

Experiences from the CBW regime in dealing with the problem of dual use

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Preambles to BWC and CWC

“Determined for the sake of all mankind to exclude completely” the possibility of chemical and biological weapons being used

'Dual use'

Tangible **and** intangible features of technologies that can be applied to purposes other than those that were originally intended

Used as shorthand to describe the potential for technologies with legitimate civilian uses to aid the proliferation of prohibited military technologies

Legal definition of a biological weapon

Microbial or other biological agents or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes

Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict

Article I Biological Weapons Convention

Legal definition of a chemical weapon

Chemical Weapon means the following, together or separately:

- (a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as 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)

Article II Chemical Weapons Convention

Industry and the CWC

Historical record provides evidence of there being an intimate link between industry and past offensive programmes

Became evident industrial participation was required to have confidence that all States were complying with their obligations

The enrolment and constructive participation of industry was not a given. 'Pushes' were required

Details to be found in Parts VI-IX of CWC's Verification Annex

Controlled chemicals

Schedule 1 chemicals have been or can be easily used as chemical weapons and which have very limited, if any, uses for peaceful purposes

Schedule 2 chemicals include those that are precursors to, or that in some cases can themselves be used as, CW agents, but which have a number of other commercial uses

Schedule 3 chemicals include those that can be used to produce, or can be used as, chemical weapons, but which are widely used for peaceful purposes

‘Discrete Organic Chemicals’ any chemical not listed belonging to the class of chemical compounds consisting of all compounds of carbon except for its oxides, sulfides and metal carbonates

Declared facilities v inspection rates

Type of facility	Declared facilities as of 31 st Dec 2013	Facilities subject to inspection
Schedule 1	26	26
Schedule 2	462	192
Schedule 3	433	399
OCPF	4390	4284
Total	5311	4901

Total number of inspections per year

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
85	132	150	162	180	200	200	208	208	209	219	229

Source: Report of the OPCW on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in 2013, C-19/4, 3rd December 2014

Innovative practices

The inter-sessional process has become a space for sharing lessons learned and best or better practices

Many governance practices are not necessarily arms control related:

- Health and safety regulations and environmental regulations

- REACH & Responsible Care

- Standards on good laboratory practice and risk management

- Codes of conduct and peer review mechanisms

- Outreach and educational initiatives

Together with the BWC and CWC they form the ‘web of prevention’

a set of complementary and synergistic activities involving all users and producers of science and technology to manage a complex issue

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