

4 March 2021

Observations on the United Nations International Law Commission’s Text of the Draft Principles on Protection of the Environment in Relation to Armed Conflicts

Introduction

1. In a letter from the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, dated 19 November 2020, the Organisation for the Prohibition of Chemical Weapons (OPCW) was invited to provide comments and observations on the Report of the United Nations Secretary-General (A/74/10): Report of the International Law Commission (ILC), Seventy-first session (29 April–7 June and 8 July–9 August 2019), specifically Chapter VI, entitled “Protection of the environment in relation to armed conflicts” and the Draft Principles and commentaries formulated by the ILC in this respect (“ILC Draft Principles” and “Commentaries”). The OPCW welcomes the opportunity to provide such comments and observations, which are contained below.
2. The Commentaries make explicit reference to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (“CWC” or “Convention”).¹ The Draft Principles and Commentaries also refer to matters relevant to the CWC, including remnants of war and remnants of war at sea.²
3. The following response describes the various ways in which the provisions of the CWC incorporate and amplify environmental concerns. In doing so, it provides examples of chemical weapons removal operations, conducted pursuant to or in connection with the CWC, which were carefully designed and implemented in order to comply with domestic and international environmental standards. The response then examines the provisions of

¹ Commentaries, fn. 1431, p. 294.

² Commentaries, p. 220 (referring to “special treaty-based prohibitions of certain weapons (such as biological and chemical weapons) that may cause serious environmental harm”); pp. 292-293 (referring to the relative risks of moving chemical weapons that have been dumped at sea as opposed to leaving them *in situ*); p. 295 (fn. 1434) (referring to General Assembly resolution 71/220 on environmental effects related to waste originating from chemical weapons dumped at sea and the need for cooperative measures to address this matter); p. 295 (fn. 1436) (referring to legal challenges arising from remnants of war at sea).

the CWC dealing with abandoned chemical weapons (“ACWs”), old chemical weapons (“OCWs”), and sea-dumped chemical weapons (“SDCWs”), which are of particular relevance to ILC Draft Principles 27 and 28 on remnants of war and remnants of war at sea, respectively. The discussion provides examples of the practice of States Parties in pursuit of these obligations under the CWC and highlights the emphasis that has been placed upon environmental protection and preservation.

International environmental norms mainstreamed into the Chemical Weapons Convention

4. The negotiation of the CWC in the United Nations Conference on Disarmament demonstrated the concern of the drafters for safeguarding the environment.³ As a result, the Convention possesses a number of provisions regulating the storage, transport, and destruction of chemical weapons in an environmentally safe manner.⁴ Moreover, the Convention prohibits certain destruction methodologies, such as dumping in any body of water, land burial, or open-pit burning. The mainstreaming of international environmental norms into the CWC is consistent with the United Nations General Assembly’s emphasis upon the importance of the observance of environmental norms in the preparation and implementation of disarmament agreements.⁵
5. Article IV(10) of the CWC provides: “[e]ach State Party, during transportation, sampling, storage and destruction of chemical weapons, shall assign the highest priority to ensuring the safety of people *and to protecting the environment*. Each State Party shall transport, sample, store and destroy chemical weapons in accordance with its national standards for safety and emissions” (emphasis added).⁶ It may also be mentioned that a possessor State Party has an obligation to obtain, for each of its chemical weapons destruction facilities, the domestic environmental permits required for the destruction operations to be conducted there, pursuant to paragraph 32 of Part IV(A) of the Annex on Implementation and Verification of the Convention (“Verification Annex”).

³ “Final record of the Five Hundred and Eighty-Sixth Plenary Meeting” (7 March 1991) CV/PV.586 (Book 41). The numerous and complex records from 1969–1992 of the United Nations Conference on Disarmament (and its predecessors) relating to the drafting and negotiation of the CWC have been compiled into a multi-volume set by Canada’s Arms Control and Disarmament Division of External Affairs and International Trade (located in Ottawa, Canada). Hereinafter, these documents will be referred to as “CWC *Travaux Préparatoires*”, with the document reference of the Conference on Disarmament. See also CWC *Travaux Préparatoires*, “Final record of the Five Hundred and Eighty-Sixth Plenary Meeting” (7 March 1991) CV/PV.586 (Book 41).

⁴ See generally Grant Dawson, “The Operation of the Chemical Weapons Convention as a Multilateral Environmental Instrument in the Mission to Remove and Destroy the Remainder of Libya’s Chemical Weapons Stockpile”, *Int’l Union for the Conservation of Nature, Int’l Academy of Environmental Law Journal*, Iss. 9 (2018).

⁵ UNGA Resolution, “Resolution on the Observance of Environmental Norms in the Drafting and Implementation of Agreements on Disarmament and Arms Control” (A/RES/63/51, adopted 2 December 2008 and issued 12 January 2009).

⁶ See also CWC, Article VII(3): “[e]ach State Party, during the implementation of its obligations under this Convention, shall assign the highest priority to ensuring the safety of people *and to protecting the environment*, and shall cooperate as appropriate with other States Parties in this regard” (emphasis added).

6. Following World War II, three disposal methodologies were used for chemical weapons: land burial, open pit burning, and dumping in large bodies of water. With the growing environmental awareness in the 20th Century CE, States Parties, when drafting the Convention, prohibited such destruction methodologies. Part IV(A) of the Verification Annex, at paragraph 13, stipulates that: “[e]ach State Party shall determine how it shall destroy chemical weapons, except that the following processes may not be used: *dumping in any body of water, land burial or open-pit burning*. It shall destroy chemical weapons only at specifically designated and appropriately designed and equipped facilities” (emphasis added).
7. From 2013–2014, the OPCW (through the OPCW–United Nations Joint Mission on the Elimination of Syrian Chemical Weapons) coordinated international efforts to remove and destroy the Syrian chemical weapons arsenal during an active armed conflict in order to prevent the further use of chemical weapons.⁷ In 2016, the OPCW coordinated a multinational operation to remove the remainder of Libya’s chemical weapons stockpile and oversaw an environmental clean-up of the storage facility that housed the chemicals.⁸ These operations were conducted in strict compliance with international, regional, and national environmental protection norms and were examples of the OPCW assigning the highest priority to applicable environmental standards during its destruction operations, as specified in Article IV of the Convention.⁹

The relevance of the Chemical Weapons Convention to ILC Draft Principles 27 (Remnants of war) and 28 (Remnants of war at sea)

8. Several of the ILC Draft Principles are potentially relevant to the CWC and the obligations and activities of States Parties thereto.¹⁰ The following discussion focuses on Principle 27 (remnants of war) and Principle 28 (remnants of war at sea), as these are directly relevant to the detailed procedures and obligations set out in the CWC concerning ACWs, OCWs, and SDCWs.

⁷ OPCW Executive Council Decision, “Destruction of Syrian Chemical Weapons” (EC-M-33/DEC.1, dated 27 September 2013); Background of the Organisation for the Prohibition of Chemical Weapons – UN Joint Mission.

⁸ OPCW Executive Council Decision, “Destruction of Libya’s Remaining Chemical Weapons Stockpile” (EC-M-51/DEC.1, dated 24 February 2016); OPCW Executive Council Decision, “Destruction of Libya’s Remaining Chemical Weapons” (EC-M-52/DEC.1, dated 20 July 2016); OPCW news on the destruction of Libya’s chemicals; Grant Dawson and Evangelia Linaki, “The Legal Challenges in the Mission to Remove the Remaining Chemical Weapon Stockpiles from Libya”, *Journal of Conflict and Security Law*, Vol. 24, Iss. 1 (2019), pp. 53–70 [Dawson and Linaki (2019)], at 58-61.

⁹ OPCW Executive Council Decision, “Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities” (EC-M-34/DEC.1, dated 15 November 2013); OPCW Executive Council Decision, “Destruction of Syrian Chemical Weapons at Commercial Facilities and Arrangement Governing On-site Inspections” (EC-M-38/DEC.1, dated 30 January 2014), Annex; OPCW Executive Council Decision, “Detailed Requirements for the Destruction of Libya’s Remaining Category 2 Chemical Weapons” (EC-M-52/DEC.2, dated 27 July 2016), paras 4, 11; OPCW, Executive Council, “Note by the Director-General: Plan for the Destruction of Libya’s Remaining Category 2 Chemical Weapons Outside the Territory of Libya” (EC-M-53/DG.1, dated 19 August 2016), para. 12; Dawson and Linaki (2019), at 61-62, 69-70.

¹⁰ See, e.g., current Principles 3, 12, 13, 23(2), 25, 27-28, the latter two of which are discussed herein.

Principle 27 (Remnants of war) provides as follows:

1. After an armed conflict, parties to the conflict shall seek to remove or render harmless toxic and hazardous remnants of war under their jurisdiction or control that are causing or risk causing damage to the environment. Such measures shall be taken subject to the applicable rules of international law.
2. The parties shall also endeavour to reach agreement, among themselves and, where appropriate, with other States and with international organizations, on technical and material assistance, including, in appropriate circumstances, the undertaking of joint operations to remove or render harmless such toxic and hazardous remnants of war.
3. Paragraphs 1 and 2 are without prejudice to any rights or obligations under international law to clear, remove, destroy or maintain minefields, mined areas, mines, booby-traps, explosive ordnance and other devices.

Abandoned chemical weapons

9. Under the CWC, each State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party.¹¹ ACWs are defined as “[c]hemical weapons, including old chemical weapons, abandoned by a State after 1 January 1925 on the territory of another State without the consent of the latter”.¹² The rules governing ACWs are contained in Part IV(B), Section C, of the Verification Annex.¹³ The CWC is silent on chemical weapons abandoned by non-State actors.
10. No later than 30 days following the entry into force of the CWC for them, States Parties are under the obligation to declare whether there are ACWs on their territory and whether they have abandoned chemical weapons on the territory of other States.¹⁴ States Parties discovering ACWs after the entry into force of the CWC for them must declare those ACWs not later than 180 days following discovery.¹⁵ States Parties shall provide to the Technical Secretariat all available information concerning ACWs, including, to the extent possible, the location, type, quantity, and information on the abandonment and the condition of the ACWs.¹⁶ Once declared, ACWs will be inspected by the Technical Secretariat. If necessary, the origin of ACWs will be verified and evidence concerning the abandonment and the identity of the abandoning State will be established.¹⁷
11. The Territorial State Party (“TSP”) has the right to request the Abandoning State Party (“ASP”) to enter into consultations for the purpose of destroying ACWs in cooperation

¹¹ CWC, Article I(3).

¹² CWC, Article II(6).

¹³ CWC, Article IV(1); Annex on Implementation and Verification (“Verification Annex”), Part IV(B), para. 2.

¹⁴ CWC, Article III(1)(b)(ii) and (iii).

¹⁵ Verification Annex, Part IV(B), para. 9.

¹⁶ Verification Annex, Part IV(B), paras 8, 9, 10.

¹⁷ Verification Annex, Part IV(B), para. 11.

with the TSP.¹⁸ Consultations shall then take place between the two States Parties with a view to establishing a mutually agreed plan for destruction.¹⁹ The ASP is responsible for providing all necessary financial, technical, expert, facility, as well as other resources. The TSP must provide appropriate cooperation.²⁰ If the Abandoning State either cannot be identified or is not a State Party, the Territorial State Party may request the OPCW and other State Parties to provide assistance in the destruction of the ACWs.²¹

12. ACWs are to be destroyed in accordance with Article IV of the CWC and Part IV(A) of the Verification Annex. This includes the obligation, under paragraph 10, that “[e]ach State Party, during transportation, sampling, storage and destruction of chemical weapons, shall assign the highest priority to ensuring the safety of people and to protecting the environment”.²² In addition, Part IV(A) of the Verification Annex stipulates that States Parties shall determine how to destroy chemical weapons, but that they may not be dumped in any body of water, buried on land, or destroyed using open-pit burning, as noted above. Furthermore, chemical weapons may only be destroyed at specifically designated and appropriately designed and equipped facilities.²³ Finally, States Parties must provide the environmental permits obtained for each chemical weapon destruction facility.²⁴
13. There are two exceptions to the application of Article IV of the CWC and Part IV(A) of the Verification Annex to the destruction of ACWs. First, in case of ACWs that also meet the definition of OCWs, the Executive Council, upon request, is granted the authority to modify or, in exceptional cases, suspend the application of provisions on destruction, if doing so would not pose a risk to the object and purpose of the CWC. Second, in case of ACWs that do not meet the definition of OCWs, the Executive Council, upon request and in exceptional circumstances, is granted the authority to modify the provisions on the time limit and the order of destruction, if it determines that doing so would not pose a risk to the object and purpose of the CWC.²⁵
14. Agreements or arrangements concerning the destruction of ACWs may also be concluded between State Parties. In such a case, the Executive Council may, upon request, decide that selected provisions of such agreements or arrangements take precedence over provisions of Part IV(B), Section C, of the Verification Annex, if the Executive Council determines that the agreement or arrangement ensures the destruction of the ACWs in accordance with Part IV(B), Section C, paragraph 17 of the Verification Annex.²⁶

¹⁸ CWC, Article I(3); Verification Annex, Part IV(B), para. 13.

¹⁹ Verification Annex, Part IV(B), para. 14.

²⁰ Verification Annex, Part IV(B), para. 15.

²¹ Verification Annex, Part IV(B), para. 16.

²² Verification Annex, Part IV(B), para. 17; see also Verification Annex, Part IV(A); Verification Annex, Part IV(B), paras 8-16.

²³ Verification Annex, Part IV(A), para. 13.

²⁴ Verification Annex, Part IV(A), para. 32.

²⁵ Verification Annex, Part IV(B), para. 17.

²⁶ Verification Annex, Part IV(B), para. 18.

15. The example of Japan's operations to destroy chemical weapons that it abandoned in the People's Republic of China demonstrates the priority given to the protection of the environment when addressing ACWs. Japan has noted that "[e]xcavation and recovery operations are conducted in various locations, including mountainous areas, riverbeds and urban districts" and that "[m]ost ACW items are highly corroded or deformed as a result of remaining underground or underwater for a long time."²⁷ Japan emphasised that it "places the highest priority on the safety of the local community and personnel, as well as the protection of the environment in moving this unprecedented project forward, which involves dangerous tasks."²⁸

Old chemical weapons

16. Article I(3) contains the undertaking by States Parties to destroy all chemical weapons abandoned on the territory of another State Party. As stated above, ACWs are defined as "[c]hemical weapons, including old chemical weapons, abandoned by a State after 1 January 1925 on the territory of another State without the consent of the latter".²⁹ The CWC defines OCWs as "[c]hemical weapons which were produced before 1925; or [c]hemical weapons produced in the period between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons."³⁰
17. Similar to ACWs, States Parties are under the obligation to declare whether there are OCWs on their territory, no later than 30 days following the entry into force of the CWC.³¹ With regard to OCWs produced before 1925, a State Party is required to provide the Technical Secretariat with all available relevant information, including, where possible, the location, type, quantity, and condition of these chemical weapons.³² Concerning OCWs in the second category (i.e., those produced between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons), a State Party is required to declare these to the Technical Secretariat and provide, to the extent possible, certain information specified in Part IV(A) of the Verification Annex.³³
18. A State Party that discovers OCWs after the CWC enters into force for it shall submit to the Technical Secretariat the required information referred to above not later than 180 days after the discovery of the OCWs. Following the receipt of the required declaration and information, the Technical Secretariat inspects the OCWs to verify the information

²⁷ OPCW, Executive Council, "Japan: Report on the Current Status of the ACWs Projects in China in Accordance with Executive Council Decision EC-67/DEC.6 (Dated 15 February 2012)" (EC-91/NAT.5, dated 20 June 2019), para. 2.1. See also OPCW, Review Conference, "Japan: Japan's Efforts and the Progress on the Destruction of Abandoned Chemical Weapons in China" (RC-3/NAT.20*, dated 4 April 2013).

²⁸ OPCW, Executive Council, "Japan: Report on the Current Status of the ACWs Projects in China in Accordance with Executive Council Decision EC-67/DEC.6 (Dated 15 February 2012)" (EC-91/NAT.5, dated 20 June 2019), para. 2.4.

²⁹ CWC, Article II(6).

³⁰ CWC, Article II(5).

³¹ CWC, Article III(1)(b)(i).

³² Verification Annex, Part IV(B), para. 3.

³³ Verification Annex, Part IV(B), para. 3. The information requested is listed in paragraphs 1-3 of Part IV(A) of the Verification Annex.

submitted and to determine whether the OCWs fall into either of the two categories.³⁴ OCWs that are confirmed by the Technical Secretariat as having been produced before 1925 shall be treated by States Parties as toxic waste. States Parties are required to inform the Technical Secretariat of the steps being taken to destroy or otherwise dispose of such OCWs as toxic waste in accordance with their national legislation.³⁵ OCWs that are confirmed by the Technical Secretariat to fall within the second category (i.e., those produced between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons) shall be destroyed by States Parties in accordance with Article IV of the CWC and Part IV(A) of the Verification Annex. However, as referred to above in relation to ACWs, a State Party may request the Executive Council to modify the time limit and order of destruction of these OCWs, if the Executive Council determines that doing so would not pose a risk to the object and purpose of the CWC.³⁶

19. The protections of the environment incorporated into the CWC, particularly Article IV(10) noted above, thus apply to States Parties destroying OCWs produced between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons. On this basis, States Parties may not dump such OCWs in any body of water, bury them on land, or destroy them using open-pit burning.³⁷
20. In 2017, the Technical Secretariat was called upon to verify the destruction of OCWs on San José Island in the Republic of Panama. In its concept plan for the destruction of the OCWs, the Republic of Panama stated that the selected destruction technology was consistent with its national laws pertaining to public health, safety, and the environment.³⁸

Principle 28 (Remnants of war at sea) provides as follows:

States and relevant international organizations should cooperate to ensure that remnants of war at sea do not constitute a danger to the environment.

Sea-dumped chemical weapons

21. During the negotiation of the CWC in the United Nations Conference on Disarmament, the impermissibility of dumping chemical weapons into the ocean as a destruction methodology was discussed among States.³⁹ It was generally agreed that such a means of destruction was not consistent with domestic and international environmental norms.

³⁴ Verification Annex, Part IV(B), para. 5.

³⁵ Verification Annex, Part IV(B), para. 6.

³⁶ Verification Annex, Part IV(B), para. 7.

³⁷ Verification Annex, Part IV(A), para. 13; see also Verification Annex, Part IV(A), para. 32.

³⁸ OPCW, Executive Council, “Statement by the Permanent Representative of Panama to the OPCW” (EC-86/NAT.20, dated 10 October 2017); OPCW, Executive Council, “Concept Plan for the Destruction of Eight Old Chemical Weapons” (EC-85/NAT.2, dated 16 June 2017), para. 3.

³⁹ In 1971, Italy submitted a working paper to the Conference of the Committee on Disarmament expressing the view that the destruction of large stockpiles of chemical weapons by dumping them into the ocean was “unthinkable”. CWC *Travaux Préparatoires*, “Working Paper on some problems concerning the prohibition of chemical weapons” (8 July 1971) CCD/335 (Book 4).

Dumping chemical weapons into any body of water was therefore prohibited in Part IV(A), paragraph 13, of the Verification Annex. However, two provisions were placed into the CWC dealing with SDCWs: (a) Article III, paragraph 2, states that the provisions of Article III (declarations) and the relevant provisions of Part IV of the Verification Annex (destruction of chemical weapons) shall not, at the discretion of a State Party, apply to chemical weapons that had been dumped at sea before 1 January 1985; and (b) Article IV, paragraph 17, states that the provisions of Article IV (chemical weapons) and the relevant provisions of Part IV of the Verification Annex shall not, at the discretion of a State Party, apply to chemical weapons that had been dumped at sea before 1 January 1985.

22. The OPCW Conference of States Parties has decided that the Technical Secretariat shall inspect chemical weapons dumped at sea after 1984 on the basis of declarations submitted under Article III and in accordance with Article IV and the relevant provisions of Part IV of the Verification Annex.⁴⁰ With respect to chemical weapons dumped at sea before 1985, the relevant CWC provisions (cited in the foregoing paragraph) demonstrate that a State Party exercises its discretion to declare and destroy (or not) such chemical weapons.⁴¹ In the event that a State Party decides—on a voluntary basis—to recover, declare, and destroy SDCWs, such activities are subject to the relevant provisions of the CWC. The Technical Secretariat has assisted States Parties when such requests for assistance have been made.
23. The issue of SDCWs has regularly been on the OPCW’s agenda.⁴² Moreover, the United Nations General Assembly has encouraged Member States to undertake a wide variety of

⁴⁰ OPCW Conference of the States Parties (“CSP”) Decision, “All Aspects of the Issue of Chemical Weapons Buried by a State Party on Its Territory After 1976 or Dumped at Sea After 1984, Including a Possible Challenge Inspection, and Its Implications for the Technical Secretariat’s Responsibilities” (C-III/DEC.12, dated 20 November 1998).

⁴¹ OPCW CSP Decision, “Declaration Requirements for Chemical Weapons Buried by a State Party on Its Territory After 1976 or Dumped at Sea After 1984” (C-I/DEC.30, dated 16 May 1997), which adopted an understanding with respect to the declaration requirements for chemical weapons buried by a state party on its territory after 1976 or dumped at sea after 1984; OPCW CSP Decision, “Understanding with Respect to the Terms ‘Buried by a State Party on Its Territory’ and ‘Dumped at Sea’” (C-I/DEC.31, dated 16 May 1997), which adopted an understanding with respect to the terms “buried on its territory” and “dumped at sea” contained in the CWC at Article III, paragraph 2, and Article IV, para. 17.

⁴² OPCW, Preparatory Commission, “Final Report of the Preparatory Commission for the Organisation for the Prohibition of Chemical Weapons to the First Session of the Conference of the States Parties of the Organisation for the Prohibition of Chemical Weapons and to the First Meeting of the Executive Council of the Organisation for the Prohibition of Chemical Weapons” (PC-XVI/37, dated 15 April 1997), paras 2, 96; OPCW, Technical Secretariat, Office of the Director-General, “Note by the Director-General: Report of the Advisory Panel on Future Priorities of the Organisation for the Prohibition of Chemical Weapons” (S/951/2011, dated 25 July 2011), paras 31, 101, 107; OPCW, Review Conference, “Bulgaria, Colombia, Estonia, Georgia, Latvia, Lithuania, Mexico, Poland, Romania and Ukraine: Broadening International Cooperation on Sea-Dumped Chemical Weapons and Promoting the OPCW as a Forum for Voluntary Cooperation on the Issue” (RC-4/WP.3/Rev.2, dated 28 November 2018), p. 2; OPCW, Scientific Advisory Board, Temporary Working Group on Verification, “Summary of the Fourth Meeting of the Scientific Advisory Board’s Temporary Working Group on Verification” (SAB-22/WP.1, dated 1 October 2014), para. 2.7; OPCW, Technical Secretariat, Office of Strategy and Policy, “Note by the Technical Secretariat: The OPCW in 2025: Ensuring a World Free of Chemical Weapons” (S/1252/2015, dated 6 March 2015), paras 24, 38; OPCW, Scientific Advisory Board, “Report of the Scientific Advisory Board at Its Twenty-Seventh Session 19–23 March 2018” (SAB-27/1, dated 23 March 2018), paras 6.15, 6.17(c); OPCW, Executive Council, “Note by the Director-General: Response to

activities to strengthen existing efforts to deal with SDCWs.⁴³ The OPCW Conference of States Parties, at its Third Review Conference, noted the UN General Assembly's resolution on this issue and invited States Parties to support voluntary sharing of information, awareness raising, and cooperation on the issue of SDCWs.⁴⁴ The Conference's action, in this regard, is consistent with Article VIII, paragraph 1, of the CWC, which provides that the purpose of the OPCW is to provide a forum for consultation and cooperation among States Parties on chemical weapons issues.

Conclusion

24. As set out in the preceding analysis, the Chemical Weapons Convention sets out detailed regimes that are of direct relevance to the substance and aims of the ILC Draft Principles, particularly in relation to abandoned, old, and sea-dumped chemical weapons. As was stated during the negotiation of the Convention in the United Nations Conference on Disarmament, “[t]he destruction of chemical weapons is not just a political and security objective; it is also an environmental objective.”⁴⁵ That environmental imperative has also been observed by the OPCW and its States Parties in seeking to rid the world of chemical weapons.

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the Report of the Twenty-Seventh Session of the Scientific Advisory Board” (EC-88/DG.5, dated 9 May 2018), para. 15; OPCW, Review Conference, “Report of the Scientific Advisory Board on Developments in Science and Technology for the Fourth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention” (RC-4/DG.1, dated 30 April 2018), para. 45, and Annex 1, paras. 237–240; 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, dated 16 July 2018), para. 55.

⁴³ UNGA Resolution, “Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea” (A/RES/68/208, adopted 20 December 2013 and issued 21 January 2014).

⁴⁴ OPCW, Review Conference, “Report of the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention” (RC-3/3*, dated 19 April 2013), para. 9.147.

⁴⁵ CWC *Travaux Préparatoires*, “Final record of the Five-Hundred and Eighty-Sixth Plenary Meeting” (7 March 1991) CV/PV.586 (Book 41).