

The

IMPACT

CHEMICAL WEAPONS CONVENTION

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This pamphlet addresses the potential arms control security impacts associated with implementing the Chemical Weapons Convention. The pamphlet was prepared for the Defense Treaty Inspection Readiness Program (DTIRP) to promote its mission of increasing **Readiness Through Awareness** at Department of Defense (DoD) and defense contractor facilities.

Additional copies of this pamphlet, as well as other information about arms control security and treaty implementation, are available on the DTIRP Website at: <http://dtirp.dtra.mil> or by contacting the DTIRP Outreach Program Coordinator

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INTRODUCTION

The Chemical Weapons Convention (CWC) entered into force on April 29, 1997. This Convention contains provisions allowing international inspectors from the Organization for the Prohibition of Chemical Weapons (OPCW) to conduct on-site inspection activities at designated sites and facilities for the purpose of verifying compliance. Although the Convention's verification regime benefits the United States by promoting mutual trust and confidence, on-site inspection activities create unique security challenges for affected facilities.

This pamphlet provides an introduction to the on-site inspection process under the Chemical Weapons Convention. It also describes a number of basic inspection planning activities that should be conducted to prepare a facility for an on-site inspection. In the United States, hundreds of DoD and industry facilities are subject to "routine" inspections under the CWC, and thousands more could, potentially, be subject to a challenge inspection on very short notice.

During a CWC inspection, a primary objective of the U.S. government is to demonstrate compliance with the Convention. In other words, the United States wants to be able to show that there are *no prohibited activities* taking place at a U.S. facility. Facility commanders, security officers, and other staff members will, therefore, need to be prepared to cooperate as fully as possible with the inspection team while also protecting sensitive information.

This pamphlet is designed to help facility staff and other treaty implementers understand the CWC inspection process as well as various methods for demonstrating treaty compliance. The pamphlet also describes the processes for assessing and protecting national security, proprietary, or other critical information as needed during on-site inspection activities.

FACILITY INSPECTIONS



ABOUT THE CWC

The CWC is an international arms control treaty that prohibits the development, production, acquisition, stockpiling, transfer, and use of chemical weapons (CW). To verify compliance, the Convention calls for on-site inspections to be conducted at chemical weapons facilities, at industrial chemical plants engaged in specified activities involving certain “scheduled” chemicals, or at facilities engaged in specified activities involving certain “unscheduled discrete organic chemicals” (UDOCs). These facilities are known as “declared” facilities and they are subject to routine inspections under the CWC.

The United States is also obligated to accept challenge inspections and to demonstrate, during such an inspection, that proscribed activities are not taking place. Challenge inspections may be conducted at *any* government or industry facility, declared or undeclared, for the purpose of clarifying and resolving questions concerning possible non-compliance with the Convention.

The Organization for the Prohibition of Chemical Weapons (OPCW), the Convention’s implementation body, sends international inspection teams to conduct all inspection activities. These inspectors have diverse technical backgrounds and are employed by the OPCW Technical Secretariat (TS). The number of



inspectors on each team will vary depending on the site to be inspected. Facilities may have very little advance notice, particularly for a challenge inspection, and the inspectors may remain on-site for one day or a week depending on the type of inspection.

INSPECTION TEAM ACTIVITIES

During an inspection, the inspection team's activities will be guided by the inspection mandate issued by the OPCW Director-General and by the provisions of the CWC. Inspection activities, including inspectors' requests to have air, soil, and effluent samples taken, will be negotiated with U.S. government representatives.

For most routine inspections at declared facilities, the amount and type of inspector access will be formally negotiated and stated in a facility agreement. This agreement must be approved by the U.S. government and by the OPCW. It will also be used along with the inspection mandate and treaty provisions to guide inspection activities.

For a number of industry inspections, as well as for challenge inspections at undeclared facilities, there will be no facility agreement. However, during a challenge inspection, the "managed access" rules specified in the Convention will apply. In addition, during both routine and challenge inspections, facility representatives will have an opportunity to provide input into when, where, and how access will be granted to specific areas and information.

THE IMPACT

Although inspection activities could significantly impact your facility, the Convention requires the inspectors to conduct inspection activities in the *least intrusive manner possible* and to *avoid disrupting facility operations*. As employees of the OPCW TS, the inspectors are obligated to be objective, professional, international civil servants and to seek only to verify declarations and the absence of proscribed activities.

Even so, inspection activities could provide an inspector with an opportunity to gather intelligence, conduct military or industrial espionage, or to have access to sensitive information. To reduce these potential opportunities, the Convention provides all inspected facilities with the right to take measures to protect “sensitive installations or equipment” and to prevent the disclosure of “confidential information and data” not related to CW.



SELF-ASSESSMENT

WHAT IS CRITICAL INFORMATION

When conducting an arms control security self-assessment, critical information is information that could be used to undermine the objectives of a classified or proprietary program if observed by one or more inspectors. Such information could also provide an inspector, or the inspector's home country, with an unacceptable competitive advantage.

WHAT COULD BE IMPACTED?

To identify the information that could be impacted during on-site inspection activities, it is important to identify all assets, equities, programs, processes, operations, and activities that could be observed, or otherwise detected, by the inspection team. A careful walk through the entire facility is an important part of this process.

Since the inspection team will have access to many different areas and types of information, it is important to examine the facility from the perspective of the inspectors.

WHAT NEEDS TO BE PROTECTED?

If critical information or its indicators can be observed, or otherwise detected, by the inspection team, additional protective measures will be required. The indicators of critical information can be anything that, when detected either separately or in combination with other indicators, has the potential to reveal information about critical assets, programs, or operations. Indicators can also be collected from open source information as well as from observable activities on site.

HOW TO PROTECT CRITICAL INFORMATION DURING ON-SITE INSPECTIONS

A plan should be developed specifying how to apply the countermeasures that need to be in place before the inspection team arrives. The best countermeasures are transparent to the inspectors. They should not draw the inspectors' attention to sensitive items or prevent the inspectors from fulfilling their mandate.

Appropriate security countermeasures may include simple procedural changes and tactics such as diversion, concealment, shrouding, and route planning. In extreme cases, facilities may decide to temporarily shut down an operation or process. Although the loss in productivity could be expensive, the potential disclosure of critical information or proprietary processes could be determined to be of greater concern.

To be cost-effective, countermeasures should be selected based on the probability, or likelihood, of critical information, or its indicators, being detected during *specific* on-site inspection activities. The limits placed on the inspectors' rights to have access to areas and information will need to be carefully considered. The actual impact of possible detection will also need to be assessed.

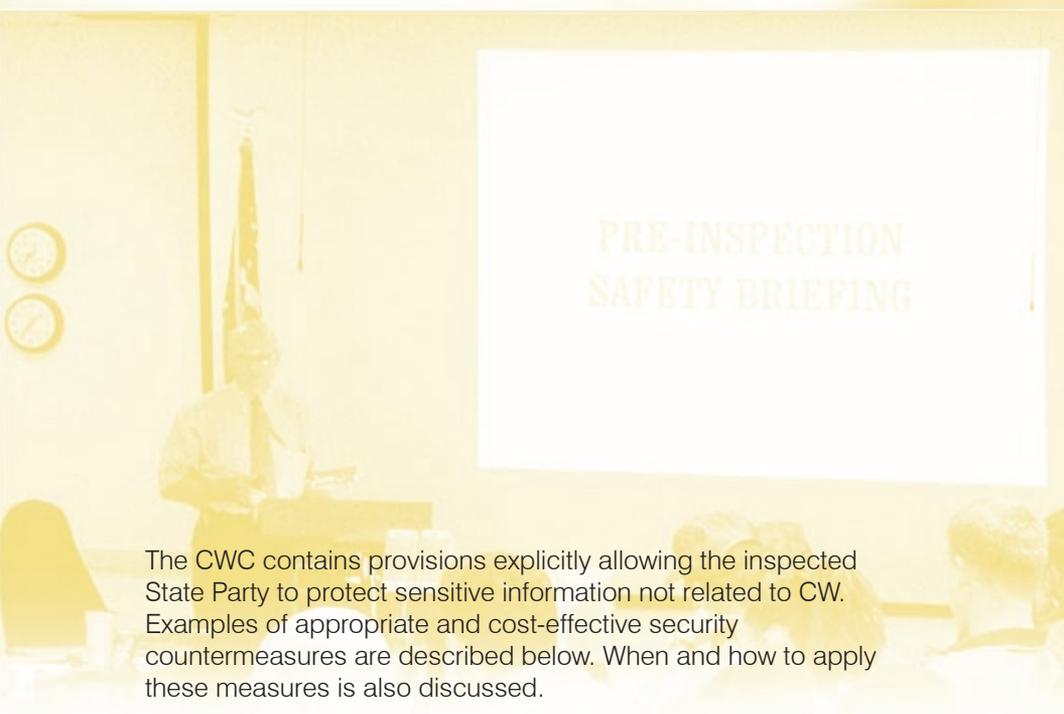


If facility staff have conducted a self-assessment in the past, they should share assessment results with the U.S. government escort team. This information will help the escorts to quickly comprehend the facility's security concerns and to expedite the process of determining where and how access may be granted.

ALTERNATIVE MEANS

Whenever less than full access is provided to the inspectors, the inspected State Party is obligated to make every reasonable effort to demonstrate compliance by alternative means. As an example, facility representatives could suggest showing the inspectors convincing photographs or other documents relevant to the inspectors' concern. Alternatively, the inspectors could be allowed to view an area through a window or open doorway, without actually entering the room, building, or structure. In other cases, only a limited number of inspectors could be selected and allowed to have access to information or to a particular area.

SECURITY COUNTERMEASURES



The CWC contains provisions explicitly allowing the inspected State Party to protect sensitive information not related to CW. Examples of appropriate and cost-effective security countermeasures are described below. When and how to apply these measures is also discussed.

ROUTE PLANNING

Carefully planning the routes the inspection team will take during on-site inspection activities is often the easiest and most economical method for protecting sensitive areas and information. Route planning can involve planning the route the inspectors will take inside a building or between buildings to avoid areas where sensitive activities are occurring. Alternatively, the route could be planned to take the inspectors to areas where activities are being conducted that would be of great interest to them. In this way, the inspectors' attention could potentially be diverted away from indicators of critical information.

SHROUDING

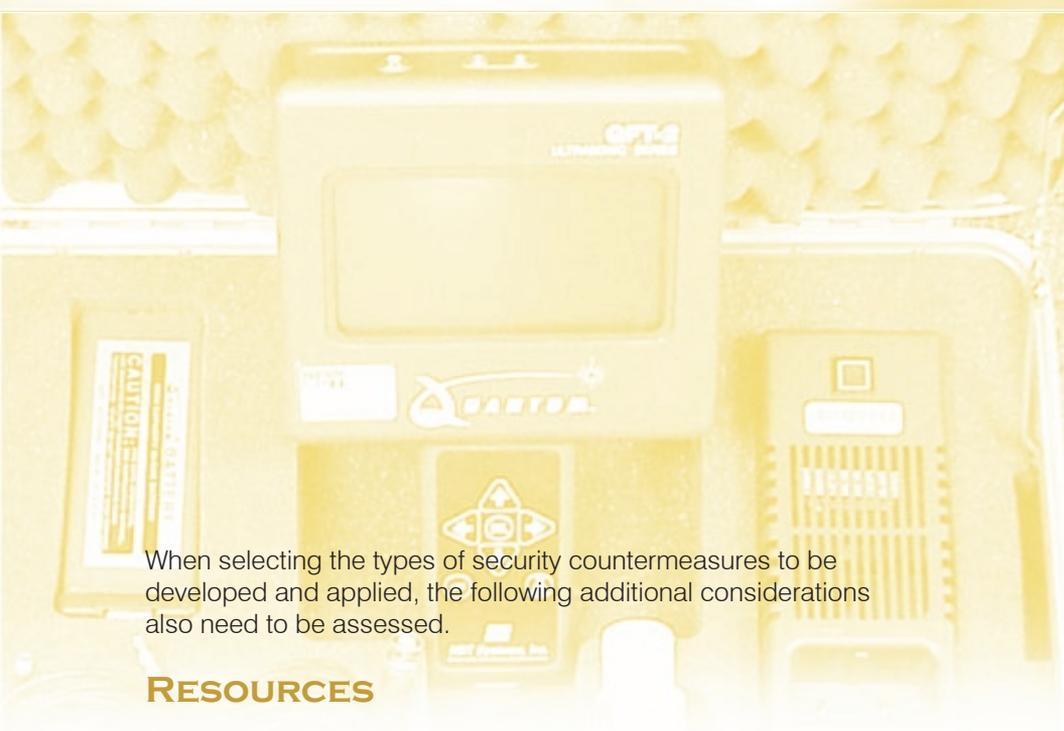
Shrouding has been used effectively under a number of arms control treaties and agreements. Shrouding simply involves covering sensitive items, either partially or completely, to prevent their being observed by the inspection team. The U.S. government has developed a number of shrouding techniques and has evaluated a variety of shrouding materials. Although shrouding can be an economical security countermeasure, its cost-effectiveness depends on the type of shrouding material required, whether it is reusable, and the number of items to be shrouded.

When appropriately applied, shrouding can be a relatively effective method for protecting sensitive information. For example, if a facility operates a proprietary process that is based on a special component manufactured by another company, this component, or perhaps just the name of the manufacturer, could be covered to protect trade information facility staff consider to be sensitive.

RESTRUCTURING ASSETS

In extreme cases, when countermeasures such as route planning and shrouding cannot be adequately effective, it may be necessary to make operational changes. A sensitive operation could be shut down temporarily or moved. Alternatively, part of the workforce could be dismissed before the inspection team is allowed to have access to certain areas.

ADDITIONAL CONSIDERATIONS



When selecting the types of security countermeasures to be developed and applied, the following additional considerations also need to be assessed.

RESOURCES

Cost is a major concern. It is essential to consider how much each countermeasure, or combination of measures, will cost. The cost will include the labor, time, and materials needed to prepare for on-site inspection activities and to resume normal operations after inspection activities are over.

TIME

Whether there will be adequate time to prepare specific countermeasures before the inspection team arrives, is another important consideration. The inspection team could arrive at your facility within a few days—or, in the case of a challenge inspection, within a few hours—after the initial notification of the intent to conduct an on-site inspection is received.

Given these short timeframes, there may not be sufficient time to effectively implement all desired countermeasures. Time constraints may force facility staff to prioritize their security concerns and to concentrate on protecting the most vulnerable areas first.



UNINTENDED EFFECTS

To apply countermeasures effectively requires considerable forethought. When countermeasures are applied improperly, they are capable of producing a number of unintended and undesirable consequences. For example, if only one or two objects are shrouded inside an area where nothing else is covered, the inspectors' attention will likely be drawn to those objects. Conversely, if shrouding is applied excessively, or if access to certain areas is denied, these measures are likely to serve as a signal to the inspectors about where sensitive activities are located.

When the inspectors' attention is drawn to certain items, or when compliance concerns arise, the inspectors are likely to ask questions and to request that compliance be demonstrated by other means. The unintended effect will be to slow down the inspection process and to make the task of demonstrating compliance more burdensome. To avoid these types of unintended effects, countermeasures need to be carefully evaluated, including viewing them from the perspective of the inspection team.

DTIRP

DTIRP is a Department of Defense (DoD) outreach program specifically created to assist DoD and defense contractor facilities with demonstrating treaty compliance while also protecting national security, proprietary, and other critical information during on-site inspection activities. To assist facility staff with their arms control security planning activities, DTIRP is able to provide the necessary arms control security and treaty implementation expertise that is not available at most facilities.

DTIRP support is also available to assist facility staff with identifying and assessing sensitive technologies, programs, and information that could be vulnerable during an inspection. This support includes recommending and assisting facility staff with developing practical and cost-effective security countermeasures tailored to their facility's needs. In these ways, DTIRP is able to help minimize the impact of on-site inspection activities on facility operations and security.

CONCLUSION

This pamphlet has provided an introduction to security impacts associated with on-site inspection activities conducted to verify compliance with the Chemical Weapons Convention. The pamphlet also described a number of key arms control security planning considerations that facility staff should keep in mind when preparing for an inspection.

Several examples of security countermeasures frequently applied at U.S. facilities were provided, along with a discussion about how these measures should be selected and applied. Finally, the pamphlet briefly described some of the types of arms control security assistance available through DTIRP.

To request assistance or to obtain more information about the Chemical Weapons Convention, arms control security, and treaty implementation, contact the DTIRP Outreach Program Coordinator at 1-800-419-2899, or send an email to dtirpoutreach@dtra.mil.

In addition, information can be downloaded directly from the DTIRP Website at: <http://dtirp.dtra.mil>. A list of related DTIRP outreach products is provided in this pamphlet on pages 15-16.

Information and assistance can also be requested through your local Defense Security Service (DSS) Industrial Security Representative or from your government sponsor.



LIST OF ABBREVIATIONS

CWC	Chemical Weapons Convention
DoD	Department of Defense
DSS	Defense Security Service
DTIRP	Defense Treaty Inspection Readiness Program
DTRA	Defense Threat Reduction Agency
OPCW	Organization for the Prohibition of Chemical Weapons
TS	Technical Secretariat of the OPCW
TEI	Technical Equipment Inspection
UDOC	Unscheduled discrete organic chemicals

RELATED MATERIALS

*To order, call the DTIRP Outreach Program Coordinator:
1-800-419-2899 or download materials from the
DTIRP Website: <http://dtirp.dtra.mil>*

Videos on Windows-Compatible CDs

Site Vulnerability Assessments (951W)
Security Countermeasures: Selection and Application (952W)
Inspection and Building Preparation (953W)
Verification Provisions—Point and Counterpoint (936W)
The Technical Equipment Inspection (TEI) Process (950W)
Facility Protection through Shrouding (908W)
Managed Access under the Chemical Weapons Convention (107W)

Automated CDs

CWC Challenge Inspection Training (160C)
The Arms Control OPSEC Process (930C)

Searchable CDs

Chemical Weapons Agreements Information (127C)
Arms Control Treaties (407C)
DTIRP Outreach Products on CD (942C)

Pamphlets

Arms Control Agreements Synopses (408P)
Quick Reference Guide to Arms Control Inspection Timelines (410P)
CWC Inspectors' Privileges and Immunities (152P)
Rights and Obligations of the Inspection Team and the Inspected
State Party under the CWC (131P)
Features of Chemical Facilities (114P)
CWC Questions Facing the U.S. Defense Industry (108P)
CWC Inspection Preparation Guide (125P)
Routine Inspections under the CWC (115P)
Guide for Initial and Routine Inspections under the CWC (118P)
CWC Challenge Inspection Planning Considerations (119P)



Managed Access under the CWC (112P)
Guide to Managed Access under the CWC (122P)
Guide for Challenge Inspections under the CWC (117P)
Quick Reference Guide to Chemical Equipment (132P)
Guide to Scheduled Chemicals (129P)
DTIRP Arms Control Outreach Catalog (907P)

Articles and Bulletins

Challenge Inspections under the CWC (101B)
Developing a CWC Pre-Inspection Briefing (123A)
Role of the Requesting State Party Observer in CWC Challenge
Inspections (133B)

Brochures

Why TEI? (954T)

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