entry. 116 Historically, the largest observed threat regarding chemical weapons, and therefore the primary focus of the committee, were the stockpiles of weapons stored by Member States in times of conflict. The Cold War in particular had resulted in massive chemical weapons stockpiling by both the Russian Federation and the United States of America (US). In fact, when these Member States entered into the OPCW and declared their chemical weapons stockpiles, Russia had the largest amount of chemical weapons amassed by any Member State at 39,967 metric tons, and the US the second largest at 27,770 metric tons. 117,118 Of the 193 OPCW Member States, seven others have declared chemical weapon holdings and/or discontinued chemical weapons programs within their territory: Albania, China, India, Iraq, Libya, South Korea, and Syria, totaling 71,196 metric tons of chemical agents declared. 119, 120

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111 "Mission: A World Free of Chemical Weapons," OPCW,
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https://www.opcw.org/about-us/mission (accessed August 11, 2019).

- 112 "Mission: A World Free of Chemical Weapons," OPCW.
- 113 "20 Years of the OPCW: Its Achievements, Future Outlook and Cooperation with Industry," OPCW, October 27, 2017, https://www.opcw.org/sites/default/files/documents/ODG/uzumcu/ICCA_speech_DG.pdf.
- 114 Looking Back: The Continuing Legacy of Old and Abandoned Chemical Weapons," Arms Control Association, https://www.armscontrol.org/act/2008-03/looking-back-continuing-legacy-old-abandoned-chemical-weapons (accessed August 11, 2019).
- 115 "Opening Statement By the Director-General to the Conference of the States Parties at its Twenty-Third Session (Full Version)," OPCW, Conference of the States Parties C-23/DG.19,
 - https://www.opcw.org/sites/default/files/documents/2018/11/c23dg19%28e%29.pdf (accessed August 11, 2019).
- 116 "The Chemical Weapons Convention (CWC) At a Glance," Arms Control Association,
 - https://www.armscontrol.org/factsheets/cwcglance (accessed June 15, 2019).
- 117 "OPCW Marks Completion of Destruction of Russian Chemical Weapons Stockpile," OPCW, https://www.opcw.org/media-centre/news/2017/10/opcw-marks-completion-destruction-russian-chemical-weapons-stockpile (accessed June 18, 2019).
- 118 "Chemical and Biological Weapons Status at a Glance," Arms Control Association,
 - https://www.armscontrol.org/factsheets/cbwprolif a (accessed June 18, 2019).
- 119 "Chemical and Biological Weapons Status at a Glance," Arms Control Association.
- 120 "Fact Sheet: Chemical Weapons and Their Destruction," Center for Arms Control and Non-Proliferation,

https://armscontrolcenter.org/fact-sheet-chemical-weapons-and-their-destruction/ (accessed June 14, 2019).

In terms of elimination, Member States are responsible for designing chemical weapon destruction plans that follow OPCW prescribed environmental safety guidelines and fall within a maximum elimination timeframe of ten years. 121 At a point within the destruction process, every chemical weapon-holding Member State has been granted an extension to this ten year timeframe. The longest extensions have been granted to Russia and the US, the former having officially completed stockpile destruction with OPCW cooperation and verification on September 27, 2017, and the latter still possessing chemical weapons stockpiles, with an approved 100 percent elimination date set for 2023.122,123 The most common obstacle to Member States destroying chemical weapons in the initially stated timeframe has been due to inexperience in chemical weapons destruction and the destruction of large amounts of chemical weapons in an environmentally conscious manner.

The possible processes for destroying chemical weapons can be divided into two main technological applications: high temperature destruction technologies and low temperature destruction technologies. 124 Plasma pyrolysis, incineration and explosion chambers are the most common forms of high temperature chemical weapons destruction methods, and neutralization and hydrolysis with follow-up secondary treatments are the most common forms of low temperature destruction methods. 125 In each phase of destruction, the OPCW sends a verification team to inspect the process of destruction and verify that it is completed in accordance with OPCW guidelines. 126

Current Situation

With most chemical weapons stockpiles destroyed, the OPCW has now turned its focus to eliminating OCWs and ACWs in post-conflict zones. While the framework regarding responsibility and cooperation for destruction differs between OCWs and ACWs, the locations of both prove difficult to ascertain and each cache's quantity nearly impossible to foretell.127 Additionally, the weapons themselves are often aged and require more complex safety regulations in the extraction and destruction process than in the destruction of well-maintained chemical weapons stockpiles that were the previous OPCW destruction focus.128 Thus far, 15 Member States have declared OCWs and two have declared ACWs.129,130 The OPCW has inspected and verified six of the fifteen OCW declarations and one of the ACW declarations, and continues to work with all Member States in addressing the particular challenges unique to OCW and ACW elimination.131

For the purpose of disposal regulations, OCWs are divided into two categories: those produced before 1925 and those produced between 1925-1946 "that have deteriorated to such an extent that they can no longer be used as chemical weapons." 132 Chemical weapons produced before 1925 are able to be disposed of in the same manner as toxic waste in accordance with the relevant Member State's national laws, whereas OCWs produced between 1925 and 1946 must be destroyed in adherence to OPCW guidelines for chemical weapons destruction. 133 A recent OCW

- 121 "Eliminating Chemical Weapons," OPCW, https://www.opcw.org/our-work/eliminating-chemical-weapons (accessed June 15, 2019).
- 122 "OPCW Marks Completion of Destruction of Russian Chemical Weapons Stockpile," OPCW, https://www.opcw.org/media-centre/news/2017/10/opcw-marks-completion-destruction-russian-chemical-weapons-stockpile (accessed June 18, 2019).
- 123 "Chemical and Biological Weapons Status at a Glance," Arms Control Association, https://www.armscontrol.org/factsheets/cbwprolif (accessed June 19, 2019).
- 124 "Eliminating Chemical Weapons," OPCW, https://www.opcw.org/our-work/eliminating-chemical-weapons (accessed June 19, 2019).
- 125 "Eliminating Chemical Weapons," OPCW.
- 126 "Eliminating Chemical Weapons," OPCW.
- 127 "Eliminating Chemical Weapons," OPCW.
- 128 "Eliminating Chemical Weapons," OPCW.
- 129 "S/1042/2012/Rev.2 Note by the Director-General," OPCW Technical Secretariat,
- https://www.opcw.org/sites/default/files/documents/S_series/2012/en/s-1042-2012r2_e_.pdf (accessed July 9, 2019). 130 "RC-3/NAT.41," OPCW Conference of the States Parties 8-19 April 2013,
 - https://www.opcw.org/sites/default/files/documents/CSP/RC-3/national-statements/rc3nat41_e_.pdf (accessed July 22, 2019).
- 131 "OPCW By the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed July 20, 2019).
- 132 "Our Work: What is a Chemical Weapon?" OPCW, https://www.opcw.org/our-work/what-chemical-weapon (accessed July 9, 2019).
- 133 "S/1042/2012/Rev.2 Note by the Director-General," OPCW Technical Secretariat,

situation addressed by the OPCW took place in 2001, with the leakage of chemical agents from OCWs in the northeastern region of France. The chemical weapons were found, removed, and relocated to safer storage facilities before any harmful effects were seen on the local population and environment. 134 While the incident was safely resolved, it was another reminder of the long-term threats presented by the existence of OCWs, and the need for their complete elimination. Member States that have declared OCWs and the intent to work towards their elimination include Austria, Australia, Belgium, Canada, France, Germany, Italy, Japan, Poland, Russia, Slovenia, Solomon Islands, Ukraine, the United Kingdom, and the US.135

As stated in the CWC, ACWs include all "chemical weapons abandoned by a State after 1 January 1925 on the territory of another State without the consent of the latter." 136 According to the CWC, the responsibility of reporting ACWs must be from both with the Abandoning State Party (that Member State which left chemical weapons in another Member State's territory), as well as the Territorial State Party. 137 Once ACW locations are declared, OPCW inspections, under the purview of the Technical Secretariat, are conducted to verify the scope, chemical components and location(s) of the ACWs.138 Once completed, the information is turned over to the Abandoning State Party and the Territorial State Party. 139 Both Parties must enter into consultation to establish a mutually agreed upon plan for destruction. 140 The Abandoning State Party is required to provide all the necessary financial, technical, expertise, facilities and other mandated resources for ACW extraction and destruction.141 While multiple Member States have declared ACWs in their territory since the ratification of the OPCW, only one case has met OPCW's ACW specifications and thus proceeded to verification and destruction negotiation processes presided over by the OPCW.142,143 This is the landmark case of Japan's abandonment of chemical weapons in China after the end of World War II, and the OPCWs assistance and guidance in the cooperative destruction of these ACWs will set the tone for transparency, financial feasibility, and logistical success for ACW cases in the future.144

Case Study: Abandoned Chemical Weapons in China

During World War II, and still reeling from the devastation caused by chemical weapons during World War I and unprepared to dominate in chemical warfare again, European Member States refrained from the use of chemical weapons. In Asia, however, the Japanese government had amassed a stockpile of chemical weapons, and used them against China during the second World War.145 It is estimated that Japan carried out approximately 2,000 separate chemical weapons attacks against China, causing over 80,000 casualties.146 Since the end of World War II and with the cooperation of the OPCW, China and Japan have worked together to identify 56,000 abandoned chemical weapons items spread over 90 locations throughout China.147 Of this, approximately 46,000 items have been

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https://www.opcw.org/sites/default/files/documents/S_series/2012/en/s-1042-2012r2_e_.pdf (accessed July 9, 2019).
134 "Old Chemical Weapons Removed from Vimy, France," OPCW, https://www.opcw.org/media-centre/news/2001/04/old-
         chemical-weapons-removed-vimy-france (accessed July 19, 2019).
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135 "S/1042/2012/Rev.2 Note by the Director-General," OPCW Technical Secretariat,

https://www.opcw.org/sites/default/files/documents/S_series/2012/en/s-1042-2012r2_e_.pdf (accessed July 9, 2019). 136 "Eliminating Chemical Weapons," OPCW, https://www.opcw.org/our-work/eliminating-chemical-weapons (accessed June 19, 2019).

137 "Part IV. (B) Old Chemical Weapons and Abandoned Chemical Weapons," Chemical Weapons Convention, https://www.opcw.org/chemical-weapons-convention/annexes/verification-annex/part-ivb-old-chemical-weapons-andabandoned (accessed June 19, 2019)

138 "Part IV. (B) Old Chemical Weapons and Abandoned Chemical Weapons," Chemical Weapons Convention.

"Part IV. (B) Old Chemical Weapons and Abandoned Chemical Weapons," Chemical Weapons Convention.

140 "Part IV. (B) Old Chemical Weapons and Abandoned Chemical Weapons," Chemical Weapons Convention.

141 "Part IV. (B) Old Chemical Weapons and Abandoned Chemical Weapons," Chemical Weapons Convention.

142 "OPCW By the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed July 20, 2019).

143 "S/1042/2012/Rev.2 Note by the Director-General," OPCW Technical Secretariat,

https://www.opcw.org/sites/default/files/documents/S_series/2012/en/s-1042-2012r2_e_.pdf (accessed July 9, 2019). 144 "RC-1/NAT.7," OPCW Conference of the States Parties,

https://www.opcw.org/sites/default/files/documents/CSP/RC-1/en/RC-1_NAT.7-EN.pdf (accessed July 20, 2019).

145 "China," The Nuclear Threat Initiative, https://www.nti.org/learn/countries/china/chemical/ (accessed June 19, 2019).

146 "China." The Nuclear Threat Initiative.

147 "OPCW Executive Council and Director-General Review Abandoned Chemical Weapons' Destruction Progress in China," OPCW, https://www.opcw.org/media-centre/news/2017/06/opcw-executive-council-and-director-general-reviewabandoned-chemical (accessed June 19, 2019).

destroyed, as reported and verified by the OPCW.148 These numbers do not include the largest cache of abandoned chemical weapons found in China, which were identified in Haerbaling, Jilin Province, and total 330,000 items.149 For destruction, one site has been agreed upon and outfitted with the necessary means and safety precautions for ACW destruction.150 This site, the Haerbaling Abandoned Chemical Weapon Test Destruction Facility, has mainly focused on the destruction of ACWs found it its immediate vicinity.151

While ACW elimination continues, cooperation has remained tense between the two contracted Member States. Initially planned for completion by 2007, Japan's 15-year extension to complete ACW elimination by 2022 means continued health consequences for Chinese civilians who suffer from accidental exposure to chemical agents. 152 The Chinese government points to at least 2,000 immediate fatalities due to accidental exposure to ACWs, and thousands of other cases of long-term physical and mental illnesses caused by accidental exposure to unearthed or unprotected ACWs. 153,154

Some of the most common ACWs found in China are blister agents (particularly mustard and lewisite) and phosgene.155 Mustard and lewisite exposure is lethal, but if accidental exposure is brief, those exposed may come away with blisters and lesions on and near exposure areas, eye irritation culminating in temporary or permanent blindness, respiratory and digestive tract damage resulting in lifelong chronic ailments, and, in the case of sulfur mustard, a suppressed immune system.156157 Those that survive phosgene exposure often suffer from chronic bronchitis and emphysema.158 The highest concentration of ACWs have been found in the northeast of China, where those affected have primarily been rural farmers, with little to no financial means for prolonged treatment to accidental exposure.159,160 Medical costs due to exposure of ACWs is not the responsibility of the Abandoning Member State under OPCW guidelines, and the Chinese government does not view it as a financial burden they should be held accountable to subsidize for their citizens unable to pay for treatment.161 Realizing the Chinese government will not subsidize treatment costs, and gaining exposure from domestic and foreign media outlets over the last decade, many Chinese civilians have resorted to filing class action lawsuits against the Japanese government for compensation.162

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148 "OPCW Executive Council and Director-General Review Abandoned Chemical Weapons' Destruction Progress in China,"
OPCW.
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149 "OPCW Executive Council and Director-General Review Abandoned Chemical Weapons' Destruction Progress in China," OPCW.

150"OPCW Executive Council and Director-General Review Abandoned Chemical Weapons' Destruction Progress in China," OPCW.

151 "Japan's Efforts and Progress on the Destruction of Abandoned Chemical Weapons," OPCW Review Conference, https://www.opcw.org/sites/default/files/documents/2018/11/rc4wp13%28e%29.pdf (accessed June 19, 2019).

152 "China says 2,500 wartime Japanese chemical weapons destroyed," Associated Press,

https://www.apnews.com/1ec6b853e84f4e4db9048e78a94f28dc (accessed June 19, 2019).

153 "China says 2,500 wartime Japanese chemical weapons destroyed," Associated Press.

154 "Victims of Japan's abandoned chemical weapons continue to suffer," China Daily,

http://www.chinadaily.com.cn/a/201805/03/WS5aeb0225a3105cdcf651bd44.html (accessed July 18, 2019).

155 Deng, Hongmei, and Peter Omeara Evans, "Social and Environmental Aspects of Abandoned Chemical Weapons in China," The Nonproliferation Review 4, no.3 (1997): 101-8, https://www.nonproliferation.org/wp-content/uploads/npr/deng43.pdf (accessed July 19, 2019)

156 "Facts About Lewisite," Centers for Disease Control and Prevention,

https://emergency.cdc.gov/agent/lewisite/basics/facts.asp (accessed July 19, 2019).

157 "Facts About Sulfur Mustard," Centers for Disease Control and Prevention,

https://emergency.cdc.gov/agent/sulfurmustard/basics/facts.asp (accessed July 19, 2019).

158 "Facts About Phosgene" Centers for Disease Control and Prevention,

https://emergency.cdc.gov/agent/phosgene/basics/facts.asp (accessed July 19, 2019)

159 Deng, Hongmei, and Peter Omeara Evans, "Social and Environmental Aspects of Abandoned Chemical Weapons in China," The Nonproliferation Review 4, no.3 (1997): 101-8, https://www.nonproliferation.org/wp-content/uploads/npr/deng43.pdf (accessed July 19, 2019)

160 "Victims of Japan's Abandoned Chemical Weapons Continue to Suffer," China Daily,

http://www.chinadaily.com.cn/a/201805/03/WS5aeb0225a3105cdcf651bd44.html (accessed July 19, 2019).

161 "Victims of Japan's Abandoned Chemical Weapons Continue to Suffer," China Daily.

162 "Victims of Japan's Abandoned Chemical Weapons Continue to Suffer," China Daily.

It has been noted by both Member States and the OPCW that there also lies the possibility of further ACW sites across China that have yet to be discovered. 163 Although both Japan and China have approved plans of chemical weapons destruction by 2022 and 2017, respectively, all Member State Parties to the destruction agreement acknowledge the possibility of further abandoned chemical weapons being discovered, and of new discoveries inevitably requiring a modification of destruction timelines. 164 Due to the openness of this possibility, it is currently deemed impossible for a date to be set for the overall elimination of all abandoned chemical weapons on Chinese territory. 165

Conclusion

Although international awareness and cooperation within the OPCW has resulted in measurable successes, there are still many challenges ahead. The ability of the OPCW to act swiftly in verifying and approving amendments to changes in destruction plans has left 97.04 percent of the world's chemical weapons stockpiles destroyed, and all 97 declared chemical weapons production facilities either destroyed or converted for peaceful uses.166 In 2013 these successes were recognized on the international stage with the awarding of the Nobel Peace Prize to the OPCW "for its extensive efforts to eliminate chemical weapons" and in turn the underlying threat of chemical warfare.167 However, chemical weapons destruction technology is still a relatively new field, and many OCW and ACW cases brought before the OPCW are the first of its kind. In the destruction of chemical weapons stockpiles, access in a safe and controlled environment was ensured, and all weapons were maintained to working condition. With the identification of OCWs and ACWs, however, items are found in a variety of environmental conditions and states of degradation. Access to the discovery site must be maneuvered, and evaluation of the surroundings for safe extraction methods must be tailored to each individual site. Environmental contamination becomes a priority safety issue, and weapons must often be disassembled on site before safely transported to a separate site for destruction. Therefore, many OCW and ACW cases brought before the OPCW require constant reevaluation of destruction sites, methods of transport, and timelines for elimination.

The OPCW has encouraged state sovereignty in the ability of Member States to tailor their destruction methods and timelines to meet their Member State's individual needs, but this also places the primary responsibility to advance technology, educate and produce experts, and develop destruction plant infrastructure on the Member States who declare chemical weapons holdings- regardless of their foundation of knowledge, experience, and resources in the field. The role of the OPCW as facilitator and oversight mechanism has often expanded to aid Member States in specialized areas when requested, yet even with this supplemental partnership all Member States failed to meet initial chemical weapons stockpile destruction deadlines, multiple OCW destruction deadlines, and the initial ACW destruction deadline set between Japan and China. Efficient destruction can only move as fast as the knowledge and technology that informs it, and with each year that the world contains OCWs and ACWs within its soil, the world's population will continue to suffer from the physical ailments, chronic illnesses, and ultimate fatalities due to accidental chemical weapons exposure.

Committee Directive

While the OPCW has seen success in eliminating declared chemical weapons stockpiles by its Member States, the shift in focus on OCW and ACW identification and elimination poses different challenges than those faced in stockpile elimination. How might the OPCW transpose the efficiency they achieved in aiding the elimination of chemical weapons stockpiles to the unique conditions of eliminating OCWs and ACWs? Furthermore, with often only partial or no records of OCW and ACW locations and quantities, how will the OPCW ever be able to verify the complete identification and destruction of these chemical weapons? In the case of ACWs, how might the OPCW

163 "OPCW Executive Council and Director-General Review Abandoned Chemical Weapons' Destruction Progress in China," OPCW, https://www.opcw.org/media-centre/news/2017/06/opcw-executive-council-and-director-general-review-abandoned-chemical (accessed June 19, 2019).

164 "Japan's Efforts and Progress on the Destruction of Abandoned Chemical Weapons," OPCW Review Conference, https://www.opcw.org/sites/default/files/documents/2018/11/rc4wp13%28e%29.pdf (accessed June 19, 2019).
 165 "Japan's Efforts and Progress on the Destruction of Abandoned Chemical Weapons," OPCW Review Conference.
 166 "OPCW by the Numbers," OPCW, https://www.opcw.org/media-centre/opcw-numbers (accessed June 20, 2019).
 167 "Nobel Peace Prize," OPCW, https://www.opcw.org/about-us/nobel-peace-prize (accessed June 20, 2019).

continue to ensure the accountability of Abandoning Member States, and help encourage quick and efficient chemical weapons identification, retrieval and destruction with the least amount of burden to the other Member States involved? With the mounting medical needs of innocent civilians to ACW and OCW exposure, what role should the OPCW take in facilitating a solution? Lastly, how might the OPCW streamline procedures to aid Member States in meeting proposed destruction deadlines and reducing the need for extensions? Delegates should keep these questions in mind as they begin to address the intricate problems posed by ACWs and OCWs in post-conflict zones.

Annotated Bibliography

I: Preventing the Re-emergence of Chemical Weapons in Modern Warfare Introduction

McCormack, Tim. "Chemical Weapons and Other Atrocities: Contrasting Responses to the Syrian Crisis." *International Law Studies*, Vol. 92 (2016): 512-544. https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?referer=http://scholar.google.com/&httpsredir=1&article=1697&context=i ls (accessed June 16, 2019).

This article provides a study of one of the most recent violations of the chemical warfare law in Syria. Highlighting this ongoing crisis, the author begins to make points about how the world should respond if chemical weapons were to be used in modern warfare. The consequences and troubleshooting are thoroughly explained by the author, with a multitude of ways that the current enforcement system should be improved. Taking on a more realist perspective of international law, the author urges an approach focused on relative force between states including methods such as strengthening the criminal justice approach, stronger laws against the use of chemical weapons in modern warfare, and the role the responsibility to protect plays in the prevention of chemical weapons. Then, most importantly, the article goes on to explain how different approaches to deter Member States can help there not be a re-emergence in chemical weapons in modern warfare.

Rappert, Brian and Caitriona McLeish. A Web of Prevention: Biological Weapons, Life Sciences and the Governance of Research. Routledge (2012).

https://books.google.com/books?hl=en&lr=&id=pXQQBAAAQBAJ&oi=fnd&pg=PP1&dq=chemical+weapons+prevention&ots=m4QvWo6bp4&sig=9uf_RN4mtF5YxooQiFszjVSe9Xk#v=onepage&q=chemical%20weapons%20prevention&f=false (accessed June 16, 2019).

This book highlights the convergence of life sciences and chemical weapons coming together, most importantly in the context of public health. The risks related to whistleblowing and research in chemistry are both explored in this book, from the overall view of the political climate and from the view of the scientist who is trying to conduct research in the modern-day environment. The collection of essays within this book provides an in depth look in the view of research in science and how there has to be some form of limitations, but also how the scientist can lend their help in possibly limiting the effects of chemical weapons. Understanding the various views of how chemistry research can be limited by lawmakers to prevent chemical weapons perhaps is a limitation on how we can further advance science. How to prevent warfare and chemistry research from meeting again is crucial to not allowing chemical weapons to enter modern warfare.

Organisation for the Prohibition of Chemical Weapons "Ninety-Six Percent of Syria's Declared Chemical Weapons Destroyed – *UN-OPCW Mission Chief*, https://opcw.unmissions.org/ninety-six-percent-syria%E2%80%99s-declared-chemical-weapons-destroyed-%E2%80%93-un-opcw-mission-chief (accessed August 12, 2019).

A document from September 4, 2014 claims The Special Coordinator for the Joint Mission of the Organisation for the Prohibition of Chemical Weapons (OPCW), Sigrid Kaag, and the United Nations (OPCW-UN) announced to the Security Council that 96 percent of Syria's declared stockpile had been destroyed, and the remaining 12 production facilities will also be soon destroyed. It outlined the successes of the joint mission and outlined the future plans of the agency to eliminate the final dozen facilities. It further mentioned the Security Council Resolution 2118 (2013) and proposed penalties for future non-compliance. This can help delegates better understand some of the key concepts mentioned in the background guide and see how these policies are carried out in a real-life scenario.

Tucker, Jonathan B. "The Future of Chemical Weapons." *The New Atlantis* (2009-2010): 3-29. https://www.thenewatlantis.com/docLib/20100316_TNA26Tucker.pdf (accessed June 16, 2019).

This article gives a brief and relevant overview of the past use of chemical weapons in warfare, as well as a glimpse of the current use by national governments in the Middle East, Asia, and the United States. This

article provides a glimpse into how the world governs the expansion of chemicals into other Member States, either by means of counterterrorism or the use of chemicals in everyday products such as fertilizers. How chemicals are used in both of these settings are important and relevant to how the OPCW and other groups such as the Australia Group operate to control the use of chemicals. Reading this article will help the reader understand the current challenges in controlling how chemical are traded and governed as well as how intergovernmental organizations work to regulate the trade of chemicals. This is important to note for delegates because of the need to understand how a simple trade of a fertilizer or the development of antiterrorism weapons can lead to the development and re-emergence of chemical weapons into modern warfare. How the OPCW works to respond to these is important to note in prevention methods by Member States.

II: Ensuring the Destruction of Abandoned Chemical Weapon Stockpiles in Post-Conflict Environments

Organisation for the Prohibition of Chemical Weapons, "OPCW Director-General's Statement on the UN Final Report on Chemical Weapons Use in Syria" https://opcw.unmissions.org/opcw-director-generals-statement-un-final-report-chemical-weapons-use-syria (accessed July 30, 2019).

With an 84-page report, the former OPCW Director-General expresses his deep concern based on the findings of the UN Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic which indicate that chemical weapons are still in use in Syria. Ambassador Üzümcü reiterates the UN's commitment to ensuring chemical weapons leave Syria permanently. This document assists delegates by showing the consequences Member States face for violating the CWC. It also outlines some of the ways the evidence was found. By recognizing how international actors are able to determine whether a Member State is using chemical weapons or not, delegates should better be able to address the risks associated with those methods. This should, ideally, lead to fresh ways of thinking in order to resolve the issue in a new way.

Trapp, Ralf. "Worldwide Efforts to Locate and Destroy Chemical Weapons and Weapons Material: Minimizing Risk in Transport and Destruction." *Living in a Chemical World: Framing the Future in Light of the Past*, Vol. 1076, Issue 1 (2006): 527-539. https://nyaspubs.onlinelibrary.wiley.com/doi/abs/10.1196/annals.1371.040

This article evaluates how the OPCW finds and destroys chemical weapons. This one focuses on the OPCW and inner workings of the agency in order to detect and eliminate chemical weapons. Most importantly, the article reveals how the verification of the destruction of all chemical weapon stockpiles. This article provides an important context of the current way the OPCW disposes of chemical weapons, and insight on how this process has inherent flaws and risk assessments that can be improved upon to work better in the future. Additionally, the article provides more definition to common differentiates between types of chemicals that have to be destroyed and the process for them.

Walker, Paul F. "A Century if Chemical Warfare: Building a World Free of Chemical Weapons." *One Hundred Years if Chemical Warfare: Research, Deployment, Consequence*, (2017): 379-400. https://link.springer.com/chapter/10.1007/978-3-319-51664-6_20

This article gives a current look at how fast the destruction of chemical weapons stockpiles are being reduced. Additionally, the author notes key players such as the United States and Russia who have the most chemical weapons stockpiled and the progress of destroying their stockpiles. The article also looks at the current situation in Syria and how on both the sides of terrorist organizations such as ISIS and of the Syrian government, that there has been a need to end and ensure the destruction of their chemical weapons. This article is important to develop a general understanding of the number of chemical weapons that the governments around the world still have, and how much progress still needs to be made in order to complete eradicate chemical weapon stockpiles.

Walker, Paul F. "Abolishing Chemical Weapons: Progress, Challenges, and Opportunities." *Arms Control Today*, Vol. 4, Iss. 9 (2010): 22-30. https://search.proquest.com/openview/cd82ff3fde274f40bb1a9ac702c8d8d1/1?pq-origsite=gscholar&cbl=37049

This article will help increase the reader's knowledge on the process of how chemical weapons are destroyed in the modern political climate. Since the creation of the OPCW, there has been the consensus reached by the international community that chemical weapons must be destroyed, but this article addresses the specifics in how chemical weapons are destroyed, the verification of their destruction, and how the OPCW works to detect these weapons if used in modern day warfare. Additionally, Walker addresses the difficulties and troubleshooting that the OPCW encounters when trying to eradicate these weapons.