

CHEMICAL WEAPONS CONVENTION (CWC) AND BIOLOGICAL WEAPONS CONVENTION (BWC)

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The full titles of these two Conventions are shown in Table 1. This Table also demonstrates my verse dealing with topics of this presentation.

It is necessary to add that the before signing of these Conventions, the only Geneva Protocol of 1925 was the most important document in this field. BWC was the first Convention prohibiting weapons of mass destruction. The evaluation of the fulfilment of the Convention is made on so called Review Conferences. Though the BWC is important part of international policy, it does not contain verification procedures. Therefore it was decided by the 4th Review Conference to establish Ad hoc Group of international experts with mandate to elaborate Verification Protocol (VP) allowing effective control of fulfilment of the BWC. Content of VP is shown in Table 2. The brief history of development of negotiations on biological weapons ban is shown in Table 3.

Table 1

| CWC and BWC |
|---|
| Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction |
| Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction |
| Thank you for your invitation Following is my presentation: CWC and BWC - one parent But each other will present That they are of family different. In the C, chemicals are accent. In the B, large scale of actions will be absent. Therefore it's necessary To add to B their accessory - The main task of present lecture Is comparison of these questions |

Table 2

| |
|--------------------------------------|
| Preamble |
| I General Provisions |
| II Definitions |
| III Compliance Measures |
| IV Confidentiality Provisions |
| V Measures to redress a situation |
| VI Assistance |
| VII Confidence Building Measures |
| IX The Organization |
| X National Implementation |
| XI-XXIII Legal Issues |
| Annex A Declarations |
| Annex B Visits |
| Annex C Article III Measures |
| Annex D Investigations |
| Annex E Confidentiality |
| Annex F Technical Cooperation |
| Annex G Confidence Building Measures |
| Appendices A to F |

Table 4

CWC DEVELOPMENT

1968 Committee of Nations, later CD
 1976 - 80 bilateral SU-US
 Intensification 1980
 18 April 1984 US proposal
 1983 - rolling text 23 pages
 1985 - rolling text 46 pages
 1989 - rolling text 134 pages
 1992 - final text 172 pages
 Signing January 1993 Paris
 Provisional OPCW
 Entry into force 29 April 1997
 OPCW, The Hague

Table 5

| |
|---|
| Preamble |
| Art. I - general obligations |
| Art. II - definitions and criteria |
| Art. III - declarations |
| Art. IV - chemical weapons |
| Art. V - CW production facilities |
| Art. VI - activities not prohibited under this Convention |
| Art. VII - national implementation measures |
| Art. VIII - the Organization |
| Art. IX - consultation, cooperation, fact-finding |
| Art. X - assistance and protection |
| Art. XI - economic and technological development |
| Art. XII - to redress a situation incl. sanctions |
| Art. XIII - relation to other agreements |
| Art. XIV - settlement of disputes |
| Art. XV - amendments |
| Art. XVI - duration and withdrawal |
| Art. XVII - status of the Annexes |
| Art. XVIII - signature |
| Art. XIX - ratification |
| Art. XX - accession |
| Art. XXI - entry into force (65) 19 April 1997 |
| Art. XXII - reservations |
| Art. XXIII - depositary |
| Art. XXIV - authentic texts |
| Annex on chemicals - guidelines, schedules |
| Annex on implementation and verification - definitions, general and special rules for different types of verification |
| Annex on the protection of confidential information |

Negotiations on chemical weapons ban were more difficult. Brief history of these negotiations is shown in Table 4. It is of interest that US proposal for full text of CWC was presented to the Conference on Disarmament by G. Bush (in this time as US vice president). However, it was not accepted. The first proposals of future text of CWC were very short. Development of the text (called rolling text) was finished in August 1992. Following signing CWC in Paris 1993, provisional Organization for Prohibition of Chemical Weapons (OPCW) was established in the Hague. After 65 ratifications, CWC entered into force in April 1997 and provisional OPCW was changed to official OPCW.

The Parliament of our republic ratified the Convention on 8 December 1995. Ratification document was deposited on 6 March 1996 as the 48th State Party. Simultaneously, it was established the Office for Control of the Prohibition of Chemical Weapons (1 November 1995). The content of CWC is shown in Table 5.

Table 3

BWC DEVELOPMENT

after WW II - nothing important
 60th - CW and BW
 1968 - CW and BW separated
 1969 - BWC Ist version (UK)
 1971 - USA, USSR
 Compromise, finalization of the BWC text 1971
 Signing 30 April 1973
 Entry into force 26 March 1975
 Review Conferences 1980, 1986, 1991, 1996
 Exchange of information II RC 1986,
 from 1987 (18 State Parties)
 1996 (about 70 State Parties)
 1991 III RC - Confidence Building Measures
 (exchange of data - labs, programmes, unusual diseases,
 publications, contacts etc.)
 1996 - IV RC Mandate for Ad hoc Group
 Verification Protocol

OPCW works very actively: as of 29 April 1999, the following facilities had been declared to the OPCW: 60 CWFs in 9 states parties, 32 CWSFs in 4 states parties, 33 CWDFs in 4 states parties, 54 old/abandoned chemical weapons sites in 8 states parties, 24 schedule 1 facilities in 19 states parties, 315 Schedule 2 plant sites (of which 123 were inspectable) in 24 states parties, 392 Schedule 3 plant sites (of which 329 were inspectable) in 27 states parties, and 3,542 other chemical production facilities (of which 3,349 had been assessed as inspectable) in 47 states parties.

As of 29 April the Secretariat had carried out 460 inspections at 276 sites in 29 states parties. The breakdown of these inspections was as follows: 110 to CWFs, 65 to CWSFs, 47 to Schedule 1

Table 6

Differences among CWC, BWC and VP

| Problem | CWC | BWC | VP |
|--|-----|-----|-----|
| entry into force | yes | yes | no |
| prohibition of research | no | no | no |
| prohibition of development | yes | yes | yes |
| prohibition of production | yes | yes | yes |
| prohibition of acquiring | yes | yes | yes |
| prohibition of transfer | yes | yes | yes |
| prohibition of storing | yes | yes | yes |
| prohibition of using | yes | no | yes |
| destruction of stocks | yes | yes | yes |
| dismantling of production facilities | yes | no | yes |
| International Organization | yes | no | yes |
| declaration (production. facil., stocks) | yes | no | yes |
| declaration of not prohibited activities | yes | no | yes |
| Confidence Building Measures | no | yes | yes |

facilities, 93 to schedule 2 plant sites, 15 to Schedule 3 plant sites, 9 to abandoned chemical weapons sites, and 20 to old chemical weapons sites. OPCW inspectors had spent a total of 29,024 person-days on missions. Similar Organization is supposed for BWC after entry into force of VP. However, there are some differences specified in Table 6.

There are many questions in discussion but among them, following is necessary for an effective VP:

- declarations
- visits
- clarification procedures
- provisions for rapid and effective investigations
- establishment of a cost-effective and independent Organisation

- provisions for specific measures in the context of Art. 7 of VP

The achievement of an agreed VP requires the both technical and political will.

One can hope it will be achieved in the next year. It would be a good presentation to 75th anniversary to Geneva Protocol of 1925.

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Presented at the International NATO Symposium „Army and Communicable Diseases Control“, September 21-25, 1998, Hradec Králové, Czech Republic