

CHAPTER I

INTRODUCTION

A. Background

OPCW stands for Organization for the Prohibition of Chemical Weapon. It started with Chemical Weapon Convention in Paris 1993. The Chemical Weapon Convention signed in January 1993 by 130 states followed by another 87 states in 1997. The OPCW came into force as the emerging implementing body of Chemical Weapon Convention (CWC) in 1997. Today, the organization comprises of 192 member states with its headquarters in The Hague, Netherland working towards the achievement of a world free of chemical weapon.¹

The establishment of OPCW aims to preventing the use of chemical weapon in the means of warfare, thereby strengthening international security. The convention contains 4 key objectives:

1. Destroying all existing chemical weapon under international verification by the OPCW
2. Monitoring chemical industry to prevent new weapons from re-emerging
3. Providing assistance and protection to states parties against chemical threats, and
4. Fostering international cooperation to strengthen implementation of the convention and promote the peaceful use of chemistry

¹ OPCW Webpage: *About OPCW*, accessible at <https://www.opcw.org/about-opcw/>. Latest access on October 17, 2015

This undergraduate paper will examine the role of OPCW as an International Governmental Organization in ceasing the crisis in Syria particularly over the extermination of nuclear weapons. As an international security organization, the main function of OPCW is to ensure the implementation of the provision established in the Chemical Weapons Convention. The organization adopts universality on membership which consists from all regions across the globe with 140 permanent state representatives and 52 non-permanent states representatives.

In line with the vision of Non Proliferation Treaty (NPT), the OPCW has a comprehensive approach at the heart of its work as an international security body, the OPCW deeply focus on the implementation of Chemical Weapons Convention (CWC) which comprises of the activities of demilitarization on the elimination of chemical weapons stockpiles, verification of non-proliferation, providing assistance and protection against chemical weapons, assurance of member-state capacity building, facilitating national authority over an effective and autonomous implementation of CWC.

The organization adopted the principle of universalism and equality where decision made through majority vote. Furthermore, the OPCW states parties represents over 98% global population as well as 98% worldwide chemical industry. The OPCW is the fastest growing international disarmament organization in history with a solid cooperation with the United Nations. During its establishment, the UN had called upon all its member-states to join and ratify Convention on Chemical Weapons (CWC).

Throughout its service to international community, the organization had carved an enormous achievement as a Nobel Laureate of Nobel Peace Prize in 2013 given by the government of Norway in Oslo for its consistent effort and outstanding achievement in field of arm control and disarmament on the elimination of nuclear weapon.²

The OPCW involvement in the Middle East commenced in 2012 on the liberation of Libya. The OPCW sent inspectors to verify chemical weapon stockpiles disclosed after the fall of Muammar Qaddafi's Regime. In achieving its mission in Libya, the OPCW received continues support from international community, once of each came all the way from Canada. On April 2012, Canadian government made an historic contribution to the Libyan government to resume and complete the destruction of Libyan chemical weapon which recognized as the biggest support ever to the elimination of chemical weapon to the member-states of OPCW.

In Syrian crisis, the proliferation mission commenced the on the ruling regime of Bashar Al-Assad when Syria withdrawn its bid from the membership of UN Human Rights Council.³ Following the action, the UN Undersecretary General for Political Affairs open a public debate in UN Security Council called to an end to the violence and mass arrest.

² The OPCW awarded as a Nobel Laureate of Nobel Peace Prize in Oslo, Norway for its consistent effort in arms control, http://www.nobelprize.org/nobel_prizes/peace/laureates/2013/opcw-facts.html. Latest access on 20 October 2015

³ Security Council Report on 26 October 2015

The massacre in Syria draws the UN attention upon investigation on the use and the development of chemical weapon. Prior to the massacre, United Nations had established a monitoring body called United Nations Special Mission in Syria (UNSMIS). On particular mission, the UNSMIS found the use of chlorine bomb committed by the government of Syria on August 2012 which led to the UNSC Resolution 2059 over the cessation of mass killing weapon and civil violence.⁴ In order to execute the resolution, the UN tied a solid partnership with OPCW, the cooperation draws in a form of a special joint force called “*OPCW-UN Joint Mission for the Elimination of chemical Weapon Program of the Syrian Arab Republic*”.

In this particular mission, The OPCW acclaimed the UN mandate in accordance to the Paragraph 27 of Part XI of the Verification Annex of the Convention of Chemical Weapon for closely working with the UN by placing its resources to investigate the allegation of the use of chemical weapon in a UN member-state although it is a non-member state of OPCW.⁵

The OPCW-UN Joint Mission to Syria began with the adoption of a historic decision of OPCW Executive Council on the destruction of Syrian Chemical Weapon Program.⁶ The mentioned decision endorsed by the unanimous decision of the United Nations Security Council Resolution 2218.⁷ The Executive

⁴ Security Council Report, 26 October 2015, Page 12, the legal resource is accessible at www.securitycouncilreport.org. Latest access on 30 October 2015

⁵ OPCW Convention of the Prohibition, of the Development, Production, Stockpiling, and Use of Chemical Weapon and on Their Destruction, Page 63, Part 1: Definition.

⁶ OPCW Executive Council Thirty Third Meeting, 27 September 2013, on the Destruction of Syrian Chemical Weapon

⁷ *Ibid*

Council decision set to accelerate the program on achieving the elimination of Syrian Chemical Weapon by the mid of 2014 which required inspection in Syria to commence from 1 October 2013 and an initial target upon a grand destruction on 15 November 2013.⁸

Following the adoption of the above resolutions, the UN Secretary General Ban Ki-Moon and OPCW Director General Ahmet Uzumcu formally announced the establishment of OPCW-UN Joint Mission on 16 October 2013 led by Sigrid Khaag of the Netherland. The OPCW-UN advance team arrived in Damascus on 1 October 2013 to start carrying out the mission activities.⁹

In Syria, OPCW assigned a set of comprehensive program comprises of the inspection, verification and destruction of the production, development and stockpiling of the nuclear weapon. In terms of elimination, The OPCW had destroyed a total of 1.291.704 kilograms of chemicals from Syria.¹⁰ Some are shipped to be exploited on the sea and converted for peaceful use. In terms of removal and dislocation, The OPCW-UN co created an advance team to transport the nuclear through by the warship from the government of Denmark, Norway and United Kingdom under the security of People's Republic of China and Russian Federation and eventually destroyed by the army of United States of America.

⁸ United Nations Security Council Resolution 2118 (2013)

⁹ United Nations Office of Secretary General: *Ban Ki-Moon Statement on Syrian Chemical Weapon*, accessible at <http://www.un.org/sg/offthecuff/index.asp?nid=3139>. Latest access on 18 October 2015

¹⁰ OPCW Official Website: *Syria's Chemical Destruction Statistic* <https://www.opcw.org/special-sections/syria/destruction-statistics/>. Latest access on 19 October 2015

The Executive Council of OPCW plays a major role on de-escalation of Syrian nuclear weapon and emerged as a bridge between the United States and Russian Federation as a major block in particular crisis however the role of OPCW is still strange in the midst of society. One of each, the Executive Council of OPCW made an adoption adopted on the “Destruction of Syrian Chemical Weapon”. The entry of the decision emerged as the key moment which minding the gap among US-Russia to agree upon proliferation in amidst of disagreement as two major blocks in Syrian civil war. The United States contributed its warship while Russia helps on destruction and converting the weapon into peaceful use through its military forces.

Prior to the adoption, the US Secretary of States suggested a total removal of nuclear weapon in a week in response to the Ghouta Attack.¹¹ The US-Russia led a negotiation on *‘Framework for Elimination of Syrian Chemical Weapons’* which called the elimination of Syrian nuclear weapon in the first half of 2014. Following the negotiation, government of Syria acceded to the Chemical Weapon Convention and agreed to fully apply the convention provisionally until its entry into force on 14 October 2013. On 21 September, the Syrian government provided a list of its chemical weapon to the OPCW before the deadline set by the framework.

In August 2013, The UN Secretary General Ban Ki Moon called upon OPCW Director General and mandated an establishment of fact-finding mission

¹¹ *Ghouta Attack* is a surprised attack occurred during Syrian Civil War among Syrian Government and opposition group occurred on 21 August 2013 in Suburb, Damascus, Syria.

in Syria which involved experts from OPCW, World Health Organization (WHO) and United Nations to collect facts about chemical attack by interviewing witnesses and casualties, and collecting environmental and biological samples which were analyzed in OPCW designated laboratories beyond Syria.¹²

Meanwhile in today's world order, the existence of OPCW as an independent body remained under question bearing to the undeniable domination of the US and the west in the OPCW-UN Joint Mission. It further recalls the fact that Syrian Government had not signed the Convention of Chemical Weapon and the status of entry into force to apply the convention after the US strike's threat during Ghouta Attack in 2013.¹³

In the other hand, Israel as the major opposition in the crisis of Syria has not and is the only OPCW state party which has not signed the Convention based on the its current status of the participation as of 11 August 2015.¹⁴ Therefore, the role of OPCW as an independent and autonomous International Security Organization is worth to be analyzed.

B. Research Question

¹² Department of Foreign Affairs and Trade Australia: *Chemical Weapon Convention Development*, accessible at <https://dfat.gov.au/about/weapons-convention-developments.html#publications/international-relations/asno-annual-report-2013-14/html/section-1/chemical-er>. Latest access on 29 October 2015

¹³ BBC UK, John Kerry: "Syria Chemical Attack Undeniable" at <http://www.bbc.com/news/world-us-canada-23844643>. Latest access on 29 October 2015

¹⁴ OPCW Document on Status of Participation in the Chemical Weapon Convention as at 11 August 2015

Based on the background problem above, the writer would like to elaborate the fact and the question emerged below:

“What are relevant steps committed by OPCW as an autonomous and independent organization in mitigating the use and development of chemical weapon during the crisis in Syria?”

C. Theoretical Framework

Based on the background problem above, the writer will further examines the particular subject with an appropriate approach in international relations studies which lies on the concept of collective security.

1. Concept of International Organization & Intergovernmental Organization

In galvanizing the landscape of the paper, the writer will further elaborate the approach of the object research through the concept of International Organization & Intergovernmental Organization.

According to Thomson Gale in International Encyclopedia of Social Sciences, the definition of International Organization emerged both as a process and as institution:

“International Organization is the process by which states establish and develop formal, continuing institutional structures for the conduct of certain aspect of their relationship with each other”¹⁵

International organization emerged as a collective effort of a group of nations whom identified themselves stood and struggling to achieve common visions in various methods. In this context, International organization is often being contextualized from particular definitive Processes among Treaty, Agreement and Convention as a common legal standing in pursuing its collective goals. Moreover, the process is followed by enacting formal procedures within the organization which often being convened in multilateral meetings and conferences aimed at resulting collective decision or resolution as a formal guideline in implementing common actions. In this context for example: the UN Security Council called an immediate meeting over the chemical weapon abuse in Syria, the meeting resulted an unanimous decision of UNSC 2118 which boost the enforcement of OPCW-UN Joint Mission to undergo an immediate action over the destruction and removal of particular weapon.

In approach to the research object, the writer further elaborates specific concept related to the matter which lies on Intergovernmental Organization (IGO). The Union of International Association (IOA) defines Intergovernmental Organization as follows:

¹⁵ Encyclopedia.com: *International Organization*, the article is accessible at http://www.encyclopedia.com/topic/International_organization.aspx. Latest access on 21 October 2015

*“An Intergovernmental Organization (IGO) is an organization composed primarily of sovereign states, or other intergovernmental organizations. IGO’s are established by treaty or other agreement that acts as a charter creating the group. Example: include United Nations, the World Bank, or the European Union”.*¹⁶

Intergovernmental Organization primarily comprised of sovereign states and often associated to some other intergovernmental organizations as its working partner or assisting bodies. In this particular context, sovereign state identified as an independent nation or country which free from colonial power, occupation or acquisition. Primarily, sovereign state has definitive constitution, constituent, and territorial integrity as the general law of state’s existence.¹⁷ In addition, International Organization has a set of rule of law in form of convention and treaty which maintains the diplomatic and technical operation of the organization. More of often, International Organization enables participatory of other bodies to assist its accomplishment. In this particular approach, the OPCW created by a group of 130 states whom are the signatories or Chemical Weapon Convention as the implementing body of particular convention. Moreover the OPCW is closely working with various organizations such as United Nations and WHO to achieve its work. The example of IGO collaboration may be described in the partnership of OPCW with Australian Group in enacting a trade policy whereby the members-states of AG are prohibited to enable any form of nuclear weapon transaction which may cost a strict sanction sentenced according to the CWC.

¹⁶ Union of International Association: *What is Inter-Governmental Organization (IGO?)*, accessible at <http://www.uia.org/faq/yb3>. Latest access on 23 October 2015

¹⁷ Miriam Budiarto, *Dasar-Dasar Ilmu Politik* (Jakarta: Gramedia, 2008), page 17.

Harvard School of Law further defines Intergovernmental Organization (IGO) comprehensively in the manner of international law as:

“An entity created by treaty, involving two or more nations, to work in good faith, on issues of common interest”.¹⁸

The main purposes of IGO's were to create a mechanism for the world's inhabitants to work more successfully together in the areas of peace and security, and also to deal with economic and social issues. In the increasing area of globalization and interdependency of nations, IGO plays an enormously significant role in international political system and global governance.

In the context of global affairs, the use of chemical weapon has been as an unethical behavior primarily on warfare, this dogma has been developed since the commencement of World War I due to nuclear sporadic effect to human life. It further strengthened to the fact that the use of chemical weapon has never been able to distinguish the presence of armed soldier and civilian. Thus it brought the attention of various meetings and debate in League of Nations (United Nations) which giving birth to *Geneva Protocol 1925*. The Geneva Protocol maintained the prohibition of chemical weapon use during the warfare for more than 7 decades. However, as cliché as it is, the protocol has never been able to exercise its deterrence effect, World War II raised, Concentration Camps established in Berlin

¹⁸ Harvard University School of Law: *Intergovernmental Organization (IGO's) in International Law*, Accessible at <http://hls.harvard.edu/dept/opia/what-is-public-interest-law/public-international-law/intergovernmental-organizations-igos/>. Latest access on 23 October 2015

(Mein Kampf), Auschwitz (Holocaust) and Japan. These stages were silent witnesses over the mass killing murderers caused by poisonous gas.¹⁹

The ineffectiveness of Geneva Protocol seized as the absence of a set of legal maintenances to govern the development, stockpiling, and transaction of chemical weapon. After 12 years long debate at the United Nations, the signatories of Geneva Protocols reinvented a renewal chemical weapon protocol which maintains holistically the production, the use, development, and stockpiling of chemical weapon. The provision emerged as *Chemical Weapon Convention* (CWC) signed in April 1993 by 130 states in The Hague (Den Haag), Netherland. In order to deliver the assurance of particular convention, the state parties gave birth to the *Organization for the Prohibition of Chemical Weapon* as the implementing body of CWC as well as marking its entry into force in 1997.

In this comprehensive, the Organization for the Prohibition of Chemical Weapon (OPCW) stood as a group of states that is abided by an International Agreement namely the Chemical Weapon Convention (CWC) whereby every member states are committed in a good faith and free will to collectively diminish the use, development and stockpiling of chemical weapon as a primary norm in International Community. Furthermore, the use of chemical weapon has been seen

¹⁹ Holocaust Encyclopedia: *Concentration Camp 1933-1939*, accessible at <http://www.ushmm.org/wlc/en/article.php?ModuleId=10005263>. Latest access on 11 December 2015

as a mannerly dangerous behavior in the practice of warfare, thereby OPCW emerged as a determinant body to the assurance of non-proliferation.²⁰

In this outset, the International Organization (OPCW) tied a special relation with the UN as a definitive security body to cease the crisis in Syria through its mission on non-proliferation. Furthermore, the OPCW was supported with strong *legal standings*²¹ from its state parties, the UN Security Council and Bilateral Framework from P-5 countries to leverage its mission in Syria. As it represented over 80% global population, the organization further received tons of assistances and supports from various bodies such as WHO, UNEP, and many other institutions as the key of its succession in Syria. These two bargaining factors will be elaborated in the further chapters.

2. Theory of Collective Security

Adam Robert and Benedict Kingsbury define collective security as:

*“An arrangement where each state in the system accepts the security of one of them as the concern of all and agrees to join in a collective response of aggression”*²²

The concept of Collective Security examines the foundational principle of International Organization derived from League of Nations whereby each member

²⁰ The moment refers to the use of poisonous gas in World War I by Germany in Nazi Camp during its expansion in Asia. Moreover, the weapon was committed to execute Japanese soldier upon the genocide which was attracted attention from International Community.

²¹ Legal Standing refers to Law Provisions (Treaty, Agreement, Resolution, or Decision).

²² Robert Kingsbury and Adam Robert on the Journal of Pre-Emptive Security: Concept of Collective Security and Rogue State in the 21st Century (Uppsala, Sweden, 2010)

state is abided by norms in which a threat to one member is an assault to all of them.

The conception of the mentioned first forwarded by Woodrow Wilson, Immanuel Kant, Martin Wight, and Michael Joseph Savage and commenced after the crash of World War I. Today, the concept has been developed by the numerous modern international relation scholars as a tool of analysis in understanding the modern day international security cooperation in 21st century.

The following picture illustrates the model of collective security which is formed by directions or pointers which defines the motives of Collective Security in achieving an effective security system.



Figure 1 Model of Collective Security Motivation

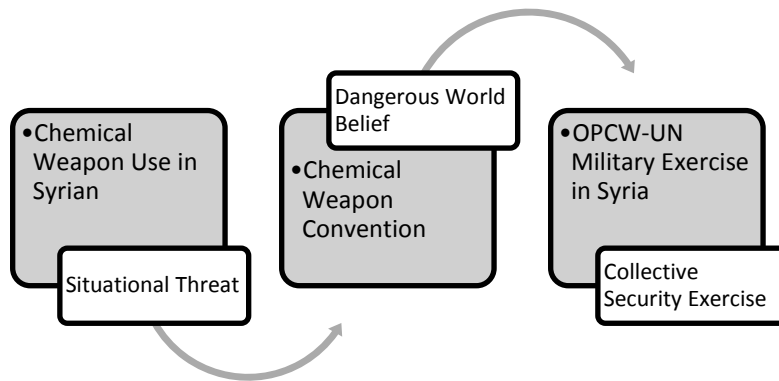
²³ Motive of Collective Security, http://www.researchgate.net/figure/227559483_fig4_Figure-1-A-Collective-Security-Model-of-authoritarian-attitudes, Latest access on 29 October 2015

The motive of collective security lies on 2 major root causes as follows:

- a. *Social Conformity*: is a situation whereby a group of states experience dangers or threats in means of economic and social affairs (Poverty, Starvation, Health, Environment, Education, Gender, Water Sanitation, Energy, Employment, Infrastructure, Development Gap, Climate Change, and Culture).²⁴ These areas are obviously remains on low-politics issues in international relations.
- b. *Situational Threat*: is a circumstance whereby a group of states encounters dangers or threats in the means of warfare and any other areas related to security and humanitarian affairs (Warfare, Chemical Weapon, Human Trafficking, Cybercrime, Armament, Etc.) These areas are commonly relates to states survival and national interest. These political circumstances require the exercise of high political will to undertake policies and debates in de-escalating and overcoming the pressing issues thus strengthening international security.

In relation to the crisis in Syria, the major cause of OPCW undertaking derived from situational threat whereby a group of states oversaw a commonly dangerous phenomenon and committed to undertake common action to achieve a mutual mission. Thus, the OPCW's course of actions constructed from the following briefs:

²⁴ United Nations Sustainable Development: *17 Development Agendas of the United Nations: Sustainable Development Goals*, accessed at <https://sustainabledevelopment.un.org/>. Latest access on 10 November 2015



Situational Threat: The use of chemical weapon in Syria has attracted the attention of International Community to end the violation and mass genocide in Syria. The most alarming momentum addressed during the Ghouta attack in Damascus by the Syrian government under ruling administration of Bashar Al-Assad.²⁵

Dangerous World Belief: The use, development and stockpiling of chemical weapon has been seen as a dangerous threat and unethical action in International Community. Furthermore, the chemical weapon unable to distinguish armed soldier and civilian which cause destructive mass-killing and further enables critical disorders even damage to human organs. Thus, the etiquette of use of chemistry and chemical weapon lies in Chemical Weapon Convention (CWC) which emerged as a global resistant toward the use of chemical weapon in the means of warfare.

Collective Security Exercise: Given the pressing circumstance above, OPCW emerged as the world collective implementing body to exercise CWC in

²⁵ BBC News: Syria Chemical Attack: What We Know? <http://www.bbc.com/news/world-middle-east-23927399>. Latest access on 10 November 2015.

exterminating the use of chemical weapon in Syrian crisis. The OPCW gauged a solid cooperation with the UN as a collective measure to ceasefire the chemical weapon in ways of destruction and converting the particular weapon into peaceful uses.

Based on the conception above, it is implied that the theory of collective security is an appropriate approach to explain the 4 main objectives of OPCW in de-escalating the crisis in Syria.

In this particular research, the OPCW plays a major dimension of collective security particularly on military and political dimension to prevent conflict, crisis management and protection over threat to a country wherein particular threat claimed as a threat to all member-states.

D. Hypothesis

In order to provide a temporary landscape to answer the research question on what are relevant steps committed by OPCW as an independent autonomous international organization in mitigating the chemical weapon in Syria, the writer assumed a set of relevant hypothesis related to the concept of collective security in tackling the research object among other things:

1. The OPCW has been establishing a Special Joint Mission with the United Nations OPCW-UN Joint Mission in Syria (JM) to investigate the production, development, and the use of chemical weapon in Syria.

2. The OPCW received official declaration over the use of chemical weapon from Syrian Government and called upon the signing of entry into force of the OPCW-UN advance team in Damascus on the grand destruction and total removal of Syrian chemical weapon in the first half of 2014.
3. The OPCW has also been establishing collective fact-finding mission to Syria in partnership with WHO and UNEP in order to gain collective reports toward the development of chemical weapon in Syria.

E. Research Method

1. Unit Analysis

Based on the object of this research, the unit analysis of this paper is International Organization which lies on Organization for the Prohibition of Nuclear Weapon (OPCW)

2. Research and Data Types

In the making of this undergraduate thesis, the writer uses qualitative method of so called descriptive method which aims at describing an analyzed phenomenon. Furthermore, the data necessary in this research is secondary data. The form of these data lies on documents or literatures which relevant to the topic discussed.

3. Data Collection Method

In the accomplishment of this paper, the writer uses a method of literature review which relevant to the research object. These references came from books, scientific journals, press releases, websites and so forth and any other valid resources which are relevant to the research object

F. Research Scope

In this particular research, the writer will limit the scope of research on proliferation. The set of this research starts from the collective agreement of OPCW Director General Ahmet Uzumcu and UN Secretary-General Ban Ki Moon to inspect the possibility of nuclear weapon in Syria on March 2012 until the accomplishment of UN-OPCW Joint Mission's mandate in Syria on August 2014.

G. Research Composition

A systematic method is required to produce a scientific writing. Therefore, the quality of this paper is determined by the method of serving research outlook. As for the systematic of this writing is describes as follows:

Chapter 1 describes the general aspects which comprises of Background of Problem, Research Question, Theory or Theoretical Framework, Hypothesis, Research Method and Research Composition

Chapter 2 will further explain the history OPCW, Organizational Structure of OPCW, and the Role of OPCW in relation to the crisis in Syria.

Chapter 3 will showcases security challenges and revelation of chemical weapon in Syria.

Chapter 4 will elaborates the course of actions of the OPCW which are successfully implemented in ceasing the crisis in Syria among three consecutive years (2012-2014).

Chapter 5 will reveals the challenges and opportunities which faced by OPCW in overcoming the crisis in Syria and a brief conclusion