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**THE ISLAMIC REPUBLIC OF IRAN'S VIEW AND CONCERN OVER THE
DISCOVERY AND DESTRUCTION OF CHEMICAL WEAPONS
BY THE UNITED STATES AND THE UNITED KINGDOM IN IRAQ**

In March 2003 the United States and the United Kingdom and their allies invaded Iraq and consequently occupied the country on the bases of claimed existing WMDs in Iraq and removing the threat posed to international peace and security by these weapons. However, after the occupation no information was ever released on the discovery of WMDs in Iraq by the occupying forces.

It was only six years later, in April 2009, that the United States and the United Kingdom informed States Parties that they had discovered chemical weapons after their invasion of Iraq. Most regrettably they acknowledged that they destroyed these chemical weapons without declaring to the Technical Secretariat and submitting destruction plans to and getting approval of the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW), despite their obligations to do so under the Chemical Weapons Convention.

Article III paragraph 1(a)(i) with respect to chemical weapons sets obligations for each State Party that:

“Declare whether it owns or possess any chemical weapons, or where there are any chemical weapons located in any place under its jurisdiction or control;”

Subparagraph (v) of the same article clearly provides that States Parties shall:

“Provide its general plan for destruction of chemical weapons that it owns or possess, or that are located in any place under its jurisdiction or control, in accordance with Part IV (A), paragraph 6, of the Verification Annex;”

The Convention in paragraph 6 of part IV(A) of Verification Annex also sets provisions for destruction of chemical weapons in accordance with the order and procedures for their stringent verification to be determined by the Executive Council.

The failure to submit declarations and destruction plan(s) for discovered chemical weapons to the OPCW, in accordance with paragraph 6, Part IV(A) of the Verification Annex of the



Convention, is a clear violation of the United States and United Kingdom obligations under the Convention.

Due to the stringent confidentiality regime of the OPCW on handling and protection of information, refraining from declaring the discovery of chemical weapons in Iraq under the pretext of having concern over the possible access of terrorist groups to the information or weapons is unacceptable. Therefore, the real reason for concealment of the discovery of chemical weapons in Iraq, if any, and declaring it after six years, is yet unknown.

Arbitrary safety and security considerations of the United States and the United Kingdom shall not be used as a pretext for violating their obligations under the Convention while they were operating in Iraq. In such an important issue of chemical weapons destruction, it is only for the Organisation and States Parties to decide.

The hasty and unilateral actions taken by the United States and United Kingdom to destroy discovered chemical weapons in Iraq without supervision of the Technical Secretariat and Executive Council, in violation of the provisions of the Convention, and their failure to notify the OPCW in accordance to the timelines envisaged in the Convention, raise serious questions about the source and nature of these chemical weapons. However, should it be the case, since the unilateral action by the United States and United Kingdom undermines the credibility of the Convention, it requires serious consideration of the matter by the OPCW.

Since the regulations for declaring chemical weapons and their destruction have been clearly and thoroughly envisaged in the Convention in a comprehensive and transparent manner, any argument of **destruction of chemical weapons in exceptional circumstances** is redundant and unjustifiable. Therefore, under any circumstance, the United States and United Kingdom still had the obligation to declare to the Technical Secretariat and call for a closed session by the Executive Council to decide on the issue according to its rights and powers entrusted to it by the Convention.

It should be emphasised that informal consultation with the Technical Secretariat staff could not substitute for the obligations of any State Party to declare the chemical weapons it owns or possesses, or falls under its jurisdiction or its control in accordance to Article III.

The Islamic Republic of Iran has requested clarifications from the United States and the United Kingdom in accordance with Article IX of the Convention and has submitted questions regarding this very issue. The responses provided by the United States and the United Kingdom are still under consideration by the experts in the National Authority of the Islamic Republic of Iran. Based on our findings from the information that has been provided by the United States and the United Kingdom as well as other information available to the Islamic Republic of Iran, further appropriate measures will be taken in the framework of the Chemical Weapons Convention.

We strongly believe that if the violation of Convention obligations in such a delicate situation by the two States Parties in question is ignored, it sets a risky and dangerous precedence which would compromise the integrity of the Convention and credibility of the Organisation.