

PREPARING FOR SUCCESS AT THE FIFTH REVIEW CONFERENCE OF THE CHEMICAL WEAPONS CONVENTION: A GUIDE TO THE ISSUES

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EXECUTIVE SUMMARY

- Since the entry-into-force of the Chemical Weapons Convention (CWC) in April 1997, a Review Conference has been conducted **every five years**, beginning in 2003. The Fifth CWC Review Conference (RC-5) is scheduled to take place from 15 to 19 May 2023 in The Hague.
- Review Conferences provide an important opportunity both to **look back** at treaty implementation during the concluding five-year period, and to **chart the course** of the future operation of the CWC. Given the short duration of RC-5 (only one week), opportunity for a detailed discussion during the Review Conference itself will be somewhat limited. Prior preparation will therefore be important.
- The quinquennial CWC Review Conferences do not take place in isolation. On the one side, in addition to the guidance provided in the Convention itself for conducting Review Conferences, they are embedded in a preparatory process that begins at least one year before the actual event. **Key elements of this preparatory phase** are:
 - the work of the Open-ended Working Group (OEWG) to prepare a Review Conference, which, in the case of RC-5, was established by the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council in March 2022;
 - the customary report issued by the Scientific Advisory Board (SAB), containing an analysis of relevant developments in science and technology over the past five years and corresponding recommendations for the future operation of the Convention;
 - a summary of the operation of the Convention since the previous Review Conference produced by the Technical Secretariat;
 - other events in preparation for the Review Conference, which provide opportunities for deliberation among CWC States Parties or a subset thereof; and
 - contingency planning by office holders and the Secretariat, to account for any departure from the most effective and efficient conduct of preparations for the Review Conference itself.
- On the other side, the current **global context** has the potential to significantly shape the outcome of both the review and the provision of guidance by CWC States Parties for the future operation of the Convention. The context in which RC-5 will take place is characterized by:
 - a challenging geopolitical environment, which has been negatively influenced by the invasion of Ukraine, with significant ramifications for arms control and disarmament agreements;
 - the approaching end of the verified destruction of all declared chemical weapons (CW) stockpiles;
 - the continuing salience of the threat of CW use by non-State actors, such as terrorist groups; and
 - the ongoing scientific and technological advances of relevance to the Convention, both in chemistry and associated, converging fields.
- **Processes and procedures** for Review Conferences are based on the Rules of Procedure for the regular Conference of the States Parties (CSP) sessions, of which Review Conferences are a special case. The programme of work of the Fifth Review Conference can be expected to follow previously established practice, building on the preparatory work of the OEWG and utilizing the Committee of the Whole to work toward a final outcome document.

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- **Documents and working papers**, mostly produced by CWC States Parties, but also by the Technical Secretariat and the SAB, are part of the review process itself and provide another element for a successful review outcome. The earlier national position papers are put forward, the more time is available to discuss these and find common ground on salient issues.
- There are several **key participants** that contribute to the review process and to the Conference itself. The Chairperson is instrumental in guiding the Conference to a successful outcome, as are other elected officials, such as the Chairperson of the OEWG to prepare the Review Conference. The Technical Secretariat and stakeholders from industry, non-governmental organizations and civil society also provide key inputs.
- As with previous Review Conferences, RC-5 will see some **key issues** debated by States Parties that will influence the outcome of the event. Most likely these issues will include:
 - international cooperation and assistance under the Convention;
 - allegations of CW use in Syria and elsewhere;
 - the future of verification measures following the end of the verified destruction of declared CW stockpiles; and
 - organizational matters, such as those related to the new Centre for Chemistry and Technology, the OPCW's tenure policy and gender issues.
- The **outcomes** of past Review Conferences have varied over time. Not all have been successful to the point of agreeing on a consensus outcome document providing strategic guidance for the next five years—RC-4 being a case in point. Against this background, this report presents five possible outcome scenarios and briefly discusses their advantages and disadvantages. These are laid out in Table 1 below:

Outcome 1	The ideal scenario of a substantive, strategically oriented outcome document adopted by consensus.
Outcome 2	A repeat of RC-4 outcome with a chairperson's report containing the major developments in CWC implementation and reflecting deliberations during the review process.
Outcome 3	A variation of the previous scenario with additional RC-5 decisions on bounded issues of strategic importance.
Outcome 4	Adoption of a watered-down outcome document by consensus.
Outcome 5	Adoption of a substantial outcome document by vote.

- In concluding, the report presents some **recommendations** for CWC States Parties and other relevant stakeholders. These recommendations, which are elaborated upon in section ten of this report, are not meant to be exhaustive and include the following points:

- 1 Start **preparations** for Review Conferences as early as possible, including through the development of **contingency plans** in case the most desired outcomes cannot be achieved.
- 2 Provide for the continued existence of **opportunities for deliberation for all States Parties** to build on the work of the OEWG, for example through workshops and events.
- 3 Focus on how the **voices of all States Parties** can effectively inform how to strengthen implementation of the Convention. **Hybrid meetings** are a useful tool in this context.
- 4 Enhance existing **linkages with industry and civil society** to further strengthen the implementation of the Convention.
- 5 Recognise that **international cooperation and assistance** will remain one of the key features of the Convention. Chemical safety and security-related activities could be considered as a focus in this area around which consensus could be built.
- 6 Consider the future of the CWC **verification system**, to ensure the OPCW remains the repository of knowledge and expertise for CW and their destruction, and with a view to reviewing and updating the Article VI regime.
- 7 Provide strategic guidance and sustainable funding for the new **Centre for Chemistry and Technology**.
- 8 Establish a formal process to consider, evaluate and potentially amend the Organisation's **tenure policy**.
- 9 Reaffirm commitment to **gender equality** in technical and policy discussions, support initiatives that combat gender stereotypes and promote diversity, and develop assistance with embedded gender perspectives.
- 10 Recognize that success at RC-5 may take different forms. While State Parties might find consensus to be elusive, there are **opportunities to develop positive outcomes** that can provide issue-specific collective strategic guidance.