

THE CHEMICAL WEAPONS CONVENTION AFTER ITS FIFTH REVIEW CONFERENCE: KEY ISSUES FOR THE EUROPEAN UNION

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INTRODUCTION

The European Union (EU) has stated that in the context following the Fifth Review Conference (RevCon5) of the 1993 Chemical Weapons Convention (CWC), it will 'spare no effort to continue to promote the full and effective implementation of the Convention'.¹ Indeed, an active and creative EU is more important than ever for the CWC, although careful consideration of how to maximize impact in the current geopolitical context is needed.

RevCon5, which was held in May 2023, marked the culmination of a year-long process and provided an opportunity to strengthen CWC implementation and refocus the work of the Organisation for the Prohibition of Chemical Weapons (OPCW). States parties triggered the preparatory process for RevCon5 in March 2022 by establishing the Open-Ended Working Group of the Fifth Review Conference (OEWG-RC). Between June 2022 and April 2023, the OEWG-RC held 22 meetings, reported regularly on its work to the OPCW policy-making organs, those being the Executive Council (EC) and the Conference of States Parties (CSP), and received many inputs from the OPCW Technical Secretariat (TS), states parties and stakeholders, including the EU.²

However, despite over 12 months of preparatory work, states parties were unable to reach consensus on key issues. Consequently, it was not possible to

¹ European Union, Statement of the European Union by HE Ambassador Marjolijn van Deelen, Special Envoy for Disarmament and Non-Proliferation, European External Action Service, at the fifth review conference of the conference of states parties to the Chemical Weapons Convention under agenda item AOB, 22 May 2023.

² OPCW, Review Conference, Report of the Chairperson of the working group for the preparation of the fifth review conference, WGRC-5/1, 25 Apr. 2023; and OPCW, Review Conference, Communication of a participant in the meetings with the authors, 25 Apr. 2023.

SUMMARY

This paper analyses key issues for the European Union (EU) regarding the 1993 Chemical Weapons Convention (CWC) after the 2023 Fifth Review Conference. It reviews the EU's longstanding support to strengthen CWC implementation across five areas: upholding the norm against chemical weapons use; adapting the verification regime; capacity building; organizational governance; and external engagement. The paper then identifies specific challenges and opportunities post-review conference in these priority areas and provides targeted recommendations for the EU to leverage its influence and resources through diplomatic pressure, funding instruments, partnerships and reform advocacy. The paper argues that the EU can play an enhanced role to address polarization, deliver accountability for violations and strengthen the impact of the Organisation for the Prohibition of Chemical Weapons' implementation support. Creative and determined EU efforts are essential to revitalize norms, build capacity, enable organizational change/evolution and strengthen partnerships for more effective CWC implementation.

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Table 1. European Union financial contributions to the Organisation for the Prohibition of Chemical Weapons, 2004–23

All figures are in Euros.

Year	Funding instruments	Value of funding
2004	Council Joint Action (CJA) 2004/797/CFSP	1 841 000
2005	CJA 2005/913/CFSP	1 697 000
2007	CJA 2007/185/CFSP	1 700 000
2009	Council Decision (CD) 2009/569/CFSP	2 110 000
2012	CD 2012/166/CFSP	2 140 000
2013	CD 2013/726/CFSP	2 311 842
2015	CD CFSP 2015/259	2 528 069
2015	CD CFSP 2015/2215	4 586 096
2017	CD CFSP 2017/2303	1 003 717
2019	CD CFSP 2019/538	11 601 256
2021	CD CFSP 2021/1026	2 151 823
2021	CD CFSP 2021/2073	1 593 353
2023	CD CFSP 2023/1344	5 350 000
Total		40 614 156

Sources: Council Joint Action 2004/797/CFSP of 22 Nov. 2004 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; Council Joint Action 2005/913/CFSP of 12 Dec. 2005 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; Council Joint Action 2007/185/CFSP of 19 March 2007 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision 2009/569/CFSP of 27 July 2009 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision 2012/166/CFSP of 23 Mar. 2012 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision 2013/726/CFSP of 9 Dec. 2013 in support of the UNSCR 2118 (2013) and OPCW Executive Council EC-M-33/Dec.1, in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision (CFSP) 2015/259 of 17 Feb. 2015 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision (CFSP) 2015/2215 of 30 Nov. 2015 in support of UNSCR 2235 (2015), establishing an OPCW-UN joint investigative mechanism to identify the perpetrators of chemical attacks in the Syrian Arab Republic; European Council, Council Decision (CFSP) 2017/2303 of 12 Dec. 2017 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU Strategy against proliferation of weapons of mass destruction; European Council, Council Decision (CFSP) 2019/538 of 1 Apr. 2019 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision (CFSP) 2021/1026 of 21 June 2021 in support of the Cyber Security and Resilience and Information Assurance Programme of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; European Council, Council Decision (CFSP) 2021/2073 of 25 Nov. 2021 in support of enhancing the operational effectiveness of the Organisation for the Prohibition of Chemical Weapons (OPCW) through satellite imagery; and European Council, Council Decision (CFSP) 2023/1344 of 26 June 2023 in support of enhancing the operational effectiveness of the Organisation for the Prohibition of Chemical Weapons (OPCW).

reach consensus, within the week of RevCon5, on a substantial outcome document to guide the OPCW's work for the next five years. In place of a substantive outcome document, a procedural report was issued by

the RevCon5 chairperson.³ Although this procedural

³ OPCW, Review Conference, Report of the fifth special session of the conference of the states parties to review the operation of the Chemical Weapons Convention (Fifth Review Conference), RC-5/3, 7 June 2023.

report does not contain any strategic guidance for the OPCW, it makes reference to the productive substantive discussions held in the run-up to RevCon5 and at the conference itself.

Review conferences allow states parties to look beyond the day-to-day work and focus on strategic issues. As such, the process of cultivating an overarching, strategic consensus outcome document pulls from the front, laying a common ground for the OPCW to follow over the next quinquennial period. In the absence of a strategic outcome document, the biennial programme and budget of the OPCW continue to guide its operations. Crucially, without a strategic outcome document, the positions, ideas and recommendations made during the review process can be drawn upon by states parties to push the OPCW forward, even without the strategic pull.

Although not a state party, the EU has a 'close and collaborative partnership' with the OPCW.⁴ As part of its strategy against weapons of mass destruction, the EU galvanizes its member states' efforts in the OPCW and, although it does not have any voting rights as an actor in its own right, it regularly commits voluntary funding to the OPCW budget to exert influence in key areas.⁵ This political and financial support is part of a broader approach including, inter alia, the EU Chemical, Biological, Radiological and Nuclear Centre of Excellence initiative, and the EU sanctions regime.⁶

In section I, the paper presents an overview of the EU's support for the OPCW and CWC implementation over time and leading up to RevCon5. The section clarifies how the EU has sought to shape and steer implementation of the CWC in five key areas. CWC states parties and observers alike have traditionally regarded these key areas as central elements of CWC implementation. In addition, these areas have witnessed challenges to the norms guiding state party behaviour and may require creative new approaches to adapt CWC implementation to changing

circumstances.⁷ The five key areas are preservation of the global norm against the use of chemical weapons; implementing and adapting the CWC verification system; strengthening capacity building and international assistance; organizational governance; and enhancing the OPCW's external engagement.

In light of the outcomes of CSP28, held in November 2023, which was overshadowed by ongoing polarization among CWC states parties and outright obstruction by a small number of them, section II identifies the challenges and opportunities for CWC implementation as states parties and the OPCW seek to chart the path ahead in the context following RevCon5. The EU's efforts so far to protect the integrity and effectiveness of CWC implementation need to be intensified to augment the EU's influence. The section considers both the practical and financial requirements to build on its commitments and deliver impact. Section III provides some action-oriented recommendations that may allow the EU to convert its long-standing support into specific outcomes and impacts consistent with the positions it holds that are identified in the preceding section.

I. KEY AREAS OF EU SUPPORT FOR THE OPCW AND CWC IMPLEMENTATION

All EU member states are CWC states parties, and all comply with CWC obligations and pay their assessed contributions to the OPCW on time and in full. Since entry into force of the CWC in 1997, the EU has increasingly emerged as a collective actor and has, for example, developed EU council positions before CWC review conferences and made substantial financial contributions to the OPCW (see table 1), in addition to the regular assessed contributions of EU member states. While not all financial data is in the public domain, table 1 shows the continuity and value of EU funding from the Common Foreign and Security Policy budget.⁸ The EU is not a state party, and therefore

⁴ Arias, F., Keynote speech at the EU Non-Proliferation and Disarmament Conference, 'The CWC after the fourth review conference', Brussels, 18 Dec. 2018.

⁵ Council of the European Union, 'Fight against the proliferation of weapons of mass destruction: EU strategy against proliferation of weapons of mass destruction', 15708/03, 10 Dec. 2003.

⁶ European Union 'CBRN centres of excellence', Fact Sheet, V10, June 2023; and Portela, C. and Olsen, K., 'Implementation and monitoring of the EU sanctions' regimes, including recommendations to reinforce the EU's capacities to implement and monitor sanctions', European Union, Oct. 2023. However, an analysis of this broader set of policy measures is beyond the scope of this paper.

⁷ Kelle, A. 'The CWC at 25: From verification of chemical-weapons destruction to attribution of their use', *Nonproliferation Review*, vol. 28, no. 4–6 (2021).

⁸ Council Common Position 2007/469/CFSP of 28 June 2007 relating to the 2008 Review Conference of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction; European Council, Council Decision 2012/712/CFSP of 19 Nov. 2012 relating to the 2013 Review Conference of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC); Council of the European Union, 'Council Conclusions on chemical disarmament and non-proliferation with a view towards the

its voluntary financial contributions are its most important tool in seeking to influence and strengthen implementation.

Preserving the global norm against the use of chemical weapons

The use of chemical weapons (CW) is prohibited under customary international humanitarian law.⁹ Article I of the CWC further codifies and extends this prohibition for states parties to ‘never under any circumstance’ use CW.¹⁰ The EU has consistently supported the norm against CW use. At RevCon1 in 2003 the EU stressed that ‘this prohibition is the very basis of the Convention and there can be no room for compromise.’¹¹

From RevCon3 in April 2013, the EU shifted from expressing principled support to greater focus on the repeated CW use in Syria.¹² The EU also expressed its ‘regrets and serious concerns’ that the RevCon3 report did not reflect the gravity of the situation, which was largely due to the Russian refusal to accept stronger language.¹³

By RevCon4 in 2018, echoing many CWC states parties’ concerns over violations of the non-use norm, the EU urged the conference ‘to hold perpetrators to account and prevent further erosion of the non-use

norm’.¹⁴ The EU welcomed the decision taken at the fourth special session of the CSP on 27 June 2018 and called for ‘new measures to strengthen the norm against the use of chemical weapons’.¹⁵

Between RevCon4 and RevCon5, several CW use cases dominated debates at the OPCW. In April 2021, this led to an unprecedented CSP decision addressing CW use in Syria, the first CWC state party of concern. The EU and its member states were among the 46 sponsors of the decision.¹⁶ The decision allowed the OPCW to take additional steps towards accountability for CW use in Syria, including suspending some of the country’s rights and privileges under the CWC.¹⁷

The second major area of CW use concerns Russia’s use of novichok nerve agents against Sergey Skripal, a former Russian spy, in the United Kingdom in March 2018 and Alexei Navalny, Russian opposition leader, in August 2020. The EU condemned the assassination attempts and repeatedly asked Russia for clarification of the matter.¹⁸ Russia rejected a formal clarification request and flatly denied being involved in the Navalny poisoning.¹⁹ Instead, Russia criticized OPCW Director-General Fernando Arias for his statement on the Navalny poisoning and accused France, Germany, Sweden and the UK of conspiring against the country. Consistent with its own peculiar logic, Russia asked these countries to provide information about the novichok poisonings that most observers agree

fourth special session of the conference of the states parties to review the operation of the Chemical Weapons Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction’, 7862/18 16 Apr. 2018; Council of the European Union, ‘Council conclusions on the 5th review conference of the Chemical Weapons Convention’, 6573/23 20 Feb. 2023; and Maletta, G., ‘EU technical and financial support for security-related multilateral organizations such as the OPCW and the IAEA’, *Literature Review for the Policy and Operations Evaluations Departments of the Dutch Ministry of Foreign Affairs* (IOB: The Hague, 2017), p. 187.

⁹ Henckaerts, J.-M. and Doswald-Beck, L., *Customary International Humanitarian Law* (vol. 1): *Rules* (Cambridge University Press: Cambridge, 2010), pp. 259–63.

¹⁰ Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention, CWC), opened for signature 13 Jan. 1993, entered into force 29 Apr. 1997.

¹¹ Greece, Statement by the Head of the Delegation of Greece, Ambassador George J. Kaklikis, on behalf of the European Union, 28 Apr. 2003, p.2f.

¹² Ireland, Statement on behalf of the European Union delivered by HE Jacek Bylica, Principle Adviser and Special Envoy for Non-proliferation and Disarmament of the European External Action Service, at the third review conference, RC-3/NAT.50, 8 Apr. 2013, p. 2.

¹³ Ireland, Statement by HE Mary Wheelan, Permanent Representative of Ireland to the OPCW, on behalf of the European Union at the closing session of the third review conference, RC-3/NAT.55, 19 Apr. 2013, p. 1.

¹⁴ Austria, Statement on behalf of the European Union delivered by Mr Jacek Bylica, Special Envoy for Disarmament and Non-proliferation, at the fourth special session of the conference of the states parties to review the operation of the Chemical Weapons Convention, RC-4/NAT.23, 21 Nov. 2018, p. 2.

¹⁵ Bulgaria, Statement on behalf of the European Union delivered by Ms Judit Koromi, Chair of the Working Party on Non-Proliferation (Conop) of the Council of the European Union European External Action Service at the fourth special session of the conference of the states parties, C-SS-4/NAT.5, 26 June 2018, p. 2.

¹⁶ Norway, Joint Statement on behalf of forty-six member states of the OPCW delivered by HE Ambassador Bard Ivar Svendsen, Permanent Representative of the Kingdom of Norway to the OPCW at the twenty-fifth session of the conference of the states parties under agenda item 9(d), C-25/NAT.92 20 Apr. 2021.

¹⁷ OPCW, Conference of the States Parties, ‘Addressing the possession and use of chemical weapons by the Syrian Arab Republic’, Decision, C-25/DEC.9, 21 Apr. 2021.

¹⁸ Slovenia, Statement on behalf of the European Union delivered by HE Ambassador Sanja Štiglic, Permanent Representative of the Republic of Slovenia to the OPCW, at the ninety-seventh session of the Executive Council, EC-97/NAT.22, 6 July 2021, p. 3.

¹⁹ United Kingdom, Request for circulation of a document at the ninety-eighth session of the Executive Council, EC-98/NAT.7, 5 Oct. 2021.

Russia had committed.²⁰ However, not convinced by the Russian disinformation attempt, an even larger group of CWC states parties reiterated the call for clarification at the following CSP session in November 2021.²¹ This again remained unanswered by Russia.

In sum, the EU has been a strong supporter of the non-use norm in principle and with respect to OPCW efforts to hold perpetrators to account in specific cases. However, despite EU support, Syria has still not returned to compliance with the CWC, and clarification of the two attempted novichok poisonings remains pending.²²

Implementing and adapting the CWC verification system

The second key area of EU support concerns the CWC verification system. The verification of treaty compliant behaviour is central to CWC implementation. Verification provisions constitute by far the largest part of the treaty, and its annexes and related activities since CWC entry into force in 1997 have consumed most of the OPCW's annual budgets.

In the early years of treaty implementation, the EU highlighted the importance of both routine verification activities under CWC Article VI, such as industry inspections, and non-routine verification measures, such as challenge inspections and investigations of alleged use according to CWC Articles IX and X, respectively. In relation to routine verification, the EU noted at RevCon1 in 2003 that the still outstanding United States industry declaration was preventing a fair, 'credible and cost-efficient' inspection system for all.²³ Concerning non-routine verification measures, the EU emphasized that states parties must be able to use challenge inspections without preconditions or delays. In a working paper on the topic the EU refuted the argument that a challenge inspection would have to be preceded by a consultation and clarification procedure, as for example argued by

²⁰ Russian Federation, Request for circulation of a document at the ninety-eighth session of the Executive Council, EC-98/NAT.13, 2 Nov. 2021.

²¹ Bulgaria, Joint statement on behalf of 55 states parties delivered by HE Ambassador Krassimir Kostov, Permanent Representative of Bulgaria to the OPCW at the twenty-sixth session of the conference of the states parties under agenda item 9(d), 29 Nov. 2021.

²² See Kelle, A., 'Adding novichok nerve agents to the CWC Annex on Chemicals: A technical fix and its implications for the chemical weapons prohibition regime', UNIDIR, 2022.

²³ Greece (note 11), p. 3.

China, which voiced concerns about the abuse of challenge inspection provisions.²⁴ The EU reiterated its views on challenge inspections in the RevCon2 council common position in 2008.²⁵ At RevCon3 in 2013 the EU identified the need to adapt the routine verification system under Article VI in order to 'ensure no chemical weapons are developed or produced under the guise of purposes not prohibited under the Convention'.²⁶

Following RevCon3, the EU gave support to the OPCW to establish and operate new verification tools in response to repeated CW use in Syria and gaps in the Syrian declaration to the OPCW.²⁷ The EU also supported the joint OPCW–United Nations investigative mechanism, set up in 2015 by the UN Security Council with the mandate to attribute CW use. After Russia blocked the mechanism's continuation beyond November 2017 and following the CW use in the Skripal case, in March 2018, the EU statement at the fourth special session of the CSP in June 2018 emphasized that 'the question of attribution can and should be addressed by the OPCW'.²⁸

Another significant adaptation of the CWC verification system took the form of a CWC schedule amendment, which was triggered by the novichok attack in the UK.²⁹ When the CSP adopted the schedule amendment in November 2019, the EU stressed the need for the CWC to 'remain responsive to new and emerging threats' and hence supported the consensual adoption of changes to Schedule 1.³⁰ The schedule amendment went into effect only two months before the assassination attempt on Navalny, which used a nerve agent of the novichok family that was not included in the schedule change but that

²⁴ OPCW, Conference of the States Parties, 'The People's Republic of China—Position paper: Challenge inspection', RC-2/NAT.2, 25 Mar. 2008.

²⁵ Council Common Position 2007/469/CFSP (note 8), p. 1.

²⁶ Ireland (note 12), p. 3.

²⁷ Italy, Statement on behalf of the European Union delivered by Mr Jacek Bylica, Principal Advisor and Special Envoy for Non-proliferation and Disarmament at the nineteenth session of the conference of the states parties, C-19/NAT.13, 1 Dec. 2014.

²⁸ See McLeish, C., 'The Skripal case: Assassination attempt in the United Kingdom using a toxic chemical', *SIPRI Yearbook 2019: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2019), pp. 408–17; and Bulgaria (note 15), p. 2.

²⁹ Kelle (note 22).

³⁰ Finland, Statement on behalf of the European Union delivered by HE Ambassador Mika-Markus Leinonen, EU Liaison Officer to The Hague, at the twenty-fourth session of the conference of the states parties, C-24/NAT.48, 25 Nov. 2019, p. 3.

was structurally similar to the chemicals that were included.³¹

In the approach to RevCon5, the EU paid growing attention to the ‘enhancement and adaptation of the CWC’s verification system’.³² The improvements suggested by the EU would ideally involve adapting the industry verification processes to reflect changes in the chemical industry and advances in science and technology. At the same time, the improvements would preserve and enhance the ability of the TS to conduct CW-related inspections (at sites of old and abandoned CW, and in the case that one of the four hold-out states would join the CWC as a CW possessor) and investigations of suspected CW use.

Strengthening capacity building and international assistance

The EU has demonstrated that capacity building is a key area of focus by continuously provided funding for capacity-building activities in support of various obligations, such as national implementation, assistance and protection against the threat of CW, and toward international cooperation. The EU has emphasized that support for capacity building is ‘not an end-in-itself’ but rather serves to strengthen these various implementation obligations in often interconnected ways.³³

The EU provided targeted funding of over €1.5 million for national implementation activities as part of the first Council Joint Action (CJA) in 2004.³⁴ Subsequent CJAs maintained this focus: the 2005 CJA provided €1.5 million, while that of 2007 provided €1.2 million.³⁵ Within the targeted funding, the EU has identified areas of priority, as a way to ensure capacity-building efforts complement one another.

³¹ See the overview on the OPCW webpage. OPCW, ‘Featured topic: Case of Mr Alexei Navalny’, [n.d.].

³² Council of the European Union, 6573/23 (note 8), p. 10.

³³ Greece (note 11), p. 3; and Netherlands, Note by the Kingdom of the Netherlands on behalf of the European Union, Joint action on support for OPCW activities in the framework of the EU Strategy against Proliferation of Weapons of Mass Destruction, C-9/NAT.2, 29 Nov. 2004.

³⁴ Council Joint Action 2004/797/CFSP of 22 Nov. 2004 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

³⁵ Council Joint Action 2005/913/CFSP of 12 Dec. 2005 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; and Council Joint Action 2007/185/CFSP of 19 Mar. 2007 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

For example, at RevCon2 in 2008, the EU emphasized improving national export controls and international cooperation.³⁶ Perhaps most significantly, from 2009, the EU began its now long-standing support of the OPCW’s Africa Programme.³⁷

By 2013, the focus of capacity-building efforts was expanding to include new themes and topics. The new themes and topics were driven in part by discussions about the future priorities of the OPCW and strategic thinking about how to prevent re-emergence of CW; the emergence of allegations of CW use in Syria also raised questions about assistance and protection. The EU’s common position at RevCon3 had elements that appear both responsive and forward looking in these contexts; long-standing issues, such as national protective programmes and national implementation, sat alongside relatively novel concepts, such as chemical safety and security.

The EU, during this period, was a relative early mover in its emphasis on the *effectiveness* of capacity-building activities, not just their variety. That capacity building should follow a ‘tailor-made approach, grounded in local realities’ has since gained traction.³⁸ Indeed, the 2015 and 2019 council decisions revealed that the EU expected capacity-building funding to be used for a variety of activities but to have demonstrable local relevance.³⁹ To an extent, the dimensions of variety, effectiveness and contextual relevance manifest themselves through the EU’s funding and support for the development of the Centre for Chemistry and Technology (CCT).⁴⁰ The CCT brings various benefits to the OPCW, and the EU has emphasized the benefits that deepen capacity-building efforts. Indeed, the

³⁶ Slovenia, Statement by Ms Anita Pipan, Director General for Policy Planning and Multilateral Political Relations, Ministry of Foreign Affairs, Republic of Slovenia, on behalf of the European Union and associated countries, to the second special session of the conference of the states parties to review the operation of the chemical weapons convention, RC-2/NAT.13, 7 Apr. 2008, p. 4.

³⁷ European Council, Council Decision 2009/569/CFSP of 27 July 2009 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

³⁸ Ireland (note 12), p. 3.

³⁹ European Council, Council Decision (CFSP) 2015/259 of 17 Feb. 2015 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction; and European Council, Council Decision (CFSP) 2019/538 of 1 Apr. 2019 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

⁴⁰ Finland (note 30).

CCT may—if its potential is fully leveraged—come to represent the EU’s vision of OPCW capacity building; the EU has been the CCT’s single biggest donor, and its establishment embodies the aim of better interlocking various capacity-building activities and projects in a more coordinated fashion.

The European Council conclusions ahead of RevCon5 suggest the EU continues to believe that capacity building underpins the full and effective implementation of the CWC. Chemical terrorism and prevention and response to chemical terrorism shape the EU’s positioning, with the CCT ‘augmenting’ assistance and protection efforts; core activities such as the Africa Programme remain in focus. Of particular note, however, is the EU’s focus on the administration of capacity building and its request for the TS to further enhance an integrated approach, ‘overcoming the article-by-article programming whenever possible’.⁴¹ The EU’s opening statement at RevCon5 further underlined the EU’s position that the OPCW can be a kaleidoscopic organization with the CCT as capacity-building lodestar: ‘As a force-multiplier, the Centre will play a pivotal role in the implementation of the Convention by leveraging synergies between verification, training, and capacity-building efforts.’⁴²

Organizational governance

Key factors in organizational governance include structure, leadership, culture, policies, processes and adaptation to evolving strategic priorities and external environments. The OPCW’s attention on remaining fit-for-purpose in these regards has fluctuated, rising in periods when destruction activities were projected to end and ebbing when destruction deadlines were extended. However, the use of CW by states and non-state actors, the establishment of non-routine operations and the completion of routine destruction mandates have drawn increased attention to operational and strategic needs from various states parties, the EU and external experts.⁴³

⁴¹ Council of the European Union, 6573/23 (note 8).

⁴² European Union, Statement of the European Union by HE Ambassador Marjolijn van Deelen, Special Envoy for Disarmament and Non-Proliferation, European External Action Service, at the fifth review conference of the conference of states parties to the Chemical Weapons Convention under agenda item 7, 22 May 2023.

⁴³ OPCW, Review Conference, ‘Open-ended working group on future priorities of the OPCW: Recommendations to the fourth special session of the conference of the states parties to review the operation of the Chemical Weapons Convention’, RC-4/WP.1, 16 July 2018.

Between RevCon3 in 2013 and RevCon4 in 2018, the EU recognized the need for the OPCW to maintain disarmament expertise and capacity while adapting to new security environments and future challenges.⁴⁴ The EU’s financial contributions during this period attest to its support for organizational development alongside more tangible outcomes. For example, the EU funded work to implement lessons learned from the Syria missions in February 2015 and funded the provision of satellite imagery products to reinforce ‘capacity of OPCW staff in conducting imagery product exploitation [and] analysis’.⁴⁵ These investments flowed from a recognition that had grown since the early 2010s, by the EU and other states parties, that the OPCW must ‘retain adequate verification capabilities [and have] staff with the necessary skills, expertise and experience’.⁴⁶ From as early as 2016 the EU stressed that ‘some limited revision to the tenure policy’ may be necessary and stated in 2018 that it was ‘prepared to engage in consultations’ in this regard.⁴⁷ At RevCon4, the EU positioned itself in the vanguard of states parties talking more seriously about organizational governance, including on knowledge management and retention, ‘a professional, objective, and up-to-date’ TS, geographical and gender balance, and improvements to the tenure policy.⁴⁸

Following RevCon4, the EU committed significant funds to the CCT as a key buttress for securing the future relevance of the OPCW through capacity building not only as mentioned above but also through delivering state-of-the-art capabilities to the TS and underpinning verification activities. Indeed, ensuring ‘an organisation that remains fit for purpose’ was a prominent rationale within three out of six of the core

⁴⁴ European Council, Council Decision 2012/712/CFSP (note 8).

⁴⁵ European Council, Council Decision (CFSP) 2015/259 (note 39); and European Council, Council Decision (CFSP) 2017/2303 of 12 Dec. 2017 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU strategy against proliferation of weapons of mass destruction.

⁴⁶ Luxembourg, Statement on behalf of the European Union delivered by Mr Jacek Bylica, Principle Advisor and Special Envoy for Non-proliferation and Disarmament, at the twentieth session of the conference of the states parties, OPCW C-20/NAT.46, 30 Nov. 2015.

⁴⁷ Slovakia, Statement on behalf of the European Union delivered by Mr Jacek Bylica, Special Envoy for Non-proliferation and Disarmament, at the twenty-first session of the conference of the states parties, C-21/NAT.5, 28 Nov. 2016; and European Union, Statement of the European Union delivered by Mr Jacek Bylica, Special Envoy for Disarmament and Non-proliferation, at the fourth review conference, 21 Nov. 2018.

⁴⁸ Council of the European Union, 7862/18 (note 8).

projects in its 2019 €11.6 million funding package.⁴⁹ During the intersessional period, the voluntary funding provided for the CCT sought to increase operational efficiency, physical security, and credibility and standing, demonstrating the multi-purpose role the CCT plays in the view of the EU.

The RevCon5 European Council conclusions use strong language about organizational governance, suggesting that the EU's ambition to influence the form and function of the OPCW as it enters a more acute period of transitional focus was growing.⁵⁰ Indeed, the EU again underlined the need to amend the tenure policy, noting the need to benchmark this against other non-career disarmament international organizations. This underpins the EU's view that the OPCW must remain fit for purpose through a 'fully operational Technical Secretariat, equipped with necessary knowledge and expertise'. As with many states parties, the EU has focused on the need to achieve a geographically diverse TS and has significantly strengthened its language around gender as 'necessary to fulfilling the mandate of the OPCW', recognizing that efforts to this end also require 'further actions towards gender equality'.⁵¹ RevCon5 demonstrated the continuity, and growing focus, of the EU's efforts to both augment organizational form and carve space for influencing its functions and outputs.

Enhancing external engagement

External engagement is not a new concept in the context of the CWC. There has been engagement with industry actors since the negotiation of the CWC, although it has wavered in strength and varied in purpose.⁵² Institutional quilting—the creative coordination and integration of components from different organizations to collectively address emerging issues and adapt to changing external environments—has steadily increased between the OPCW and various other international bodies since at least 2000, and a range of civil society actors have

engaged with the OPCW over its lifetime.⁵³ However, states parties have exhibited fluctuating levels of interest in processes of engagement. The EU, however, has recognized that implementation of the CWC is a shared endeavour and has provided increasing financial and political support for engagement, which has over the years deepened and become more sophisticated.

Early EU funding supported relationship building with national authorities, scientific institutions and industry actors. The 2007 CJA sought to structure this through 'the creation of a collaborative framework', and the 2009 council decision emphasized 'synergies' with various external partners.⁵⁴ Indeed, the mercurial nature of sustained attention to OPCW outreach and engagement led the EU to stress, at RevCon4, that engagement with the chemical industry in support of verification and prevention of re-emergence was a priority. Moreover, the EU emphasized local contexts here, as well as in its support for capacity building, with stress on the importance of exploring and developing synergies with international, regional and subregional organizations.⁵⁵

The 2015 council decision continued to push for deepening relationships with national authorities, industry partners and, crucially, wider stakeholders across civil society. One such project, 'Universality and Outreach', represented a step-change in efforts toward engagement. Activities therein included translation and dissemination of education and outreach materials; an OPCW exhibition; youth outreach; support for non-governmental organization (NGO) participation in OPCW activities; and expanding the Fires documentary series.⁵⁶

Since then, the EU has consistently kept external engagement on the agenda. At RevCon4, the EU underscored the need for closer engagement with a range of stakeholders, and its subsequent funding provision underwrote a gamut of external engagement activities, many with a clear emphasis on women and youth.⁵⁷ The EU reflected the growing uneasiness felt

⁴⁹ European Council, Council Decision (CFSP) 2019/538 (note 39).

⁵⁰ Council of the European Union, 6573/23 (note 8).

⁵¹ Council of the European Union, 6573/23 (note 8).

⁵² OPCW, Conference of the States Parties, 'United Kingdom—The changing face of the chemical industry: Implications for the Chemical Weapons Convention', RC-1/NAT.9, 24 Apr. 2003; Sydnese, L. K., 'IUPAC, OPCW, and the Chemical Weapons Convention', *Chemistry International*, vol. 35, no. 4 (2013); and OPCW, Review Conference, RC-4/WP.1 (note 43).

⁵³ Ghionis, A., 'Change and continuity in the Organisation for the Prohibition of Chemical Weapons', Doctoral thesis, University of Sussex, 2021, p. 365ff; and Ghionis, A., 'The OPCW and civil society: Considerations on relevant themes and issues', Working Paper 10, CBWNet, 2023.

⁵⁴ European Council, Council Joint Action 2007/185/CFSP (note 35); and European Council, Council Decision 2009/569/CFSP (note 37).

⁵⁵ European Council, Council Decision 2012/712/CFSP (note 8).

⁵⁶ European Council, Council Decision (CFSP) 2015/259 (note 39).

⁵⁷ European Council, Council Decision (CFSP) 2019/538 (note 39).

by a number of states parties in regard to the arbitrary blocking of NGO access to the OPCW by an extreme minority of states parties. In doing so, the EU called for the implementation of the ECOSOC accreditation process for NGOs to push back against such practices.

The EU's RevCon5 council conclusions demonstrate an increasingly sophisticated approach to supporting engagement, suggesting the potential for an expansive perspective on what should be regarded as engagement. The EU's opening statement to RevCon5 noted 'the need for [civil society's] broadest possible, meaningful, and non-discriminatory participation'.⁵⁸ This speaks to the inherent value that these efforts can bring to strengthening the CWC if more fully explored and pursued.

II. THE CWC AFTER ITS FIFTH REVIEW CONFERENCE: CHARTING THE PATH AHEAD

The review in the previous section of the EU's five key areas of focus for CWC implementation up to RevCon5 demonstrates that over time the EU has targeted its support in a way that seeks to protect the integrity and effectiveness of both the CWC, as an international disarmament instrument that requires normative buy-in and capacity for broad implementation requirements, and of the OPCW, as an organization that must balance continuity of knowledge, skills and purpose with adaptations to internal and external challenges. The following subsections identify challenges and opportunities within the five areas identified previously that require continued attention. Specific proposals for fine-tuning, augmentation and amplification to deliver influence and impact following RevCon5 will be presented in the following section.

RevCon5 concluded on 19 May 2023 with the adoption of a procedural report and not a strategic outcome document. None of the other possible successful outcomes identified during the preparatory work were achieved.⁵⁹ This minimalistic result is largely attributable to the Russian refusal to adequately reflect developments around CW use in Syria and elsewhere since 2018 in the outcome document.

The failure of RevCon5 to reach a consensus outcome document provides a unique opportunity for the EU to influence CWC implementation in a context

devoid of strategic guidance. Progress made by the majority of states parties in defining interests and seeking points of convergence during RevCon5 and its preparatory process should embolden the EU to seek tangible outcomes.⁶⁰ In doing so, the EU could build on its existing strategic financial support by pursuing creative problem-solving rather than taking a business-as-usual approach. There are clear focal points in these key CWC implementation areas that provide such opportunities.

Preserving the global norm against chemical weapons

In the context following RevCon5, the EU has demonstrated that it continues to prioritize preserving the global norm against CW use. For example, the most recent EU council decision of July 2023 in support of the OPCW prominently features this. Two of the seven objectives in the decision revolve around the non-use norm of the CW prohibition regime. In particular, the objectives seek 'to prevent the re-emergence and reduce the threat of chemical weapons use [and] to respond effectively and credibly to chemical weapons use and allegations thereof'.⁶¹ Activities related to the second of these objectives 'will be centred on strengthening relevant verification measures and implementation of applicable decisions (inter alia EC-M-33/DEC.1; UNSC-R2118 (2013), C-SS-4/DEC.3, EC-94/DEC.2, and C-25/DEC.9) on addressing the threat from chemical weapons use'.⁶²

One of the challenges arising now in this area for the EU is how its rhetoric of no tolerance for impunity for any CW use will be followed up by concrete steps to achieve this in the Russian case.⁶³ The references to the four OPCW decisions and the UN Security Council Resolution 2118 in the council decision show clearly that the EU is prioritizing keeping focus on the Syrian CW file to counter any potential Syria fatigue. While it remains important to solve the outstanding issues

⁶⁰ OPCW, Review Conference, 'Reflections by HE Ambassador Henk Cor van der Kwast, Chairperson of the fifth review conference, on the outcome of the fifth review conference', EC-103/WP.1, 26 June 2023.

⁶¹ European Council, Council Decision (CFSP) 2023/1344 of 26 June 2023 in support of enhancing the operational effectiveness of the Organisation for the Prohibition of Chemical Weapons (OPCW).

⁶² European Council, Council Decision (CFSP) 2023/1344 (note 61), p. 6.

⁶³ European Union, Statement of the European Union by HE Ambassador Consuelo Femenia, Permanent Representative of Spain to the OPCW, at the 103rd session of the Executive Council, 11–14 July 2023.

⁵⁸ European Union (note 42).

⁵⁹ Ghionis, A., Kelle, A. and Maceda, M. G., 'Preparing for success at the fifth review conference of the Chemical Weapons Convention: A guide to the issues', UNIDIR, 6 Feb. 2023.

surrounding CW use in Syria, the focus of EU support increases the risk that the OPCW will not make much practical progress in clearing up the Russian use of novichok nerve agents.

In order to avoid the impression of applying different standards to different perpetrators, the OPCW would be well advised to hold the perpetrators of CW use in Syria to account and take similar action in the case of Russia. Short of invoking the CWC challenge inspection mechanism—which no CWC state party so far has been willing to pursue, as it is perceived as too confrontational and not likely to lead to conclusive results—further pressure could be put on Russia by formally involving the EC under CWC Article IX (3).

Implementing and adapting the CWC verification system

Even after the completion of the verified destruction of declared CW stockpiles in July 2023, the verification regime remains essential. In addition to the ability of the OPCW to investigate cases of CW use, one of the areas the EU considered, during EC-103 in July 2023, RevCon5 to have achieved positive progress with was industry verification. Looking ahead, the EU wrote it ‘will need to be further discussed with a view to achieving consensus’.⁶⁴

The EU’s support for OPCW verification activities aims to improve the verification regime ‘by rendering the inspection processes more efficient, simpler, and by adapting the selection processes for inspections to current requirements, notably the methodology for the selection of Other Chemical Production Facilities (OCPF) for inspection’.⁶⁵ In practical terms post-RevCon5, the EU and its member states are involved in the discussions taking place at the OPCW in the framework of EC industry cluster deliberations. Furthermore, the latest EU support for OPCW activities foresees an ‘expanding engagement with chemical industry and trade via coordination mechanisms such as working groups and IUPAC [International Union of Pure and Applied Chemistry] committees’.⁶⁶

Several of the steps that would strengthen the verification regime overlap with organizational governance (CW-related knowledge retention in the

TS) and capacity building in member states to ensure industrial chemicals are declared in accordance with the provisions of the CWC.

Strengthening capacity building and international assistance

Capacity building has been a cornerstone of the EU’s support for various elements of CWC implementation. The EU’s June 2023 funding package builds on this with the ‘overall objective of [ensuring] the Secretariat’s capacity to facilitate and improve states parties’ implementation of the Convention’ with funding ‘ensuring substantive capacity-building efforts’.⁶⁷ The capacity-building activities funded by the EU put more focus not only on supporting states parties’ implementation but also on supporting the TS’s capacity to achieve results across several areas, including developing the CCT, prevention of re-emergence, responses to the use of CW, external engagement and enhanced adherence to the CWC. Thus, capacity building for the EU remains not an end-in-itself but a *process* that facilitates a wide range of regime goals. This growing focus on thematic interconnection, organizational evolution, internal programming, and impact-oriented outcomes is also apparent within the OPCW’s Medium-Term Plan 2024–28.⁶⁸

One of the challenges within this key area is that the success in achieving these ideas rests on, amongst other things, refreshed and energized efforts toward communication and collaboration. For example, states parties (particularly those with no representation in The Hague) need to be enabled to articulate their needs to ensure that more tailored, impactful and sustainable capacity building can be accurately developed. Connected to this is the question of how the TS can develop its interdivisional programmatic offerings and how efficient, effective and collaborative service delivery can be ensured.

These ideas within the Medium-Term Plan align well with the nature and purpose of the EU’s support for the delivery and organizational development of capacity building. Going ahead, the EU can make the most of this alignment by using its unique position within

⁶⁴ European Union (note 63), p. 2.

⁶⁵ Council of the European Union, 6573/23 (note 8), p. 12.

⁶⁶ European Council, Council Decision (CFSP) 2023/1344 (note 61), p. 5.

⁶⁷ European Council, Council Decision (CFSP) 2023/1344 (note 61), para. 2ff.

⁶⁸ OPCW, Executive Council, ‘Note by the Technical Secretariat: Medium-term plan of the Organisation for the Prohibition of Chemical Weapons 2024–2028’, C-28/S/1, 14 Aug. 2023.

the OPCW to exercise its coordinating and convening power. Another issue of strategic importance for the EU will be to leverage the CCT to bring about an innovative capacity-building framework within this context, not least because different visions may begin to emerge in the OPCW as to what the CCT should be used for.

Organizational governance

With the final destruction of the USA's declared CW stockpile in July 2023, the pressure to transition effectively from a predominantly quantitatively-focused disarmament logic to one focusing more on holistically preventing the re-emergence of CW is growing.⁶⁹ This will increasingly give the EU more space to introduce ideas and push for change.

While the EU has been in the vanguard on these issues, broader state party engagement has been increasing, and discussions about the size, shape and function of the TS are on the agenda. At EC-103 in July 2023, the EU welcomed 'progress achieved on issues such as tenure policy, diversity, gender equality and mainstreaming' and noted it was 'ready to build on [that] positive progress'.⁷⁰ Following a facilitation on tenure and a working group on geographic representation, CSP28 took decisions on both issues.⁷¹ Both decisions require regular review, and the plurality of positions that emerged throughout these processes suggest further discussion on these topics will be necessary. The EU may be better suited to finding balance and compromise than that of any individual state party, and therefore has significant potential to remain the leading voice on these issues.

Responsibility for progress on organizational governance lies with both the TS *and* states parties.⁷² The EU's unique position as a collective actor with significant financial resources at its disposal allows it to exert pressure on both states parties and the TS. It can do this through targeted financial support for particular outreach activities, the recruitment of junior staff from underrepresented regions, and by shaping the narrative that, in particular, gender and geographic

representation are shared, actionable responsibilities for *all* actors within the OPCW.

Additionally, as more states parties are exploring how the CCT will function beyond its blueprint, the way the EU articulates and seeks influence in the CCT will be crucial. While there is broad state party support for the CCT, the functional details of its operation still lag behind the hype. While the EU's most recent financial package of €5.3 million expressed the need to develop an 'integrated CCT', converting that ambition into tangible outcomes that strengthen the OPCW through both people and processes is a challenge.⁷³

Enhancing external engagement

Through targeted support, the EU has developed an engagement dimension to strategically support comprehensive CWC implementation. Broader momentum following RevCon5 has emerged. At EC-103 in July 2023, Germany presented a working paper proposing 'to establish a more regular and structured debate with civil society, while taking into account the fact that civil society organisations work on a broad range of different issues'.⁷⁴ The paper proposes exploring ways to achieve a more systematic interaction with civil society between CSPs and discussing 'a review of the guidelines for the attendance and participation by NGOs wishing to take part in sessions of the conference and review conferences'.⁷⁵

The EU is well placed to contribute to the substance of these issues and to provide financial support to develop opportunities for civil society to engage more meaningfully with the OPCW.⁷⁶ The EU should be able to command a space in which it embraces a partnership with the OPCW to support coordination and convening of civil society. Achieving this requires creative deliberations and open dialogues, not least to overcome and push back against reactionary elements that seek to minimize and delegitimize engagement and cooperation.

⁶⁹ Kelle (note 7).

⁷⁰ European Union (note 63), p. 2.

⁷¹ OPCW, Conference of the States Parties, 'Decision: Amendment of the OPCW Tenure Policy', C-28/DEC.10, 30 Nov. 2023; and OPCW, Conference of the States Parties, 'Decision: Action plan on geographical representation', C-28/DEC.11, 30 Nov. 2023.

⁷² Ghionis, Kelle and Maceda (note 59), p. 27–28.

⁷³ European Council, Council Decision (CFSP) 2023/1344 (note 61), p. 2.

⁷⁴ Germany, Follow-up to the fifth special session of the conference of the states parties to review the operation of the Chemical Weapons Convention—Engagement with civil society, EC-103/WP.2, 4 July 2023, p. 2.

⁷⁵ Germany (note 74).

⁷⁶ Ghionis (note 53).

III. CONCLUSIONS AND RECOMMENDATIONS

The EU's enduring and evolving support has been instrumental in steering CWC implementation amid periods of regime consolidation, emerging threats and changing global dynamics. The EU's diplomatic engagement paired with its significant financial contributions has allowed the EU to complement the activities of EU member states in upholding treaty norms and enhancing the OPCW's operational effectiveness across key issue areas.

Guided by its enduring commitment to the convention's integrity, the EU can step into a more active role to chaperone the OPCW's evolution in the post-RevCon5 landscape. The forthcoming recommendations outline ideas and concrete actions across the five key priority areas to further this role for the EU and to build on the momentum generated in the review process.

Applying the norm against the use of chemical weapons consistently

Since the CWC entered into force, the EU has been a champion of upholding the non-use norm enshrined in the convention, both in an abstract sense and in relation to concrete cases of CW use in Russia, Syria and elsewhere. In line with several OPCW decisions, the EU continues to focus its practical support in this area on Syrian violations of the non-use norm. Nevertheless, the decision taken at CSP28 on CW use and threat of use seeks to broaden the focus beyond Syria.⁷⁷ However, no concrete decisions, which could serve as the basis for specific follow-up action, have been taken by the OPCW in relation to Russia's use of novichok nerve agents. The EU should therefore augment the diplomatic pressure being put on Russia by pursuing formal involvement of the OPCW EC according to CWC Article IX.

With CW terrorism increasing in the CWC context—recent cases of CW use have also involved non-state actors such as terrorist groups—the EU should spearhead efforts to identify terrorism-specific challenges to the prohibition of CW use. First, in order to get a better understanding of the scientific and technological aspects of terrorists acquiring and using CW, the EU could suggest that the OPCW director-

general requests that the Scientific Advisory Board carries out such an analysis.

Second, in order to support a better understanding of terrorism-specific CW-use scenarios and the ways in which the OPCW could assist CWC states parties in addressing these, the EU should support the OPCW to enhance relationships with relevant external actors, such as the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), which has built significant expertise related to CW use cases in Iraq.⁷⁸

Adapting the CWC verification regime to changing realities

The CWC verification regime was set up to instill confidence that CW possessor states would destroy their arsenals, that CW-use allegations would be investigated and that peaceful uses of chemistry remained peaceful and would not be misused for the clandestine acquisition of CW. However, the verification regime is facing a changing reality, and there are three steps the EU should take.

First, the EU should support activities that ensure the OPCW TS remains a repository of knowledge and expertise on CW and their destruction.

Second, the EU should work towards mainstreaming the ad hoc verification tools created for addressing the Syrian CW programme into the regular programmatic activities of the OPCW. The CSP decision of June 2018 provides a basis for this.

Third, the EU should be more involved in discussions on the industry verification regime and raise fundamental questions about the suitability of the current system in light of new-use scenarios—ranging from the use of toxic industrial chemicals on one hand, to small-scale use of new nerve agents on the other. This range of scenarios raises doubts about the suitability of current declaration and inspection thresholds to continue providing the necessary confidence in compliance. Given its long-standing support and protection of the CWC verification regime, the EU and its member states would be best positioned to lead the debate on such thorny issues.

⁷⁷ OPCW, Conference of the States Parties, 'Decision: Addressing the threat from chemical weapons use and the threat of future use', C-28/DEC.12, 30 Nov. 2023.

⁷⁸ The latest UNITAD report is available at <<https://www.unitad.un.org/content/resolutions>>.

Advancing interconnected, needs-based and impact-driven capacity building

As outlined above, capacity building facilitates CWC implementation. The EU can drive efforts to deliver more coordinated and impactful capacity programming in a number of interconnected ways.

First, the EU should help develop a strategic vision for the programming and implementation of the CCT. Moreover, it is crucial within this context for the EU to deliver a proposal for the development of a complementary programme to the Africa Programme focused on the Group of Latin America and the Caribbean (GRULAC).⁷⁹

Second, the EU is well placed to support the development of a consultative framework for states parties, particularly those lacking representation in The Hague, by establishing an EU delegation in The Hague to delineate specific needs and challenges. This demand-driven approach to capacity building will inform tailored, sustainable programming with heightened local relevance.

Third, by building on its role in financing the development of the CCT, the EU can become the central actor in guiding the OPCW's evolution towards achieving networked, outcome-focused capacity building. The EU must continue to emphasize and actively support interdivisional coordination and knowledge sharing to augment the framework for programme design and delivery.

By allowing the TS to develop processes that understand state party requirements in a more contextual manner, and by building coalitions to push for a reshaping of the OPCW's programming architecture, the EU can advance a capacity-building model where activities interlock and reinforce shared objectives. This will deliver on the EU's longstanding belief that process enables progress in CWC implementation and ownership.

Orchestrating change for organizational governance

The EU was a pioneer of increasing the visibility of issues around organizational governance within the OPCW. The EU must now adapt as other states parties have become increasingly engaged in these issues, and decisions begin to emerge. The EU needs to pivot from solely promoting discrete outcomes to taking proactive

efforts to shape the narratives on these issues and delivering on its visions.

First, the EU should encourage the development of research, via TS think papers, EU working papers and sponsored civil society activities to enrich deliberations on a range of governance issues. These should be presented in relevant facilitations and working groups but should also be utilized to inform workshops that bring together relevant stakeholders to generate ideas and outcomes.

Second, and connected, the EU must further champion open dialogue around these issues, both with a range of stakeholders and through liaising with states parties to cultivate a unified stance. This joint positioning can empower the decision making and outputs needed to yield the outcomes the EU seeks, while building knowledge and capacity to inform and support effective implementation of governance projects.

Third, the EU must be ready to commit funds to support the hiring of additional staff for positions that support strategic governance goals and the operationalization of the CCT.

By adopting these proactive actions, the EU would mark constructive progress from its longstanding positions and funding over the past decade by validating prior investment, highlighting the EU's visionary outlook, and demonstrating the connectivity and co-reliance between organizational governance and other key issue areas.

Fostering inclusivity and connectivity

The EU is primed to build on emerging momentum by spearheading an enhanced OPCW model of partnership with civil society, industry and other stakeholders. The proposed facilitation process on civil society, chaired by Ecuador and Germany, provides significant scope for the EU to exert influence, although this must be backed up with financial and activity-based support.

First, by providing voluntary financial contributions to the OPCW's Trust Fund for Civil Society to sponsor workshops, enable participation, commission research and bolster outreach, the EU would empower both the OPCW and stakeholders to develop a symbiotic and productive relationship. Moreover, the EU can take the lead in supporting the development of a new online OPCW civil society portal, accessed through

⁷⁹ GRULAC is the OPCW's regional group for Latin America and Caribbean member states.

the OPCW website, to provide a constructive and cooperative space for this new relationship.

Second, the EU should consider how these external relationships can be coordinated through programmatic activities associated with the CCT, thus better weaving together core elements of the EU's funding strategy and synthesizing the impacts of the EU's ambitions.

Third, by establishing an EU delegation in The Hague, the EU can orchestrate systematic coordination and dialogue between these stakeholders.

These efforts would cement the EU's role as a vanguard convener and sponsor of productive multi-stakeholder involvement in preventing the re-emergence of CW.

ABBREVIATIONS

CCT	Centre for Chemistry and Technology
CJA	Council Joint Action
CSP	Conference of States Parties
CW	Chemical weapons
CWC	1993 Chemical Weapons Convention
EC	Executive Council
EU	European Union
NGO	Non-governmental organization
OEWG-RC	Open-Ended Working Group of the Fifth Review Conference
OPCW	Organisation for the Prohibition of Chemical Weapons
RevCon	Review Conference
TS	Technical Secretariat



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A EUROPEAN NETWORK

In July 2010 the Council of the European Union decided to support the creation of a network bringing together foreign policy institutions and research centers from across the EU to encourage political and security-related dialogue and the long-term discussion of measures to combat the proliferation of weapons of mass destruction (WMD) and their delivery systems. The Council of the European Union entrusted the technical implementation of this Decision to the EU Non-Proliferation Consortium. In 2018, in line with the recommendations formulated by the European Parliament the names and the mandate of the network and the Consortium have been adjusted to include the word 'disarmament'.

STRUCTURE

The EU Non-Proliferation and Disarmament Consortium is managed jointly by six institutes: La Fondation pour la recherche stratégique (FRS), the Peace Research Institute Frankfurt (HSFK/PRIF), the International Affairs Institute in Rome (IAI), the International Institute for Strategic Studies (IISS-Europe), the Stockholm International Peace Research Institute (SIPRI) and the Vienna Center for Disarmament and Non-Proliferation (VCDNP). The Consortium, originally comprised of four institutes, began its work in January 2011 and forms the core of a wider network of European non-proliferation and disarmament think tanks and research centers which are closely associated with the activities of the Consortium.

MISSION

The main aim of the network of independent non-proliferation and disarmament think tanks is to encourage discussion of measures to combat the proliferation of weapons of mass destruction and their delivery systems within civil society, particularly among experts, researchers and academics in the EU and third countries. The scope of activities shall also cover issues related to conventional weapons, including small arms and light weapons (SALW).

www.nonproliferation.eu

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