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Strengthening the norms against chemical and biological weapons

The OPCW and Civil Society: Considerations on Relevant Themes and Issues

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Executive Summary

This paper explores some key elements of the relationship between the Organisation for the Prohibition of Chemical Weapons (OPCW) and civil society, with the specific and limited aim of supporting ongoing discussions being held within the OPCW regarding options and mechanisms to enhance that relationship. The paper is designed to be practical, providing readers from State Parties, the Technical Secretariat, civil society, and other stakeholders, with some initial perspectives, ideas, and considerations that could inform discussions.

It is not a paper on civil society issues more broadly, nor is it a review of all relevant literature and data, or an effort to define the boundaries, scope, or nature of the discussion and related themes. It is intended to provoke and encourage further work to be done by all stakeholders on these topics. There is a rich body of academic literature on civil society more broadly, and much that can be learnt from the experiences of civil society in adjacent international regimes, however much of this is beyond the scope of the present paper. A subsequent effort to do this could make a valuable contribution to both the policy and academic work on these topics.

The paper takes an empirical approach that contributes to the necessary efforts to expand the evidence base available to inform these deliberations. It draws primarily on data that records all OPCW accredited civil society organisations from 1997 to 2023, and upon informal discussions with individuals from the OPCW, industry, civil society, and other stakeholders.

As such, the paper addresses the following aspects within the bounds of the data available:

- The composition and focus of accredited civil society organisations (CSOs);

- How CSOs have engaged with the OPCW so far and what alternative modes of engagement may be beneficial; and,

- What foundational aspects can strengthen the relationship between the OPCW and civil society moving forward.

It is important to stress that this paper is focused on civil society within the context of the OPCW. As industry and the scientific community are currently viewed by the OPCW as distinct groups separate from civil society, they do not comprise the central focus of this study. Both, however, deserve attention in their own right, not least because the distinctions appear to be *functional* rather than *principled*: industry and the scientific community are part of civil society in a broader view, but serve particular functions for the OPCW's approach to implementation. They therefore appear to be functionally demarcated from the umbrella of other civil society organisational types when examining relevant OPCW material on the matter.

With that in mind, the paper examines who has been understood to be part of civil society according to the accreditation data from 1997-2023. There have been a diverse range of CSOs accredited to the Conference of the States Parties (CSP), encompassing organisational types including academia, think tanks, industry associations (despite now being distinct from civil society in contemporary OPCW definitions), non-governmental organisations, and others. The question of what these terms

mean and imply is worth considering. The work that CSOs do according to this data is also discussed, and its diversity reflected: engaged civil society in the OPCW context work on topics spanning non-proliferation, chemical safety, international law, victims' rights and assistance, environmental issues, and peace and disarmament.

The paper also examines the geographic locations of CSOs within the accreditation data. Over half of all CSOs accredited to sessions of the CSP since 1997 have been based in just six States Parties: Iraq, The United States of America, The Netherlands, Nigeria, The United Kingdom of Great Britain and Northern Ireland, and Iran. However, the location of accredited CSOs, in general, skews heavily towards Western Europe and Other States Group (WEOG). Latin America and the Caribbean (GRULAC) and Eastern Europe groups are regions with underrepresented accredited civil society. This imbalance suggests that steps to develop a more global civil society participation could significantly expand the expertise and regional diversity that the OPCW could access to support implementation. What the geographic representation of civil society looks like when it engages with the OPCW in different ways – i.e., not just in terms of attendance and participation at the CSP – is also worth considering.

Indeed, there are different 'modes of engagement' that connect civil society with the OPCW. The Conference of States Parties (CSP) is the primary mode, however this often enables only symbolic forms of participation for CSOs. Opportunities for substantive engagement and dialogue during intersessional periods should therefore be expanded; attention to the history of the OPCW reveals rich examples of productive engagement with civil society outside the parametres of the CSP. Some examples of these are presented, and it is suggested that such examples provide templates for developing an agenda for intersessional engagement opportunities. Wider opportunities for engagement, and a more heterogenous mix of engagement activities, can bring increasingly valuable outcomes.

Reflecting on some of these observations and considerations, the paper proposes that some short-term efforts in several areas could provide a firm basis to strengthen the relationship over the longer-term.

These efforts include attention to the accreditation process that facilitates CSO attendance and participation at sessions of the CSP; the institutional structure, roles, and responsibilities embedded within formal coordination efforts between civil society and the OPCW; the number and nature of engagement opportunities available during the intersessional period; and ensuring all efforts are undertaken in a transparent and fair manner. Indeed, parallel facilitation processes for both States Parties and civil society may help to co-create a stronger relationship by providing space to interrogate these elements and take decisions moving forward.

These considerations are offered for States Parties as they examine policy options to diversify and strengthen constructive civil society engagement. These may also be of value for the Technical Secretariat and civil society, and therefore the paper presents a number of points that could help inform appropriate next steps for all relevant actors. A table at the end offers some guiding questions that may be useful to consider within relevant facilitation frameworks.

1   Background to the Current Paper

The Fifth Review Conference of the Chemical Weapons Convention (RC-5), held from 15 – 19 May 2023, provided a platform for States Parties to reflect on the challenges and opportunities facing the Organisation for the Prohibition of Chemical Weapons (OPCW) in its engagement with civil society.

In particular, Germany with 51 other States Parties submitted a "Joint Statement Concerning Cooperation with Non-Governmental Organisations and their Inclusion in the Work of the OPCW, including their Attendance of Sessions of the Conference of the States Parties" which argued that a small minority of States Parties were blocking accreditation of NGOs and that a review of the relevant guidelines should be undertaken in "the spirit of cooperation and genuine partnership." [1]

Additionally, a number of States Parties made statements at RC-5 in support of civil society engagement, reflecting the tone of the discussions that were held under the auspices of the Open-Ended Working Group for Preparations of the Fifth Review Conference (OEWG-RC), chaired by Ambassador Lauri Kuusing of Estonia.

Indeed, the Eighth Meeting of the OEWG-RC, held on 8 November 2022, was dedicated to "interaction with representatives of chemical industry and civil society" [2] and subsequently the Draft Provisional Text submitted to RC-5 by the Chair of the OEWG-RC (RC-5/CRP.1, dated 2 May 2023) made a number of positive and action-oriented references in relation to civil society. [3]

Although RC-5 did not produce a consensus outcome document, many States Parties and the European Union signalled in their closing statements, and elsewhere, that momentum would be maintained to build on the progress made on a number of key issues.

In that spirit, Germany continued to develop the discussion about civil society following RC-5. At the 103rd Session of the Executive Council (EC-103), Germany submitted the working paper "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" in which it suggested, inter alia, that discussions are started "among interested States Parties about the options on how to ensure a more structured and systematic interaction with civil society." Other States Parties continued to make positive and action-oriented references to civil society engagement during EC-103 and EC-104 in October 2023.

1.1 Structure of the Paper

In view of these ongoing discussions, this paper presents some considerations on relevant themes and issues within the specific context of the interface and relationship between civil society and the OPCW. There is limited, technical, OPCW-specific information about civil society currently available, and efforts to produce highly focused work on the topic has been irregular. The intention is to contribute to, and provoke continued efforts for, an expansion of the evidence base that can inform deliberations. As a starting point, this paper provides data and discussions on topics relevant for the narrow study of civil society in the OPCW context and the paper is designed to be practical, providing readers from State Parties, the Technical Secretariat, civil society, and other

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[1]   Germany 'Joint Statement Concerning Cooperation with Non-Governmental Organisations and their Inclusion in the Work of the OPCW, including their Attendance of Sessions of the Conference of the States Parties' (RC-5 unmarked, 24 May 2023).

[2]   OPCW 'Report of the Chairperson of the Working Group for the Preparation of the Fifth Review Conference (WGRC—5/1 dated 25 April 2023)

[3]   State Party practice has separated chemical industry actors (and the rather ambiguous term 'the scientific community') from civil society. The term 'non-governmental organisations' (NGOs) in some cases appears to be used synonymously with 'civil society' and does not appear to be used to denote industry actors or the scientific community. This paper will maintain this separation and mirror contemporary OPCW uses of these terms, reflecting on this where relevant. Considering the value in such separations may be worth reviewing.

stakeholders, with some initial perspectives, ideas, and considerations that could be reflect or drawn upon within discussions.

Section 2 discusses the different types of civil society organisations (CSOs) present within the umbrella term of civil society, as visible within accreditation data from 1997-2023. The section also explores the different themes and topics that these CSOs work on. The accreditation data demonstrates that different types of CSOs have engaged with the OPCW over the years, and that broad fields of expertise are present. This suggests that improved methods and efforts toward mapping this community could enhance the value the OPCW perceives in civil society by allowing us to more comprehensively understand who engages with the OPCW and what they do.

It is important to note a distinction is drawn between CSOs, industry and the scientific community. This is evidenced by, inter alia, the separate decisions taken regarding attendance and participation at CSPs since at least 2014. As such, this paper mirrors that distinction; however, clarity and consistency as to what is meant by civil society, industry, and the scientific community - both conceptually and in practice - could usefully be improved, as these groups appear weakly defined within the working practices and general parlance of the OPCW.

The same accreditation data is again used in Section 3 to examine the geographic spread of those CSOs accredited to sessions of the CSP. This enables reflection on how different regional perspectives and expertise may need to be more actively engaged with. Such efforts may bring value for those States Parties that would benefit from regionally and locally tailored implementation and capacity building support. The data does not, however, reveal CSOs which have engaged with the OPCW outside of sessions of the CSP: collating and analysing that data may provide different insights.

To illustrate how engagement can take different forms, Section 4 examines how, in practical terms, CSOs have engaged with the OPCW. These different engagement opportunities are termed as 'modes of engagement'. The discussion suggests that while the CSP is the primary mode, other modes exist. Attention to these other modes – and efforts at increasing and expanding them – is crucial. Examples of these different modes of engagement are provided, drawing attention to how accreditation is not always a relevant consideration in regard of engagement. Engagement outside of the CSP does not necessarily implicate accreditation requirements.

Then, Section 5 provides some practically oriented considerations that are designed to support the creation of a constructive and healthy environment for engagement. States Parties will need to reflect on many ideas, from many different sources, and consider what serves the practice of engagement in an efficient and effective manner. However, what is clear is that the basis of this relationship must be seen to be robust, transparent, and fair. Section 6 articulates some thoughts on next steps. A table is presented with some considerations that might be relevant if States Parties and civil society instigate their own facilitation processes to guide the strengthening of the relationship.

The paper cannot be comprehensive and does not pretend to be so – there are many aspects not covered here. Moreover, it is focused specifically on civil society within the narrow policy ecosystem of the OPCW that is replete with its own peculiarities, pathologies, and patterns of behaviour that require a certain degree of effort - and experience - to grasp. As such, this paper should be understood within this context, and contains elements of analysis, interpretation, and provides suggestions and considerations, which are developed in recognition of, and within the constraints of, these idiosyncrasies. Unfortunately, the present paper does have the scope to expand upon the idiosyncratic elements that define the ecosystem that the relationship between the OPCW and civil society must play out within, although these may already be familiar to those most likely to read this paper. There remains much to be written on this topic, and this paper represents a small contribution toward that.

2   Civil Society in the OPWC Context

External engagement is not a new concept for the OPCW: engagement with industry actors has been present since the negotiation of the Chemical Weapons Convention (CWC), although wavering in strength and evolving in purpose;[4] institutional 'quilting' has steadily increased between the Technical Secretariat and various other international bodies and organisations since at least 2000;[5] and a range of CSOs have engaged with the OPCW as whole (that is to say: interactions with States Parties and the Technical Secretariat in a general sense) over the Organisation's lifetime.

External engagement in the OPCW context relates to "genuine and sustained dialogue [to] deepen and enhance implementation of the CWC."[6] This engagement has been suggested to occur within "a tri-sectoral network of actors from the public (government), private (industry) and civil (NGO) spheres."[7]

This 'tri-sectoral division' of actors tasked with sustaining dialogues to deepen and enhance implementation is reflected in the attendance and participation decisions taken at sessions of the CSP. These decisions, following the Decision on NGOs at RC-3[8], and visible since at least CSP-19 in 2014, separate chemical industry and the scientific community from non-governmental organisations.[9] In practice, the OPCW appears to consider the term non-governmental organisations as being synonymous with the term civil society, and does not consider industry or the scientific community to be within the definitional scope of civil society. The tri-sectoral division is therefore perhaps *functional* rather than *principled* in so far as private industry is, by definition, non-governmental. Rather than being a sub-set of civil society, the OPCW disaggregates them as their own set of actors.[10]

It is fair to suggest, therefore, that States Parties, private industry, and CSOs are the three main actor groups understood that contribute to the implementation of the CWC. However, it is important to recognise that while States Parties and industry can be relatively narrowly defined and identified as a discrete group of actors, civil society is rather more diverse and is often used as an 'umbrella term' for various categories or types of actors. In other words, civil society contains a number of sub-types.

Indeed, different policy contexts or issues may attract different types of CSOs. It is, in the general sense, a best practice approach to be *inclusive* of what we might define as a civil society actor. States Parties may find benefit in reflecting on the idea that industry is, on one hand, part of a broad definition of civil society, despite being, in the context of the OPCW, functionally separated from it.

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[4]   United Kingdom 'The Changing Face of the Chemical Industry: Implications for the Chemical Weapons Convention' (RC-1/NAT.9 dated 24 April 2003); Sydnes, L. K. 'IUPAC, OPCW, and the Chemical Weapons Convention' (*Chemistry International -- Newsmagazine for IUPAC*, 2013) 35(4); OPCW '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) paragraph 11

[5]   Ghionis, A. *Change and Continuity in the Organisation for the Prohibition of Chemical Weapons* (Doctoral Thesis; University of Sussex, 2021) p.365*ff* available at https://sussex.figshare.com/ndownloader/files/41198765

[6]   Trapp, R. 'The 2007 OPCW Academic Forum – An Overview' in Trapp, R. (ed.) *OPCW Academic Forum* (Clingendael; The Hague, 2007) p.16

[7]   Robinson, J. P. 'Preparing for the Second CWC Review Conference: HSP Views" (*The CBW Conventions Bulletin*, 2007) 76+77 p.3 available at http://hsp.sussex.ac.uk/new/_uploads/bulletin/CBWCB76_77.pdf

[8]   OPCW 'Decision - Amendment of Rule 33 of the Rules of Procedure of the Conference Of The States Parties with Respect to Attendance of Non-Governmental Organisations at Meetings of Special Sessions of the Conference of the States Parties to Review the Operation of The Chemical Weapons Convention' (RC-3/DEC.2 dated 8 April 2013)

[9]   See, for example, such decisions for the Fifth Review Conference: RC-5/DEC.3 dated 15 May 2023, and RC-5/Dec.4 dated 15 May 2023

[10]   It remains unclear what defines the 'scientific community' in this context, as separate from industry actors or other actors in civil society. The 'scientific community' as a standalone actor group seems less useful and remains ambiguous as to its purpose, and for the remainder of this paper may be assumed to be present in both industry and CSOs. However, in a general sense, the discussions about the benefits and potential issues that emerge through such separations between industry and civil society will likely be applicable to this third category of 'the scientific community'.

Given this functional separation between industry and civil society, this paper focuses on civil society, with reference to industry only when this helps clarify or contextualise. To have a comprehensive discussion about engagement, however, it is recommended that a separate study on industry participation and engagement be undertaken.

What follows in the next two subsections reflects primarily on CSO types and the focus of their work. This demonstrates the wide variety of CSOs working in this area, suggesting that enhanced review and data capture of this community could be a valuable first step in efforts to leverage expertise to support implementation.

2.1 Organisational Types

There are many terminologies used to categorise CSOs, and therefore this is not a precise science. There is often overlap; some terminologies are used in particular contexts and not in others. Some CSOs, for example universities, may potentially be defined through multiple categories, or employ variations of their definition within different settings: they may be academic actors, advocacy actors, research actors, and so forth. Moreover, in non-OPCW contexts, industry actors may be considered part of civil society.

Data about CSOs accredited to the OPCW has been collected by the Technical Secretariat since 1997. The data has been updated over the years, and so it is not clear what original principles or methods were used to collate the data. However, the data provides a useful starting point in considering who accredits to sessions of the CSP and what they do.

Within this data, each accredited CSO has been assigned an 'organisational type' by the various staff who collated the data over the years. This organisational type defines the organisation's purpose. This data demonstrates the different categorisations used to define accredited CSOs and reveals some of the difficulty in singularly defining them.[11] Table 1 lists main organisational types to appear within this data. All of these types of organisations are understood to be (or were previously thought to be) types of organisation within the umbrella term of civil society.[12]

Academic	Industry association	Research
Advocacy	Industry enterprise	Think tank
Consultancy	Non-governmental organisation	Youth group

Table 1 – List of the most common accredited civil society organisational types, 1997-2023

As the Table 1 shows us, civil society actors organisations can be of many different types and purposes. These organisational types do not exist in isolation, nor are they necessarily static. As mentioned, CSOs may identify with one or more of these types in different contexts, and so these may be fluid. A useful way to view these types is to consider them as part of the 'advocacy-implementation-research' spectrum of CSOs.[13]

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[11] The Technical Secretariat has attributed these organisational types to civil society organisations based on examination of their applications for accreditation.

[12] It is important to note that those category types that denote industry actors (i.e., industry association and industry enterprise) no longer accredit to the OPCW through the same procedure as CSOs. They remain included in this table to demonstrate that historically they were considered part of civil society in the OPCW context. According to the data, this no longer appears to be the case.

[13] Guthrie, R. 'NGO Participation in meetings of global arms control treaties' (CBW Events, 2007) available at https://www.cbw-events.org.uk/rg/2007-1119_CBWE_NGO_Paper.pdf

2.1.1 The 'Advocacy-Implementation-Research Spectrum'

This spectrum of different types of CSO is evident in international regimes designed to control so-called weapons of mass destruction or other unconventional weapons. Different international organisations and regimes may see emphasis on particular organisational types. For example, CSOs involved in the Nuclear Non-Proliferation Treaty or the Treaty on the Prohibition of Nuclear Weapons, as well as others, may tend toward 'advocacy' insofar as they are focused on advocating for the as-yet-unfulfilled central promise of a particular regime - in most circumstances that being a universal move toward nuclear disarmament.

However, given the success of the CWC in disarming a whole class of declared weapons, and the relative maturity of its verification regime and associated practices, the need for a general advocacy for an anti-chemical weapons regime, on the part of global civil society, has been reduced. Such regime-creation advocacy was evident before and during the CWC negotiations, with a gradual reduction in its need as universalisation has increased and tangible outcomes achieved. Moreover, the CWC does not permit a 'have-and-have-not' division, and the CWC holdouts may, at any rate, be resistant to efforts by civil society.

Those CSOs that could be characterised as 'advocacy' in the contemporary CWC context tend to advocate on particular themes or issues, such as victims' rights and health,[14] or on sea-dumped munitions.[15] This focused advocacy seeks to improve aspects of the CWC's implementation and has a long history of seeking partnership with the OPCW while also working independently.

In broad terms, many of those regularly accredited CSOs have tended toward the 'implementation-research' end of the spectrum, focusing on scientific, legal, public health, organisational and environmental aspects. This may be natural, as civil society focus on implementation performance is important to assess the health of the regime and support the shepherding of the regime through changing contexts.

The need to advocate for regime creation has therefore been superseded with the need to maintain and support its effective implementation. Once again, however, different CSOs may self-define in different ways, with some perhaps undertaking *both* advocacy and research, for example. Caution is required when utilising any generalised definition, and a case-by-case analysis is perhaps the most effective approach for understanding the composition of civil society in the context of the CWC.

2.1.2 The Balance between General and Specific Terms

Upon reflection of these types - and on the notion of a spectrum - it seems that the homogenous term 'civil society' may be useful in some contexts, and less so in others. When speaking in general terms about engagement, for example during sessions of the CSP when wide and diverse participation is sought, the term 'civil society' has value.

Nonetheless, even in this broad approach, private industry actors – who are 'non-governmental' by definition – have remained separated from civil society within the recent history of the OPCW.

On the other hand, the homogenous term 'civil society' may be less useful when thinking about engagement in particular contexts. For example, hosting a workshop on verification or on national implementation, or in terms of defining outreach and engagement activities within divisional strategies of the Technical Secretariat, might all benefit from a more sophisticated language and knowledge of the organisational types and thematic focus of engaged civil society. In other words, understanding who civil society are and what they do has benefits. Ensuring that the OPCW has

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[14] See, for example CWCC 'NGO Joint Statement - Chemical Weapons Victims' Rights and Health' available at https://www.opcw.org/sites/default/files/documents/2023/05/Joint%20NGO%20Statement%20-%20Chemical%20Weapons%20Victims%20Rights%20and%20Health.pdf

[15] See, for example CWCC 'NGO Joint Statement - Promoting International Cooperation on Abandoned Sea Dumped Chemical Weapons in the Context of a Climate Crisis available at https://www.opcw.org/sites/default/files/documents/2023/05/Joint%20NGO%20Statement%20-%20Statement%20on%20Sea%20Dumped%20Weapons.pdf

access to relevant, individual CSO-level data is a foundation to enhancing engagement. This requires civil society to provide up-to-date data on their research, and a responsive and enabling data architecture within the Technical Secretariat.

2.2 Organisational Themes and Issues

The aforementioned data regarding accredited CSOs collected and organised by the Technical Secretariat from 1997-2023 also reveals the focus of work that CSOs report in their interaction with the OPCW. This data helps us better understand what different types of civil society organisation professes to do. Table 2 shows a list of 19 themes and issues that have been recorded within the data as being the focus of work for accredited CSOs between 1997 and 2023.[16] The tags within the data are rather broad (i.e. "peace" and "sciences") but they provide a useful thematic overview.

Chemical and biological warfare	Peace	Sciences
Chemical industry	Public health	Technology
Chemical safety and security	Public policy	Victims
Chemistry	International affairs	WMD issues
Development	International law	Youth
Environment	International security	
Human rights	Regional cooperation	

Table 2 – List of themes and issues that civil society organisations focus on, 1997-2023

This table suggests that engaged civil society has a broad thematic focus and is not restricted to one or two issues. This breadth is particularly important for the OPCW in the context of prevention of re-emergence, as implementation of the CWC will need to be widened and deepened. The wide variety of work that CSOs focus on may complement this expanding implementation agenda.

Figure 1, below, combines the types of organisational types discussed previously, with the thematic work they undertake. This is based on the aforementioned data collected by the Technical Secretariat. The figure shows, in the inner circle, the different organisational types the Technical Secretariat has recorded since 1997. The outer circle shows the top 3 (where possible) most attributed themes of work associated with those organisational types. Figure 1 therefore illustrates the subjects of work that different types of CSO focus on. Of course, there is likely much more not captured in the data.

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[16] The Technical Secretariat has attributed these themes to civil society organisations based on examination of their applications for accreditation.

Figure 1 – Organisational types and their most attributed themes and issues, 1997-2023

2.3 Reflections

This section has demonstrated that CSOs are not homogenous, either in terms of who they are (i.e., their organisational 'type') or in terms of the themes and issues they focus their work on. Having a clearer picture of the composition of civil society, and what they work on, is beneficial.

While the accredited data collated by the Secretariat from 1997-2023 does provide us with information on organisational types and focus, it is rudimentary and blunt. Developing new typologies and data collections methods to better map the "who and what" of civil society could be useful to create a deeper and more dynamic understanding of engaged civil society moving forward. This data would bring additional functionality, for example allowing the Technical Secretariat to quickly identify which CSOs are working on particular issues relevant to priorities. This overlaying of a civil society data map on to OPCW priorities, activities, and goals will maximise opportunities to engage and partner with wider networks in an efficient and effective manner. This will reduce the miasma that often clouds the relationship between state and civil actors in the OPCW context.

Within this discussion, it is perhaps useful to recall that RC-5 brought a range of key issues to the surface, from verification and prevention; international cooperation, assistance and protection; national implementation; capacity building; organisational governance; and emerging threats to the CWC. Many of the themes identified in Figure 1 and Table 2 above suggest that many accredited CSOs are positioned to contribute.

To facilitate enhanced engagement, the Technical Secretariat and civil society, in consultation with States Parties, should develop a coherent and functional typology and series of data capture fields for categorising and mapping accredited CSOs. Indeed, the next round of accreditations for CSP-29 provides a good window to capture as much CSO self-reported data as possible within a suitable framework. This data could support future engagement activities by providing a clear way to identify which CSOs are working on particular issues and can therefore bring specific knowledge and

specialised skills. This relatively simple approach could provide a coherent and information-rich structure upon which to build enhanced engagement in an efficient and effective manner.

3 Civil Society Participation in Numbers

This section explores two dimensions of civil society participation. The first is the overall number of accredited civil society organisations at sessions of the CSP, and the second is the geographic spread of those accredited CSOs. The aforementioned data used in the previous section, collated by the Technical Secretariat, is utilised again in this section. At the time of writing, the Technical Secretariat are also producing an analysis of accreditation numbers, and to the extent possible this section seeks not to simply reproduce that, recognising that their analysis may present different dimensions and go further drawing on additional data and information.

3.1 Number of Accredited CSOs

Accreditation for CSOs has been possible since the first regular session of the Conference of the States Parties (CSP-1) in 1997. Figure 2, below, demonstrates that the number of accredited CSOs per CSP session has fluctuated over the years, with the general trend revealing an increase in numbers, especially following the establishment of the Chemical Weapons Convention Coalition from CSP-14 in 2009 onwards.[17]

There are two important aspects to recognise about this data. First, the total accreditation numbers for CSP sessions in Figure 2 do not represent the total numbers of those CSOs who *participated* at the respective CSP. Those numbers are likely to be lower. The cost implications of attending can be too great and, as such, CSO accreditation is likely to be higher than participation. Accreditation numbers should be seen as numbers representing the *aspiration to participate*, and the numbers of those who actually participate understood as those who are *financially able* to do so.
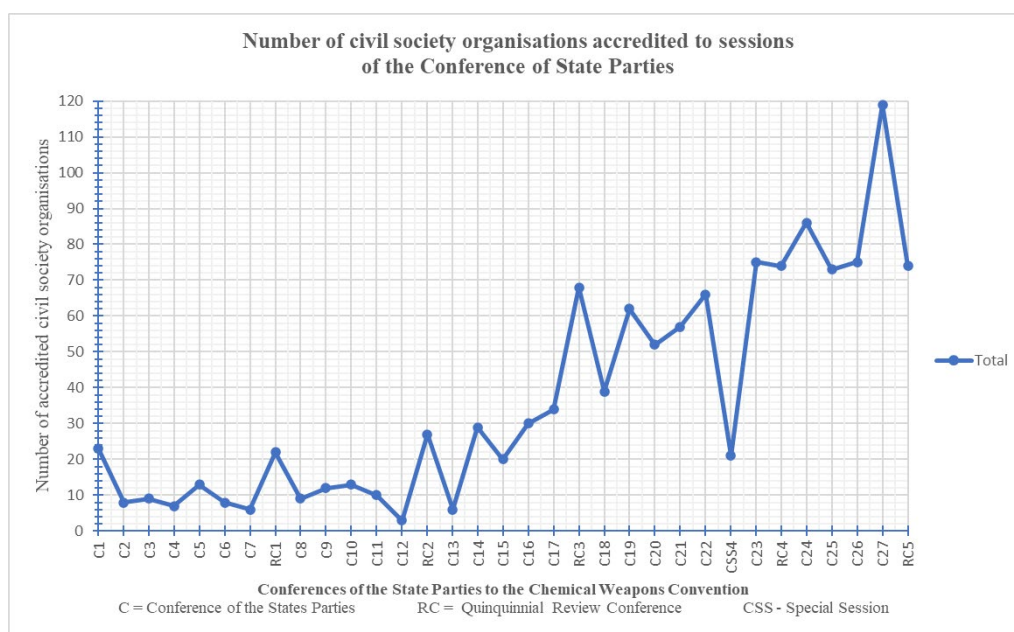

Figure 2 – Number of accredited civil society organisations to sessions of the CSP, 1997-2023

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17   https://www.cwccoalition.org/

Second, industry participants appear to be partially disaggregated from the CSO accreditation data from at least 2014. Some industry participants may therefore appear in this data. The separation of industry from civil society has been remarked on, but it is worth reiterating that over time the nature and framing of the industry-OPCW relationship has evolved and so it is entirely reasonable to expect that the industry-civil society demarcation was not quite as obvious historically as it is perhaps assumed to be today.

3.2 Geographic Representation of CSOs

Table 3 and Figure 3, both below, provide data on where CSOs who have been accredited to sessions of the CSP have self-reported their geographic location to be.

Table 3 presents this location data, showing the countries the accredited CSOs are located in. In total, 53 States Parties, and Egypt and Israel, have been attributed as the locations of accredited CSOs. Interestingly, over half of all accredited CSOs have been located in just six States Parties: Iraq, The United States of America, The Netherlands, Nigeria, The United Kingdom of Great Britain and Northern Ireland, and Iran. The top 10 countries listed in Table 3 demonstrate a wider pattern of geographic imbalance. Note that the top 10 contains three States Parties from Asia, two from Africa, and five from WEOG.

Number of accredited CSOs in their reported locations, ranked by total, 1997-2023								
1	Iraq	44	*19*	Niger	4	*38*	Fiji	1
2	United States of America	31	*20*	Pakistan	4	*39*	Finland	1
3	Netherlands	22	*21*	Argentina	3	*40*	Indonesia	1
4	Nigeria	22	*22*	Bangladesh	3	*41*	Israel	1
5	UK	19	*23*	Brazil	3	*42*	Jordan	1
6	Iran	12	*24*	Liberia	3	*43*	Kazakhstan	1
7	Ghana	10	*25*	Australia	2	*44*	Kyrgyzstan	1
8	Germany	9	*26*	Austria	2	*45*	Morocco	1
9	India	9	*27*	Japan	2	*46*	Norway	1
10	France	8	*28*	Mexico	2	*47*	Philippines	1
11	Italy	6	*29*	Russia	2	*48*	Poland	1
12	Switzerland	6	*30*	Algeria	1	*49*	Qatar	1
13	Türkiye	6	*31*	Armenia	1	*50*	Republic of Korea	1
14	China	5	*32*	Bahrain	1	*51*	Romania	1
15	Egypt	5	*33*	Bolivia	1	*52*	South Africa	1
16	Belgium	4	*34*	Burkina Faso	1	*53*	Sweden	1
17	Canada	4	*35*	Burundi	1	*54*	Uganda	1
18	Kenya	4	*36*	Cameroon	1	*55*	Yemen	1
			37	Denmark	1			

Table 3 – Number of accredited CSOs in their reported locations, ranked by total, 1997-2023

To examine the geographic imbalance of accreditation within the framing of OPCW regional groups, Figure 3 is presented below. This shows us that CSOs are significantly under-represented in GRULAC and Eastern Europe. Indeed, WEOG accounts for the reported location of roughly 46% of all accredited CSOs; Asia accounts for 31%; Africa 18%; GRULAC 2%; and Eastern Europe 1.7%.
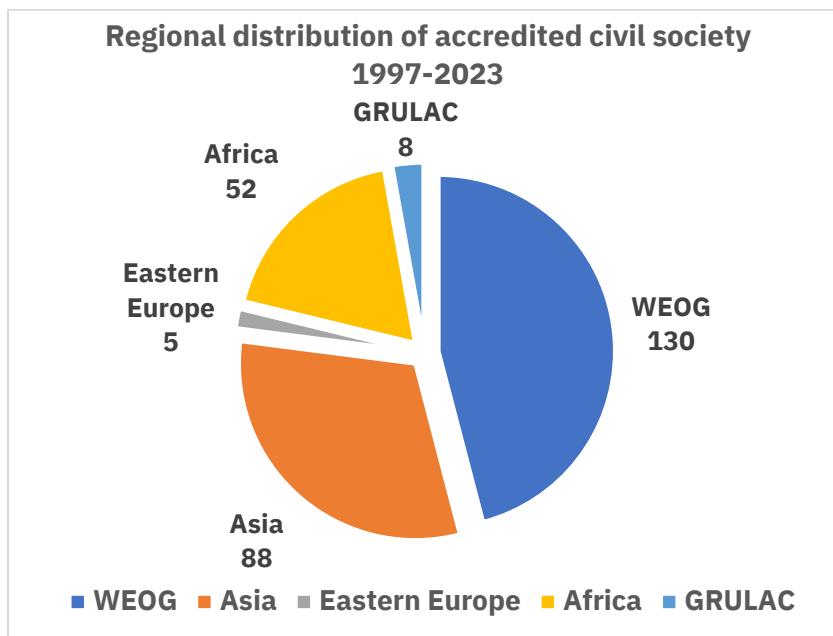

Regional distribution of accredited civil society 1997-2023

- GRULAC 8
- Africa 52
- Eastern Europe 5
- WEOG 130
- Asia 88

■ WEOG ■ Asia ■ Eastern Europe ■ Africa ■ GRULAC

Figure 3 –The regional distribution of accredited civil society organisations, 1997-2023

3.3 Reflections

It is worth recalling that accredited CSOs must decide whether the *cost* of participating in sessions of the CSP matches the perceived *value* of participating. As is discussed in Section 4, the dominant form of engagement is through attending the CSP. Yet, this mode of engagement may often be more symbolic than it is substantive. It raises the question that if there were different ways for CSOs to engage (that is to say: different 'modes of engagement'), perhaps with a more substantive orientation, and taking place within intersessional periods, would the pattern and nature of CSO engagement change?

This question is also relevant in relation to the current geographic imbalance of CSO participation. What conditions may allow a wider geography of civil society to participate? How might engagement beyond sessions of the CSP circumvent the complexity of accreditation or the restrictive cost implications of in-person participation?

A way forward can be viewed strategically and within the interests of the OPCW. States Parties may find benefit in efforts that seek to improve ownership of, engagement with, and adherence to, the CWC. Demonstrating the CWC's broader security and developmental relevance for those States Parties who otherwise have been less engaged in destruction activities or industrial verification obligations is crucial. It follows that a broader range of issues may be identified as being within the purview of the OPCW's mandate and may become the focus of capacity-building efforts for the Technical Secretariat. Indeed, the post-destruction landscape of implementation activities may be more varied and richer than what has come before.

This may require the Technical Secretariat to develop greater capacity to engage with external networks that can facilitate and support this. In other words, CSOs from all regions of the world may be able to play a greater role in supporting implementation than has so far been assumed.

The geographic imbalance of CSOs could be addressed within this context. Efforts to engage with a wider geography of CSOs needs to have a rationale and this context may provide it. To do so, a better understanding of who makes up civil society, and what it can offer, is important – as Section 2 of this paper demonstrated. Having the vision and mandate to engage outside sessions of the CSP therefore requires attention.

Developing modes of engagement for civil society beyond the parametres of the CSP will be crucial in this regard. This will allow the OPCW to more readily draw upon expertise on issues and themes relevant to contemporary implementation priorities.

4   Modes of Engagement

'Modes of engagement' is a term used here to describe the ways in which the OPCW and CSOs come to interact. Not all modes of engagement require accreditation, as accreditation is only required to gain entry to sessions of the CSP. Indeed, the clearest mode of engagement is through the CSP, when CSOs seek accreditation to attend and participate. There are, however, at least two other modes of engagement and what follows looks at these all in turn.

4.1 CSP Attendance and Participation

The most visible mode of engagement for CSOs is through their participation in regular and special sessions of the CSP. In principle, this mode of engagement contains the elements described hereafter (a – c) and is currently facilitated by the NGO Coordinator. The role of an NGO Coordinator was explicitly requested by the Conference in RC-3/DEC.2, dated 8 April 2013:

> **2. Coordination between non-governmental organisations**
> NGOs are to designate a coordinator ("NGO Coordinator") from amongst their own ranks, who is to be responsible for liaising with the Technical Secretariat and the Chairperson of the Conference on issues related to NGO participation. [18]

The NGO Coordinator is Dr Paul Walker, the Chair of The Chemical Weapons Convention Coalition (CWCC).[19] The CWCC was established in 2009 as a global civil society network seeking, inter alia, to encourage and promote participation of civil society in conferences of the OPCW. The CWCC is currently hosted by The Arms Control Association.[20] The CWCC has become the de facto coordinating body between civil society at large and the OPCW and, as such, the NGO Coordinator (as called for in RC-3/DEC.2) is assumed to be the Chair of the CWCC.

The CWCC and the NGO Coordinator have forged considerable improvements in the relationship between civil society and the OPCW. This includes both driving and supporting increased levels of CSO participation at sessions of the CSP, while also developing an active and vibrant interdisciplinary community attending to the CWC. The CWCC created a platform for intra-community engagement, networking, and collaboration. Often against strong political and financial headwinds, the leadership has generated a momentum over the last fifteen years which delivers a mandate to further strive to enhance civil society's relationship with the OPCW. Section 5.2 of this

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[18]   OPCW 'Decision - Amendment of Rule 33 of the Rules of Procedure of the Conference Of The States Parties with Respect to Attendance of Non-Governmental Organisations at Meetings of Special Sessions of the Conference of the States Parties to Review the Operation of The Chemical Weapons Convention' (RC-3/DEC.2 dated 8 April 2013)
[19]   https://www.cwccoalition.org/
[20]   https://www.armscontrol.org/

paper discusses the institutional aspects of this coordination in more detail with a view to building on this success and augmenting it over the next ten years and beyond.

4.1.1 Civil Society Statements

The NGO Coordinator has, since at least 2014, overseen the scheduling of civil society representatives to speak during an allotted timeframe at the end of the agenda item 'General Debate'. The NGO Coordinator does not currently have responsibility for industry statements. Given the high number of CSOs accredited and wishing to speak within a tight schedule, the statements that have been addressed to the plenary represent only a section of those CSOs accredited and present at the CSP.

In the most recent years, civil society statements have been reprofiled along thematic lines, potentially as a response to the inherent challenge in giving voice to all CSOs who wish to make a statement. Several themes are proposed by the NGO Coordinator following a consultation, and CSOs then volunteer to cooperatively draft associated statements; following this, CSOs can endorse statements they align with. As with RC-5, these are then read by a representative on behalf of those endorsing CSOs.

Accredited CSOs who wish to provide a statement outside of this procedure (that is to say: not under the umbrella of the CWCC and the current thematic approach) are still, in theory, able to do so. They can submit a statement in writing to the Technical Secretariat who can post the statement to the website and external server. However, the current procedure does not appear to provide for those CSOs to address the plenary. The procedure for industry statements likewise falls outside of the formal procedure for civil society statements and appears to be coordinated separately.

4.1.2 Side Events and Exhibitions

CSOs have the opportunity to host side events and present exhibitions on the margins of the CSP. Many CSOs set up exhibitions, with those representing victims and associated issues tending to be in the majority. A varying number of CSOs host lunch-time side events, and the CWCC usually hosts an Open Forum with presentations and panel discussions. These provide opportunities for attendees at the CSP, including State Party representatives, staff of the Technical Secretariat, members of civil society, and accredited industry and scientific community members, the opportunity to engage. It is not entirely clear how industry actors may organise side events in relation to how CSOs do so. It seems that industry participants have organised fewer side events and exhibitions than CSOs in recent years.

4.1.3 Networking

Attendance at the CSP provides a rare opportunity for civil society representatives to network with each other and engage and build relationships. There are opportunities to do such networking with States Parties and the Technical Secretariat, although the busy working schedule can make this difficult. As such, direct interaction between CSO representatives and officials are limited, suggesting that opportunities to input into the policy making cycle or implementation planning tend not to occur within this mode of engagement (indeed, this is not necessarily the right time to seek to do so anyway as State Party positions are usually already agreed upon with capitals).

4.2 Other Modes of Engagement

OPCW engagement with CSOs also takes place outside of the parametres of the CSP. These examples tend to be irregular, and specific in their objectives; in some cases these do not implicate the accreditation process. Moreover, it is also worth considering how geographic representation may look different if we were to measure it based on the representation of civil society in the following examples and activities – it seems likely it would differ from the data pertaining to CSP accreditation.

What follows below are two further proposed modes of engagement that institutional evidence appears to exist for. There is, of course, the potential for overlap with the typology, and so these examples serve simply to help clarify the different dimensions rather than imply that this is a pre-defined structure or, indeed, how the OPCW or a particular CSO would self-define their engagement.

The examples of such engagement below are not implied to be complete, and do require additional research to fully compile and assess individually. As such, they are representative. It is also important to note that what follows does not include reference to projects or publications related to the CWC or the OPCW which are funded or conducted independently of the OPCW, as these do not depend on the relationship between civil society and the OPCW to be generated. An example of this exclusion would be independent academic journal publications on the CWC or OPCW.

4.2.1 Partnerships

This second mode of engagement can be understood as a formal and collaborative relationship between the OPCW (that is to say: authorised by States Parties and/or the Technical Secretariat) and one or more CSOs to achieve a defined goal(s) or task(s) which have been agreed upon by those relevant parties. Therefore, this mode of engagement involves elements of a structured partnership with objectives, roles, and timelines and which might include the provision of funding to the CSO(s) involved.

Examples include the agreement between the OPCW Preparatory Commission/ Provisional Technical Secretariat (and then the OPCW Technical Secretariat after entry-into-force) and the Harvard Sussex Program (HSP)[21]. This agreement facilitated the embedding of a researcher from HSP (known as the HSP Researcher in The Hague), who contributed to relevant tasks and activities within the divisional branch they were embedded within, as well as producing the quarterly review "Progress in The Hague" which formed part of the CBW Conventions Bulletin, published by HSP.[22] This partnership agreement appears to have run from at least 1994 until 2005, with at least five researchers being employed on two year rotations.

The project work undertaken by VERTIC[23], which is often funded by States Parties to analyse aspects of the work of the OPCW, in particular relating to the modalities of national implementation and other legal aspects, is another example. Attention to VERTIC's projects over many years reveal the value that States Parties attach to VERTIC's expertise in this area, demonstrating a useful case study in CSO engagement and partnership.

A third example is the daily reporting and analysis done by Dr Richard Guthrie of CBW Events[24] at CSP sessions.[25] While technically taking place during CSP sessions, the nature of the engagement differs from that as outlined in the preceding subsection. In this case, reports are produced on a daily basis (including a 'setting-the-scene' and conclusion) and distributed to all States Parties during each morning session of the CSP. This is widely viewed with appreciation and demonstrates again how a CSO can bring value to the OPCW's work.

The development of the Hague Ethical Guidelines[26] is also useful to consider in this context. These were born from the contributions of over thirty individuals working together from across government, industry, and civil society following initial discussions and direction from States Parties and the Technical Secretariat.

Within this area we might also consider the significant contributions made by representatives of industry and civil society within the frameworks of the Scientific Advisory Board, the Advisory Board

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[21]   http://hsp.sussex.ac.uk/new/
[22]   The CBW Conventions Bulletin archive can be accessed at http://hsp.sussex.ac.uk/new/resources/cbw-conventions-bulletin
[23]   https://www.vertic.org/
[24]   https://www.cbw-events.org.uk/
[25]   CBW Events reporting from RC-5 can be accessed at https://www.cbw-events.org.uk/cwc-rep.html
[26]   https://www.opcw.org/hague-ethical-guidelines

of Education and Outreach, and in particular bodies such as the Advisory Panel on Future Priorities of the OPCW.[27] These efforts may overlap with the mode of engagement outlined below, however the more formalised nature of the appointments to these regularly-meeting and well-defined bodies may imply that the independent participants view their efforts as working in partnership with the OPCW. The rendering of specialised advice on request of States Parties underscores this.

4.2.2 Expert Contributions and Thematic Interventions

A third mode of engagement relates to activities through which CSOs have the opportunity to shape OPCW positions, policies, practices, and priorities in ways less formalised than the preceding examples. This can involve participating in workshops, dialogues, and other settings in which the emphasis may be on knowledge exchange and idea development, usually within a defined thematic area.

An important example here are the efforts by various victims' groups in seeking to identify priorities and shape outcomes for victims' assistance projects. There are instances of such efforts, for example specific CSO's engagement and advocacy for a Day of Remembrance to be observed, the establishment of the International Support Network for Victims of Chemical Weapons and a supporting voluntary Trust Fund (see C-16/DEC.13dated 2 December 2011)[28]; and contributions during the OPCW's International Symposium on Medical Treatment of Chemical Warfare Victims.

This resulted in, inter alia, participants recommending the establishment of an international network of clinicians, scientists, academia and civil society to provide a "forum for the exchange of experiences and ideas about treatment and support of victims of chemical weapons, as well as identifying research needs and encouraging scientific collaboration in these areas of research."[29] Understanding the precise dynamics and details of the influence of CSOs in regard of victims would benefit from some closer analysis, not least to reveal the beneficial and constructive relationship between such CSOs and the OPCW in shaping positive outcomes.

Similarly, efforts[30] toward dealing with the safe destruction of sea-dumped munitions generates focused CSO interaction with the OPCW and other international organisations. Growing interest from several States Parties may present further opportunities to develop this engagement.

Other salient examples include the Academic Forum, held 18-19 September 2007, and the Industry and Protection Forum, held on 1-2 November of the same year.[31] These were organised by the predecessor of today's Office of Strategy and Policy, then known as the Office of Special Projects.[32] The forums asked the government, industry, and representatives of civil society to consider, inter alia, how "the OPCW can adapt to the evolving security environment and the changing nature of the chemical industry."[33] In particular, the Academic Forum's content and

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[27] OPCW 'New Advisory Panel on Future Priorities of the OPCW Holds First Meeting in The Hague' News 16 December 2010 available at https://www.opcw.org/media-centre/news/2010/12/new-advisory-panel-future-priorities-opcw-holds-first-meeting-hague

[28] OPCW 'Decision - The Establishment of the International Support Network for Victims of Chemical Weapons and the Establishment of a Voluntary Trust Fund for this Purpose' (C-16/DEC.13 dated 2 December 2011)

[29] International Symposium on Medical Treatment of Chemical Warfare Victims: Challenges and Hopes, 28-29 June 2018, available here.

[30] https://underwatermunitions.org/

[31] It is pertinent to note here, in regard of the wider discussions about the separation between industry and civil society, that these two events were tailored for two elements of civil society actors: industry and academia. In other words, that these two forums were not for 'industry' and 'civil society', but rather 'industry' and 'academia', is an important point to consider.

[32] For a description of these forums, in the context of the emergence and development of chemical safety and security as an OPCW area of interest, see: Ghionis, A. *Change and Continuity in the Organisation for the Prohibition of Chemical Weapons* (Doctoral Thesis; University of Sussex, 2021) p.419*ff* available at https://sussex.figshare.com/ndownloader/files/41198765

[33] OPCW 'Note by the Director-General – The OPCW Academic Forum 18 and 19 September 2007 – Invitation and Call for Papers' (S/649/2007 dated 10 July 2007)

outcomes were published in a book that still serves as an important contribution to the literature on the OPCW and CWC.[34]

Further examples include the 2018 Conference on Countering Chemical Terrorism,[35] the online forum to promote chemical knowledge and advance peaceful uses of chemistry in 2022,[36] and the annual Women in Chemistry Symposium.[37] Additionally, CSOs had the opportunity to provide submissions to the Open-Ended Working Group for the Fifth Review Conference in November 2022 to support preparatory deliberations, demonstrating the recognition by States Parties that inputs here could be valuable.

4.3 Reflections

Currently, there are few structured, regular, opportunities for engagement between civil society, States Parties, and the Technical Secretariat, outside of the CSP. The CSP-oriented mode of engagement receives the most emphasis.

Participation in the primary policy-making organ of the OPCW is important for civil society as the opportunity to contribute both through formal statements and through side events and networking is a unique one. It also provides key opportunities for CSOs to follow policy discussions to better understand political dynamics, in turn helping CSOs generate meaningful input.

However, many CSOs do not have the resources to attend a CSP and so these events only represent a partial picture of civil society interests in the CWC; discounting the outcomes of financial assistance and support when available, there tends to be a skew toward CSOs based within WEOG (see Figure 3). This can provide a shallower view than is necessarily true of CSOs working on relevant themes and issues.

Moreover, CSP-oriented engagement tends to be symbolic rather than substantive. The CSP often sits within the part of the policy-making cycle where inputs from civil society may be ineffectual: positions and decisions are relatively well formed by this point, and statements and side events by civil society may not influence proceedings.

Of course, inputting into the policy development process may not always be what a particular CSO intends to do. CSP-oriented engagement can be valuable as the message of statements and side events may be taken away by delegations and the Technical Secretariat to be reflected on moving forward. This is particularly important for advocacy for victims. Moreover, some CSOs may wish to report back on the outcomes of project work, in which case the CSP may be an appropriate setting. However, for almost all CSOs there will be a number of aims for their work which require dialogue and activity over the longer term; moreover, States Parties have limited opportunity to substantively engage during CSP and also may benefit from intersessional activities.

It appears, therefore, that opportunities to engage during the 'intersessional periods', when themes and topics of importance for the OPCW can be more deeply explored with civil society, are valuable, for both the OPCW and civil society.

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[34] OPCW 'OPCW Academic Forum' News 2 October 2007 available at https://www.opcw.org/media-centre/news/2007/10/opcw-academic-forum; see: Trapp, R. (ed.) *OPCW Academic Forum* (Clingendael; The Hague, 2007)

[35] OPCW 'OPCW holds Conference on Countering Chemical Terrorism' News 7 June 2018 available at https://www.opcw.org/media-centre/news/2018/06/opcw-holds-conference-countering-chemical-terrorism and full report at https://www.opcw.org/sites/default/files/documents/2018/07/s-1652-2018%28e%29.pdf

[36] OPCW 'OPCW holds online forum to promote chemical knowledge and advance peaceful uses of chemistry' News 28 April 2022 available at https://www.opcw.org/media-centre/news/2022/04/opcw-holds-online-forum-promote-chemical-knowledge-and-advance-peaceful

[37] OPCW 'Annual Symposium on Women in Chemistry held at the OPCW's Centre for Chemistry and Technology' News 29 June 2023 available at https://www.opcw.org/media-centre/news/2023/06/annual-symposium-women-chemistry-held-opcws-centre-chemistry-and

Indeed, there is a rich history of such intersessional engagement, and the OPCW-The Hague Award[38] is an important testimony to the positive impacts that can be generated from such engagements.

If funding can be made available by supportive States Parties through the Trust Fund for Civil Society, then more thematic forums, topical workshops, advisory bodies, and project and goal-oriented partnerships could be planned and implemented. Such efforts do have a history in the OPCW and do also exist in other adjacent international organisations. Therefore, implementing a more substantive engagement framework for activities need not reinvent the wheel or look too far for inspiration.

5 Creating Positive and Constructive Conditions

A working principle could be summarised in the following way:

> As the OPCW focuses more resource and attention to the question of non-acquisition of chemical weapons, a wider network of stakeholders will need to be engaged with. Civil society organisations contribute to, and focus and amplify, the work required to effectively implement the CWC.

If the goal is to create a lasting, healthy, symbiotic relationship, then the conditions that the relationship is founded upon require review and attention, both in terms of substantive aspects, and the letter and spirit that guide them.

This section identifies four elements and reflects on how to develop positive and constructive conditions with which to set civil society engagement upon. Detailed considerations are presented to provide context, examples, or suggestions that might be constructive in such efforts; informal conversations with individuals from the OPCW, industry, civil society representatives, and others have informed this.

5.1 Accreditation

The question of accreditation is, at present, an acutely political one. In its current formulation, the issue appears to rest on the decision-making process that facilitates accreditation to the CSP and the transparency associated with the application of the rules. This has been called into question by a number of States Parties and civil society, as a small minority of States Parties within the General Committee have regularly vetoed the attendance of particular CSOs.

It appears that politically motivated decisions to keep certain CSOs outside of the OPCW are being taken. The Chemical Weapons Convention Coalition published a joint statement[39] on 9 November 2022 regarding the rejections. An extract from this statement is re-produced here as it clearly depicts the tension and opacity that this issue has generated:

> The amended rules/guidelines provide exactly two eligibility criteria for attendance of non-governmental organizations:
>
> 1. the NGO has been previously approved, or has been recommended for approval by the General Committee, for attendance of a session of the Conference; and
> 2. the activities/interests of the NGO [are] demonstrably relevant to the object and purpose of the Convention.

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[38] https://www.opcw.org/media-centre/featured-topics/opcw-hague-award
[39] CWCC 'Joint Statement Regarding CSP Rejections by the General Committee' available at https://www.cwccoalition.org/wp-content/uploads/2022/12/Joint-Statement-Regarding-CSP-Rejections-9-November-2022.pdf

A small number of NGOs with activities/interests that are demonstrably relevant to the object and purpose of the Convention have been rejected this year. Several of these organizations have been routinely rejected for years.

There is no transparency from the General Committee about why these organizations were rejected. The rejected organizations cover sensitive topics in their work. Nonetheless, their work is relevant to the object and purpose of the CWC, thus satisfying the eligibility criteria. Members of the General Committee cannot reject an NGO that meets the eligibility criteria on the grounds that they disagree with the opinion of the NGO.

As such, the current accreditation process is receiving increased scrutiny, and without revision will likely facilitate the continued exclusion of individual CSOs. The procedural tension and blocking of legitimate CSOs is both a short-term and long-term concern. The lack of a fair and transparent procedure risks facilitating the exclusion of CSOs by any State Party in the future based on fears of criticism.

Some options are already being discussed within the OPCW to rectify this issue. One such option is to adopt the accreditation model used by the UN's Economic and Social Council (ECOSOC). ECOSOC accreditation has three sub-categories ('General', 'Special' and 'Roster') which categorise CSOs by the breadth of a particular CSO's expertise and their attention to the range of ECOSOC's activities. Such a sub-categorisation may or may not be useful within the OPCW context.

However, while ECOSOC is anecdotally thought of as a 'gold standard', a wider review of options will be important as not all States Parties consider ECOSOC appropriate.

Reviewing how other international organisations accredit CSOs, and in what modes and formats they engage, will be extremely useful. Research by the Technical Secretariat will provide a useful basis for States Parties to review the options and decide on a course of action.

Indeed, it cannot be assumed that engagement frameworks and accreditation models in other international fora will be relevant to the OPCW: external examples should be considered in a comprehensive fashion to understand how different models or frameworks translate across contexts. As such, the OPCW will likely need to consider what a 'best fit' for its own situation might look like, and this will require attention to some of the wider issues and themes discussed within this paper.

OPCW Accreditation in the Bigger Picture
Any modification of the current system should be done with a view to not only limiting the opportunity for politically motivated rejections, but to setting up a system that facilitates engagement of CSOs beyond just the CSP setting.

A reformed accreditation process may bring with it the possibility to gather more data on each CSO and support, for example, the mapping of CSOs, the organisation of inter-sessional events, and developing opportunities for collaboration and project-based work. Accreditation can be a tool to reveal and leverage the value-added that civil society can bring. Within this view, accreditation is more than just a 'ticket' to enter the room.

The question of accreditation is a complex one. The current politicisation around the issue could be used as a chokepoint that can derail wider efforts toward improving outreach and engagement. States Parties may need to be wary of this potential. Discussions about accreditation require time and space and should be informed by expert evidence reviewing different mechanisms and presenting different options.

The effort to review and amend the accreditation process may beneficially be undertaken in parallel – and not as a prerequisite for – other areas of important work that seek relative improvements and progress in relation to engagement.

5.2 The Institutional Relationship between the OPCW and Civil Society

The Chemical Weapons Convention Coalition[40] (CWCC) was established in 2009 as an initiative by a group of CSOs to provide a coherent approach to improving participation and engagement with the OPCW. The role of the NGO Coordinator is a separate initiative, established by States Parties through RC-3/DEC.2 in 2013.

Ten years on from the establishment of the NGO Coordinator role, reflections on the selection, format, and long-term function of the NGO Coordinator have been emerging. Any such effort to review and reform should, however, be undertaken in a transparent and democratic manner to ensure that the achievements and hard-fought gains that have been forged are built upon in a sustainable, practical, and equitable way.

There have been some discussions as to the value of an evolution to an "NGO Coordination Committee" as a format that may bring additional benefit over the longer-term. Notably this concept draws on recognising the need to lead by example on gender balance and geographic representation to create a coordination platform that reflects the expanding and more networked implementation priorities of the OPCW. A coordination committee could include specific roles and responsibilities, such as an Academic Coordinator, Fundraising Coordinator, Scientific Coordinator, Victims Coordinator, etc. There may still be a single point-of-contact for communication between the OPCW and the Coordination Committee, likely the Chair of the Committee.

While a civil society elected NGO Coordination Committee, working in partnership with the Technical Secretariat, has been proposed by some, others have pointed to the Chemical Industry Coordination Group and the Joint Steering Committee, which anchor the relationship between industry and the OPCW, as models also worth reviewing to see what may translate. It is beyond the scope of the present paper to do this, although such a review would be useful.

Suffice to say, any such effort to further define or amend the role of the NGO Coordinator would require the establishment of institutional processes and mechanisms to facilitate the development of terms-of-reference, mandates, roles, responsibilities, and elections.

Indeed, any proposed changes to the format and role of the NGO Coordinator would also likely implicate the Chemical Weapons Convention Coalition, not least because the Chair of the CWCC has been overlapped with the role of the NGO Coordinator. This overlap appears not to be an institutionalised or formalised one, but it has been a highly successful one. If the Chair of the CWCC is the de facto NGO Coordinator, and this is deemed to remain an appropriate format over the long-term (that is to say: the next 10 to 20 years), then a transparent set of institutional processes and mechanisms to ensure appropriate governance of that role will need to be co-created and agreed upon by civil society.

Indeed, this is a matter for civil society to review and implement. However, States Parties do play a role in providing a mandate and guidance to do so, as they did at RC-3. This is extremely important, as it gives scope for the Technical Secretariat to define parametres, provide support, and become involved to shape mutually agreeable outcomes for both States Parties and civil society. Such shaping has been ongoing in recent years, in terms of the relationship within the auspices of the OPCW. To the extent possible, civil society must remain, however, independent of external political interests and efforts to shape or control its role beyond that of coordination.

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[40] https://www.cwccoalition.org/

Before any such actions are taken, a survey of civil society will be important, to understand various positions, options, and pathways forward. This could be part of that larger foundational effort to map, categorise and organise civil society conducted separately by the Technical Secretariat, as discussed in preceding sections. Discussions at CSPs – for example during side events – will be important, although a more structured dialogue and facilitation process amongst civil society to explore these ideas will be required.

5.3 Facilitating and Increasing Engagement Opportunities

Considering the discussion on 'modes of engagement', and reflecting on the examples, States Parties may wish to recommend that the Technical Secretariat create an intersessional calendar of events. These workshops, conferences, and meetings would focus on bringing experts together to generate tangible and action-oriented outputs, including (joint) publications, and outcomes on different topics of high relevance to implementation of the CWC. Examples outlined in Section 4 provide useful templates in this regard.

There is, furthermore, a need to improve geographic representation of civil society. Different regions and States Parties have different priorities in the context of the CWC. By better defining what is useful for States Parties and targeting funding to engage civil society on those particular topics, a wider range of CSOs may be productively engaged. This is a particularly useful way for demonstrating the value-added of CSOs for States Parties.

Underpinning all of this is the question of funding. Voluntary contributions by States Parties to the Trust Fund for Civil Society is a critical way to give the Technical Secretariat the mandate and resource it needs to develop an agenda and to spend that money on relevant activities and projects. This sort of spending can often bring together sections of civil society to work toward a common purpose. It may also support greater participation.

Direct funding from States Parties to CSOs is also extremely beneficial, especially in support of focused and targeted projects. By enhancing the relationship between the OPCW and CSOs, there is also increased opportunity for civil society to conduct its own fundraising in a context of heightened awareness of what is deemed to be relevant, useful, and constructive. As such, ensuring that there is a financial basis for this relationship will be crucial.

5.4 Engaging Civil Society as Part of the Process

Involving civil society, in appropriate and relevant ways, is an important aspect in any efforts made by States Parties and the Technical Secretariat to review and strengthen the relationship. The preceding elements discussed here are designed as, and proposed to be, necessary antecedents to creating the stable, sustainable, and constructive conditions needed for the OPCW and civil society to engage meaningfully over the long-term.

CSOs can play a valuable role in this initial development not least because they can support the Technical Secretariat by providing value-added insights, research and development capabilities, undertake consultations, and can add capacity for particular projects. This needs to be effectively communicated to States Parties.

Control for progress rests with States Parties, and a facilitation process may enable such progress. However, there needs to be a deeper recognition amongst all actors that a robust and healthy relationship between the OPCW and civil society is one that must be co-created. To foster a co-creative atmosphere, a formal civil society facilitation process could also be established to provide the structure required to address some of the issues covered here, and others. This could draw on side-events at CSPs, online events, workshops, surveys, and commissioned research and

consultancy reports to build up the evidence required to inform relationship building. Parallel facilitation processes, cognisant of each other, could be a healthy development.

Some of these efforts can begin immediately, although considering how inputs to these dialogues and facilitations are captured, assessed, and developed is crucial. The overall effort requires positive and active participation by States Parties, both in terms of providing a mandate, and by engaging in relevant processes.

6   Emerging Conclusions and Next Steps

This paper has explored the relationship between the OPCW and civil society from three perspectives: civil society's composition and focus, its geographic representation, and the modes of engagement available. Reflecting on those, ideas for creating optimal conditions in the immediate term, to provide the foundations for a constructive and sustainable relationship, were provided. Four emerging conclusions are now offered.

First, continued efforts to map and classify civil society can help to better clarify and articulate the expertise available, and increase opportunities for value-added participation and collaborations. Indeed, the Technical Secretariat can collaborate with particular CSOs to more deeply capture data on interests and capabilities: building on the work of The Stimson Centre to map civil society implementation efforts, and facilitating a wider discussion with civil society on appropriate categories and typologies, would enable any mapping exercise to have practical and sustainable benefit for the Technical Secretariat and for CSOs. Projects to comprehend the 'who, what, and where' of civil society enable a data-driven approach to the development of engagement and outreach strategies, allowing the OPCW to draw on civil society expertise and capabilities.

Second, participation in the CSP is important symbolically for civil society but tends not to deliver substantive engagement opportunities or outcomes for States Parties or civil society. History shows us, however, that civil society can drive substantive outcomes and make a positive contribution to the work of the OPCW through other modes of engagement. Therefore, the Technical Secretariat could develop a regular intersessional calendar of expert workshops, conferences, and partnership projects to enable opportunities for a more substantive relationship. Voluntary funding for the Trust Fund for Civil Society can facilitate this. This requires the Trust Fund to have higher visibility so States Parties and others, including the European Union, can make specific voluntary contributions to this. Hybrid meetings can also drive opportunities for participation, as can stronger integration of the Technical Secretariat's outreach capability and capacity with its capacity building activities.

Third, the current civil society accreditation process lacks transparency and enables politicised blocking of legitimate, criteria-meeting CSOs. Steps are needed to ensure a fair and efficient system is implemented; reviews of systems used in other international fora can enable States Parties to make an informed decision on what would work in the OPCW context. However, accreditation reviews should enable, not obstruct, wider progress in current efforts toward relationship building and engagement. It is important to recall that accreditation is a gateway to the CSP, but not for engagement in a wider, more meaningful sense.

Fourth, the institutional relationship between the OPCW and civil society requires attention to ensure that it remains effective, fair, and healthy moving forward. Any changes to how civil society engages should follow inclusive consultations and improve representation: as such a facilitation process should be developed that draws on surveys, side-events, webinars, workshops, meetings, the input of individual contributions, and funded research. Such a process will require the time of individuals to facilitate, undertake and analyse inputs, and draft recommendations. Therefore, while this is primarily for civil society, political and other forms of support from States Parties and the Technical Secretariat will be required. With these insights in mind, some next steps can be identified.

For States Parties:
- Establish a facilitation process to provide structure and impetus to efforts that seek to strengthen the relationship with civil society.
- Provide a clear mandate for the Technical Secretariat to encourage and support civil society engagement, review, and development through voluntary funding and relevant decisions.
- Carefully review accreditation options, gathering expert perspectives and utilising research by the Technical Secretariat.
- Provide voluntary funding for the Technical Secretariat to plan intersessional workshops and projects, and to capture and develop data that can inform strategic planning for improved collaboration and engagement.
- Support an inclusive civil society-led process to examine the future of coordination between the OPCW and civil society.

For the Technical Secretariat:
- Collaborate with CSOs to improve data collection and mapping, drawing on new functional typologies and expanded data fields.
- Utilise data to efficiently identify CSO partners for relevant implementation activities and encourage the sharing of this data inter-divisionally within the Technical Secretariat.
- Participate in civil society facilitations to provide expertise and shape outcomes.
- Develop a calendar of intersessional activities and call for targeted voluntary funding to implement these; host online forums and expert working groups year-round to substantively bring together States Parties and CSOs on thematic issues in a cost-effective and more geographically representative way.

For Civil Society:
- Capture and map data on CSOs working on CWC issues, detailing organisational types, interests, and capabilities, and share this data with the Technical Secretariat.
- Convene an inclusive facilitation process to review coordinating mechanisms using participatory and transparent methodologies for capturing data, reviewing it and synthesising findings.
- Plan intersessional workshops/events on relevant issues, partnering with the Technical Secretariat to deliver this.
- Develop proposals for an online CSO collaboration platform to engage the OPCW and share expertise year-round.

This paper has provided one point of departure for reflecting on how to construct a transparent, productive, and healthy relationship between the OPCW and civil society. Additional research and inputs from actors both inside and outside the OPCW will be necessary. Turning analysis into action requires seizing openings for progress while addressing foundational issues openly and deliberately. With good faith efforts on all sides, a partnership that serves the object and purpose of the CWC is achievable.

The table below presents some of the elements that both States Parties and civil society may wish to consider within any future facilitation processes or equivalent fora.

Activity	Comments
Potential State Party facilitation process	A facilitation process could reflect on a number of aspects, including, but not limited to: • The current processes by which civil society, industry, and the scientific community accredit to the OPCW, and how any new process may facilitate a more efficient and transparent approach. • The scope of the term 'civil society' and whether the demarcation between industry, the scientific community, and civil society is a useful one, considering overlap that may exist. • Reviewing RC-3/Dec.2 to identify areas where additional substance could help to deliver a transparent and constructive relationship by reducing ambiguity, and calling for civil society inputs in this regard. • The value in delivering a mandate to the Technical Secretariat to encourage civil society to conduct its own facilitation process. • The scope and nature of the relationship that the OPCW wishes to have with civil society, industry, and the scientific community. • To what extent the structure of the relationship with industry that has emerged may be a useful template to adopt in relation to civil society. • How efforts to prevent the re-emergence of chemical weapons, in particular through education, outreach, and capacity building, can be enhanced through collaborative service delivery with civil society. • How voluntary funding to the Trust Fund for Civil Society could be leveraged to enhance the relationship with civil society, for example through a new digital collaboration platform; funding workshop series; or supporting participation at CSPs.

Activity	Comments
Potential civil society facilitation process	With support from States Parties and the Technical Secretariat, and in view of the positive developments to emerge through implementation of RC-3/Dec.2, a facilitation process may provide a way to further identify pathways for developing a strengthened and sustainable model for engagement. This facilitation process could reflect on a number of aspects, including, but not limited to: • What a sustainable, long-term institutional model looks like, considering leadership selection processes, format, organisational governance, and funding. • The value of a geographically representative and gender balanced 'Coordination Committee'. • The development of roles within such an NGO Coordination Committee, for example Academic, Fundraising, Scientific, and Victims' Coordinators, and the opportunities then available to develop new projects and activities through those additional roles and responsibilities. • The appropriate financial model to facilitate activities, and requirements for independent fundraising, bi-lateral State Party funds, and funds through the Trust Fund for Civil Society. • Whether the separation from industry serves any functional benefits to either civil society or industry, and whether industry is meaningfully part of the umbrella of civil society, and what the implications of this may be. • The value in instigating an Annual Meeting for Civil Society under the CWCC umbrella. Reflecting on delivering civil society expertise, by: • Reviewing CSOs and understanding how and what they contribute and how to frame this accordingly. • Considering inter-civil society mechanisms, including for collaborative projects, and supporting bids and fundraising efforts by CSOs for CWC-relevant projects. • Developing a strategic vision for delivering outputs through publications and journals, webinars, events, and a workshop series with the OPCW. • Considering the potential benefit of a new OPCW-civil society digital platform, accessible through the OPCW website.

The CBW network for the comprehensive strengthening of norms against chemical and biological weapons (CBWNet)

The research project CBWNet is carried out jointly by the Berlin office of the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH), the Chair for Public Law and International Law at the University of Gießen, the Peace Research Institute Frankfurt (PRIF) and the Carl Friedrich Weizsäcker-Centre for Science and Peace Research (ZNF) at the University of Hamburg. The joint project aims to identify options to comprehensively strengthen the norms against chemical and biological weapons (CBW).

These norms have increasingly been challenged in recent years, *inter alia* by the repeated use of chemical weapons in Syria. The project scrutinizes the forms and consequences of norm contestations within the CBW prohibition regimes from an interdisciplinary perspective. This includes a comprehensive analysis of the normative order of the regimes as well as an investigation of the possible consequences which technological developments, international security dynamics or terrorist threats might yield for the CBW prohibition regimes. Wherever research results point to challenges for or a weakening of CBW norms, the project partners will develop options and proposals to uphold or strengthen these norms and to enhance their resilience.

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