

Chemical Weapons Convention Act

What is Chemical Weapons Convention Act?

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- CWC aims to eliminate an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons by States Parties.

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- States Parties must take the steps necessary to enforce that prohibition within their jurisdiction.

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- As a state party to the CWC India enacted Chemical Weapons Convention Act in 2000.

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- Chemical Weapons convention (CWC) is also called as Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction.

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What are the provisions of the Act?

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- The Act defines chemical weapons and empowers the Centre to set up a **National Authority**.

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- The Act defines chemical weapons as toxic chemicals, including munitions and devices, specifically designed to cause death or other harm.

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- The definition includes in its ambit “any equipment” specifically designed for employing chemical weapons.

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- **Power of Inspection** (Section 19): This section of the act gives full power of inspection of any person who is engaged in the production, processing, acquisition, consumption, transfer, import, export or use of any toxic chemical or discrete organic chemical.

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- **Enforcement Officers** (Section 9): It gives the Centre power to appoint any of its own officers, other than those of the National Authority, as enforcement officers.

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- **Restriction on Transfer** of Any Toxic Chemical (Section 16): the Act contains provisions for restriction on transfer of any toxic chemical or precursor.

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- The restriction clause notes that no person shall transfer to, or receive from, a state which is not a party to the Convention any toxic chemicals.

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- Inspections extend to any place where any chemical weapon, old chemical weapon, or abandoned chemical weapon is located, or where a chemical weapon production facility exists.

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What are the functions of National Authority?

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- The National Authority will act as the “national focal point” for effective communication with organizations and other state parties on matters relating to the Convention and for fulfilling the obligations of the country.

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- The Authority’s functions include regulation and monitoring the development, production, processing, consumption, transfer or use of toxic chemicals or precursors as specified in the Convention, among others.

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- The Authority is also empowered to issue directions and even close down facilities which violate the Convention.

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- It can also collaborate with other countries to seek or give assistance and protection against the use of chemical weapons.

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- The Central Government is vested with the power to constitute a necessary Committee to overlook the functioning of the National Authority.

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What lies ahead?

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- A world free of such weapons of mass destruction is the dream of every human being.

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- India can play a major role in creating a world free of chemical weapons by advocating against the use of such weapons.

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Source: The Hindu

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