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The OPCW in Transition
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THE CWC IN TRANSITION: A ROLE FOR CIVIL SOCIETY?
2012 CW destruction deadline

- New phase in life of CWC & OPCW
  - However, transition not as clear-cut as perhaps assumed by negotiators
  - Now: drawn-out process of moving into post-destruction phase of up to a decade expected
  - Also, perhaps not as definitive a transition as sometimes argued (new CW declarations; ACW; …)

- Transition phase will require careful management of expectations from CWC
  - High risk that destruction delays may procrastinate treaty regime adaptation
  - Challenges to the CWC regime will not stop to evolve
  - Any immobility contributes to future irrelevancy of treaty
Reviews and amendments

CWC of unlimited duration
- Means: States Parties do not have to extend its lifespan after a predetermined timeframe
- However, it does not mean perpetual
  † On-going relevancy will depend on ability to adapt to intrinsic and extrinsic challenges to the treaty regime

Review conferences: limited adaptability
- Add new common understandings to provisions
- Allow for reinterpretation of provisions in light of changes
- Do not amend or redraft the treaty itself
- Amendments pose their own political and legal challenges
Reinforcement of short-term thinking

- CWC review processes may promote short-term visions
  - Permanent activity of the CSP (compliance; scientific & technological developments) (Art. VIII, §20)
  - 5-yearly meetings of CSP to review CWC operation, which takes into account scientific & technological developments (Art. VIII, §22)

- Risk of viewing future CWC only in function of its provisions and procedures
  - Reinforces emphasis on short-term perspectives and solutions, and hence risk of long-term evolution by default
  - Risk of stove piping: Ignores developments outside of treaty

- Rotation of diplomatic staff
- Loss of institutional memory
Foresighting governance of disarmament

- No unified model for governance of weapon control anymore
- New stakeholders and security actors
- Increased role of non-state national & transnational actors
- Declining role of states in shaping developments
- Shifting relative balances of powers (economy, politics, military) and multiple power centres
- Geographical decentralisation of business and industry activities
- South-south trade patterns and impact on technology diffusion
- Etc.
Divergence governance model BTWC – CWC?

أسواق

أ. حاليًا، CWC يماثل نموذج حكومي دولي
  1. القادة يدّعون ملكية فردية
  2. رفض القادة للمساهمة في رحلات سياسية (EC, CSP, RevCon)
     † قربة كبيرة للانتقادات، الخلافات

ب. BTWC يبدو أنه قادم نحو نموذج المسؤولية المشتركة
  1. يبدو أنه بدأ بالطريقة التي تتبعها التفاوضات المتعلقة بالأسلحة (APLM,munitions)
  2. توزيع المسؤولية بين التصحيحات (دول الأطراف) والتنفيذ المادي (أطراف التفاوض، المجتمع المدني)
     † جلسات المجلس يتكون من جملة طويلة
  3. تأثير جلسات المجلس
     † أنواع مختلفة من الأطراف المشاركة
     † الصور الرائعة للتبادل المعلوماتي، يمكن أن يكون لها أهمية كبيرة
     † خروج فسيولوجيا جديدة (التوافق)

ج. PrepCom إلى BTWC 7ème RevCon:
  1. مشروع لرئيس PrepCom للمساهمة في المناقشات بالأمانة (‘اللون الأحمر’)
  2. تأكيد جميع دول الأطراف، في partiicularly NAM و الغرب، على دور المجتمع المدني المركزي
  3. ومع ذلك،也需要承认私人会议的必要性 & 程序规则需要修改
  4. توازن: المجتمع المدني يمكن أن يشترك في جلسات المناقشة (‘اللون الأخضر’) → precedent
Opening up for wider stakeholdership

Registered civil society participation in review conferences:
- NPT (2010): 300+ delegates / 67 organisations
- BTWC (2006): 55 delegates / 31 organisations
- CWC (2008): 44 delegates / 22 organisations

Yet OPCW has Media Branch to organise greater exposure; neither NPT nor BTWC (in 2006) had an international organisation.
However, OPCW is geographically isolated; civil society must come into town.

Purpose of civil society involvement:
- Sustaining and widening institutional legitimacy: conduit for CWC ideas, objectives and results to broader audience and vice versa.
- Intellectual input and cooperation in aspects of implementation.
- Civil society’s ability to mobilise constituencies beyond core stakeholders to bring in fresh ideas unrestrained by diplomatic practice, mobilise local communities worldwide in supporting treaty goals (e.g., ethics & codes), etc.

Today: initiate process to solicit ideas on long-term future CWC / OPCW from wider civil society:
- e.g., journal or magazine similar to OPCW Synthesis.
- Today: e-journal (no printing costs; some investment in editorial board & work).
- No contribution would commit OPCW or SPs.