

**JAPAN****POSSIBLE WAYS FOR PREVENTION OF RE-EMERGENCE OF
CHEMICAL WEAPONS****I. Background**

1. It has been fifteen years since the Chemical Weapons Convention (hereinafter referred to as “the Convention”) came into force in 1997; while the disarmament of chemical weapons has steadily progressed with an unparalleled achievement of destruction of three-quarters of all declared stockpiles, the threats of proliferation and use of weapons of mass destructions including chemical weapons, particularly by non-State actors, has been growing. The international community has continued its efforts for non-proliferation of weapons of mass destruction through the implementation of global and regional arrangements and measures such as the United Nations Security Council Resolution 1540.
2. Recognising the unequivocal commitment and the tireless efforts made by the chemical weapons possessor States for destroying their stockpiles, the Sixteenth Session of the Conference of the States Parties adopted the timely and balanced decision on the final extended deadline of 29 April 2012 to destroy the chemical weapons which ensured credibility of the Convention and set out a course for the completion of the destruction of chemical weapons in the foreseeable future.
3. Against the backdrop described above, particularly along with the progress of chemical weapons destruction, Japan is of the view that the prevention of re-emergence of chemical weapons is of vital importance and more efforts are required in this area. The following are the possible ways for the promotion of prevention of re-emergence of chemical weapons.

II. Universality

4. The number of States Parties to the Convention has increased to 188, including five States Parties which have joined the Convention since the Second Review Conference. It is a great achievement that the Convention has been acceded to by so many countries in fifteen years, and the efforts for the universality of the Convention, particularly made by the Technical Secretariat (hereinafter referred to as “the Secretariat”) through the outreach programme, should be commended.
5. However, more efforts to induce the remaining States not Party to accede to the Convention are necessary in the light of the gravity of the peril of proliferation of chemical weapons under the current international security environment. The remarks



by Syrian authorities concerning the possible possession and use of chemical weapons remind the international community of possible chemical weapons at large and the importance of universality of the Convention.

III. Enhancing national implementation

6. Effective implementation of the Convention for preventing re-emergence of chemical weapons and for promoting disarmament requires full national implementation by all States Parties. States Parties whose national implementation measures are not sufficient might create loopholes for the proliferation of materials and technologies related to chemical weapons, and have the potential to affect other States Parties and the global community. It should also be recognised that insufficient implementation of the Convention by some States Parties causes unfair burden to and complaint by the chemical industries in the States Parties which fulfill their obligations. In this regard, it is an urgent task for all States Parties to promote national implementation for mitigating the sense of unfairness felt by chemical industry in order to maintain the partnership between chemical industry and the Organisation for the Prohibition of Chemical Weapons (OPCW). It is necessary for every State Party and the Secretariat to give priority to improving the situation. To this end, the States Parties that have yet to fully implement the Convention are encouraged to adopt necessary measures immediately. In this respect, technical assistance such as providing their knowledge and experiences by other States Parties and the Secretariat to the States Parties in need of support plays a key role to enhance national implementation.
7. Japan is of the view that an effective way to assist legislation processes in the States Parties that have yet to fully implement the Convention is a tailor-made approach taking into account the circumstances of each country. The initial requirements approach proposed by the Secretariat is appreciated in light of enhancing national implementation.

IV. Capacity building

Building capacity related to verification

8. National implementation of the Convention is closely related to national capacity building and skills development, particularly in the area of the Article VI verification regime. In this regard, capacity building of personnel in charge of submitting declarations, receiving inspections, and escorting inspection teams should be given priority for assistance. At the same time, as international transfers of chemical materials are on the increase, assistance for strengthening trade controls through capacity building is increasingly important. Since the Second Review Conference, Japan has been providing assistance in this area: a seminar regarding national implementation in 2008 (Laos), industrial training for the OPCW Associate Programme, and the annual Asian Export Control Seminar with the objective of enhancing common recognition among Asian countries of export control. The seminar in 2012 gathered participants from 33 countries, regions and international organisations including the 1540 Committee.

Chemical safety and security

9. Life cannot be realised without use of chemicals, while the inappropriate use of them can readily be a threat which would lead to disaster as well as re-emergence of chemical weapons. States Parties should forestall these events. In this context, it is of vital importance that States Parties share and utilise the best practices of chemical safety and security by chemical industries. A lot of seminars have been organised in this area, including the Tokyo seminar co-organised by Japan and the Secretariat in 2009. Japan has been providing assistance in this area: a seminar for ASEAN members concerning chemical safety in 2009 (Tokyo), a seminar concerning chemical safety and security in 2012 (Malaysia), and a presentation at the Annual Meeting of National Authorities in 2012. Japan believes that continuous efforts in the area of chemical safety and security contribute to prevent re-emergence of chemical weapons. The efforts to enhance chemical safety and security should be made effectively in collaboration with the relevant efforts made in other multilateral fora including the United Nations.

V. Optimisation of verification

10. The verification system has played a significant role to prevent the re-emergence of chemical weapons and confidence building among States Parties. Japan believes that States Parties and the Secretariat should make every possible effort to improve industry verification with a view to achieving maximum results with minimum costs. In this regard, the continuous discussion of OCPF inspections including site-selection methodology, enhancement of declarations, and allocation of resources for inspections should be commended. The pursuit of possible utilisation of credible open-source information by the Secretariat is a good approach to enhance the verification process as well. On the other hand, the principle of Article VI needs to be kept in mind in that verification activities have to be made without imposing too much burden to industry. To improve the verification activities, interaction with industry may be beneficial from the viewpoint of sharing their experience amassed in the past fifteen years. In this connection, the dialogue with industries held in September 2012 is welcomed and similar efforts should be continued.
11. The verification measures should be constantly reviewed to address the rapidly advancing chemical industries and expanding international transfers. The rapid advances of science and technology, for instance, the convergence of chemistry and biology which may change the nature of chemical industry and affect verification measures, should be taken into account. The Scientific Advisory Board has been considering the recent developments such as the convergence and nanotechnology and their impact on the Convention. In this regard, the reports of the Science Advisory Board should be used more proactively. Communication with chemical industries should be enhanced also in this context. Recognition of the core objectives of the Convention and their significance by chemical industry is vital for smooth implementation of Article VI verification. To this end, the Secretariat's further efforts for public diplomacy are welcomed.

VI. Challenge inspections

12. Challenge inspections provide an indispensable mechanism for the Convention to remain capable of swiftly clarifying questions on non-compliance by inspection. Japan considers this particular mechanism as part of the mission assigned by the international community to the Convention. Challenge inspections work as a deterrent against non-compliance. For that deterrent to be effective, the OPCW, particularly the Executive Council and the Secretariat, must stand ready to consider and, when necessary, act upon a request for a challenge inspection at any time. Under the circumstance that the resources of the Secretariat are being reduced along with the progress of chemical weapons destruction, it is necessary to consider the ways and means to maintain the expertise of the Secretariat for challenge inspections and investigations of alleged use of chemical weapons. In this context, Japan welcomes the conclusion of the “Supplementary Arrangement Concerning the Implementation of Article II (2)(C) of the Relationship Agreement Between the United Nations and the Organisation for the Prohibition of Chemical Weapons” as an effort for cooperation between the OPCW and other international organisations. Regarding investigations of alleged use of chemical weapons, the role of qualified experts is important, and the list of qualified experts should be updated and maintained constantly from the point of maintaining appropriate expertise.

VII. Assistance and protection

13. Japan is of the view that the assistance and protection under Article X forms a passive defense and deterrence against a chemical attack by letting the aggressor know that the damage of the attack will be minimised by the implementation of this article. The effective provision of assistance and protection in the case of emergency is growing in its importance and the OPCW must maintain and improve readiness to respond, taking into account the possible use of chemical weapons by non-State actors. In order to coordinate experts with diverse nationalities and expertise and maximise the effect of assistance and protection, it is important to utilise the lessons learnt from the exercises for developing capacities. With the limited resources in mind, the experiences of the OPCW should be exploited for more efficient implementation of the obligations under Article X. In this connection, it is useful to promote cooperation with relevant international organisations and utilisation of e-learning tools.

VIII. Efficiency of the structure and management of the OPCW

14. To reinforce the efforts for prevention of re-emergence of chemical weapons, it is important to streamline the structure and management of the Secretariat, along with the progress of chemical weapons destruction, developments in the chemical industry and the difficult financial conditions. To this end, the OPCW needs to strive for a “more compact, flexible and efficient” organisation by constant review, reallocating and reducing its personnel and financial resources while maintaining the necessary functions as a specialised organisation.