

IN THE FIRST SESSION OF THE SECOND PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA

REPORT OF THE JOINT COMMITTEE ON ENVIRONMENT, SCIENCE &
TECHNOLOGY

AND DEFENCE & INTERIOR ON THE UNITED NATIONS CONVENTION ON THE
PROHIBITION OF CHEMICAL WEAPONS

Introduction:

Mr. Speaker, the United Nations Convention on the Prohibition of Chemical weapons was laid and referred to the Joint Committee on Tuesday, 20th May, 1997 for consideration and report.

The Committee met three times to consider the referral. In attendance were officials from the Ministry of Environment, Science & Technology. The Committee also had the benefit of a paper from the Ministry of Defence on its comments on the Convention.

The Committee after its examination of all the necessary documents relating to the Convention reports as below:

BACKGROUND

Mr. Speaker, the world community has become concerned with the use of weapons which are likely to cause superfluous injury or unnecessary suffering and degradation of the environment. For instance, the Geneva Protocol of 1925 was aimed, among other things, at the prohibition of the use in war of Poisonous or other gases.

On January 13, 1993, in Paris 130 countries signed the Chemical Weapons Convention (CWC) or the United Nations Convention for the Prohibition of Chemical Weapons.

Ghana signed the Convention on January 14, 1993. As at now 188 countries have signed the Convention of which 88 have ratified, including seven African Countries. The CWC will ban the development, production, acquisition, stockpiling, retention and direct or indirect transfer of Chemical Weapons. It also prohibits the use of, preparation for use of chemical weapons and the assistance, encouragement or inducement of anyone engaged in activities prohibited by the CWC.

The major feature of the Chemical Weapons Convention is that, it is the first multilaterally negotiated arms control and disarmament treaty which seeks to eliminate an entire category of weapons of mass destruction on a non-discriminatory basis. It considers that achievements in the field of chemistry should be used exclusively for the benefit of mankind. It also desires to promote free trade in chemicals as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under the Convention in order to enhance the economic and technological development of all States Parties.

Though African countries have not been major manufacturers, or users of chemical weapons, chemical weapons have been used since the end of the Second World War mostly in developing countries by

of the developed world. It was used in the Iraq-Iran war where about 5,000 to 10,000 people were killed by mustard gas, a chemical agent. In addition, there were 40,000 to 50,000 injured. Fusarin, a toxin was used in South-East Asia.

It was also used in Cambodia where it manifested itself as "yellow rain". A typical result of any warfare with mustard agent is that the medical delivery system of an affected country is loaded with numerous injured persons who require long and demanding care. It is therefore necessary that developing nations, and especially African States should advocate for the prohibition of such weapons and seek protection against chemical weapons attack and threats of attack through the Convention (Article X). The tragedies of the Bhopal gas explosion are still making international headlines and some of the victims are still experiencing pain and suffering and thus still burdening India's health delivery system. No doubt India was one of the first countries to ratify the treaty. Also, the lake gas emission accident in Cameroon is an example for which states which ratify the above convention can seek help and reduce their injury accordingly.

OBLIGATIONS UNDER THE CONVENTION

Mr. Speaker, under Article VII, paragraph 1 of the Convention, States Parties must adopt National Implementing Legislation. Secondly, under paragraph 4 Article VII, they are required to designate or establish a National Authority to serve as the national focal point for effective liaison with the organizations of the United Nations. This is usually set up in one of the Government Ministries, and in many instances a particular official within the Ministry is so designated. In the meantime an official from the Ministry of Environment, Science and Technology has been designated.

The third step will be the promulgation of the necessary complementary ordination by the executive branch to provide further legislative support for the functioning of the National Authority. The Convention also contains provisions which require all state Parties to make declaration as to their chemical weapons production activities in two stages: (a) As at the time of entry into force of the convention for that particular state, and (b) An annual declaration for declarable chemicals production. A State Party that does not possess any chemical weapons or has had no production of declarable chemicals during the previous year must state these respectively in its two declarations. Again, every State Party has to commit itself to providing assistance in at least one of three ways in the unfortunate event of help being required by another State Party.

FINANCIAL OBLIGATIONS:

According to Article VIII (7) of the Convention, the cost of the Organizations activities shall be paid by States Parties in accordance with the United Nation's scale of assessment adjusted to take special account of membership of the Organization. This year, Ghana as a signatory has been assessed at Dfl. 1,311 as its financial contribution towards the Organization's budget. If ratified, annual contribution will be met from budgetary sources of the Ministry of Science and Technology, and the Ministry of Defence who together seek the ratification of this Convention.

BENEFITS FROM THE CONVENTION

Mr. Speaker, there are security or military, social, and economic benefits from the ratification of this Convention.

Ghana is a peace loving country and must therefore prepare to safeguard that peace. Secondly, Ghana's renown peace-keeping operations are generally acknowledged, but the dangers of such noble national, regional, sub-regional and global operations put its troops at risk of chemical weapons attacks. Ghanaians have served in Lebanon, Palestine, Cambodia, Rwanda, Liberia, and are still doing so in some of the countries listed above. It is also pertinent to note that since the 1991 Desert Storm against Iraq, evidence is now coming to light that the troops were exposed to chemical weapons. The financial cost to the health delivery system is enormous, while the human cost in suffering to society and family life is disastrous. Modern warfare and peacekeeping activities besides being arduous, are not easy to manage because the weapons to be used cannot be easily pre-determined.

It will therefore be prudent for Ghana to seek the cover of the Convention in order to draw preemptive assistance for all kinds of negative impacts caused by the use of chemical weapons. Secondly membership of the Organization will provide opportunities for our military to acquire training in chemical weapons technology for preventive and mitigation purposes.

Mr. Speaker, Ghana has also enunciated in its economic plan, vision 2020 that Science and Technology is to be the engine by which the country will be transformed into a middle-income country by the year 2020.

The natural science of Chemistry and Biochemistry is the research and development path through which the health, food and humane-social development of a nation is undertaken. Ghana has infant chemical industry and therefore needs to internationalize its chemical needs, so as to benefit from the exchange of scientific information, equipment and personnel provided in Article IX of the Convention. It is worth noting that Parliament passed the Pesticides Control and Management Act (ACT 528) which enables the Environmental Protection Agency (EPA) to monitor the management and use of chemicals some of which are very toxic and listed in schedules under the Convention.

Technical assistance is needed to train local officials to manage its implementation. In this direction, it is also pertinent to note that the EPA recently organized a local workshop for the preparation of a National Profile to Assess the National Infrastructure for the Sound Management of chemicals in Ghana. Technical and other assistance exist under the convention for this purpose. Again, Mr. Speaker, after coming into force of the Convention, which will be in less than one month's time, trade in chemicals, will be profoundly influenced by the Convention to the detriment of non ratifying countries.

Mr. Speaker, the Organization provides opportunities for the employment of qualified personnel from all over the world, including Ghanaians, both scientist and non-scientist alike. At present a few Ghanaians are working with the organization on temporary basis.

However according to Article VIII, section 44. Only citizens of State Parties shall serve as the Director-General, as inspectors or as other members of the professional clerical staff. Also, it is our information that the Ghanaian employee(s) already working with the Organization may have to lose their jobs if Ghana does not ratify the Convention.

Finally, we observe that even before Mr. Kofi Annan was elevated to the High Office of the Secretary General of the United Nations Organization, Ghana had always been regarded by other African nations, and indeed, the international community as a leader in African and world affairs. As such even though Ghana had not ratified the Convention, it was given the elevated position of member of the Credentials Committee of the Organization. With the present elevation of Mr. Kofi Annan, the first Black African to the highest international Organizational office, Ghana's support for activities of the United Nations and its agencies, has become a test case for other African countries, and indeed a measure of its support, not only for the international organization, but also for its first black Sub-Saharan African leader who is also a Ghanaian.

Mr. Speaker, it is indeed, worthy of note that although Ghana had not yet ratified the Convention, the Secretary-General graciously invited a delegation from Ghana to the first meeting of the States Parties to the Convention held in The Hague on 6th May, 1997.

OTHER NON-MILITARY BENEFITS OF RATIFICATION

Mr. Speaker, though a country might not be attacked with chemical weapons in an interstate war, it is feared that terrorists and secessionists might resort to such means to achieve their avowed aims. Also other non conformist groups like religious fanatics may choose such methods for gaining notoriety or attention. The case of the Japan Subway poison gas emissions by the Japanese secret religious cult is an example. Countries which have ratified the convention can seek both technical and economic assistance from the Organization.

Secondly, though a country may not produce chemical weapons, others who do, may clandestinely or deliberately continue to dump obsolete chemicals or dangerous chemicals on their territories. Such a state party, can always seek assistance from the Organization to prevent dumping or mitigate the consequences of such an act if already accomplished.

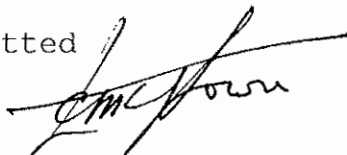
Industrial accidents can happen when by combustion or spillage, air pollution, surface or underground water contamination by dangerous chemical or fumes can occur. A country which by itself is not very well equipped to reduce its injury, can appeal to the Organization for assistance.

CONCLUSION

The committee acknowledges the financial implications associated with the ratification of the Convention. However, the Security, Economic, Social, Political and International benefits that Membership of this Organization will accord the Country far outweigh the financial implications.

Since we do not generally produce these Chemical Weapons coupled with the fact that conflicts are experienced more in the developing countries we would lose the more if we do not support efforts at the Prohibition of the use of these Chemical Weapons. Mr. Speaker, the committee aware of the numerous benefits to be enjoyed by the country as stated above wishes to recommend to the House to approve of its Report by passing a resolution ratifying the Convention.

Respectfully Submitted



Hon Sqn. Ldr. Clend. M. K. SOWU (rtd)

(Chairman,

Select Committee on Environment, Science & Technology).



Hon Joseph Emmanuel ACKAH

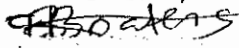
(Chairman,

Select Committee on Defence & Interior).



Eric Owusu-Mensah

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June 3, 1997.