

Statement by

H.E. Bozorgmehr Ziaran

**Ambassador and Permanent Representative of
the Islamic Republic of Iran to the OPCW**

Before

**The Second Special Session of the Conference of the States Parties
to Review the Operation of the Chemical Weapons Convention**

(The Second Review Conference of the CWC)

The Hague, 7-18 April 2008

In the name of God, the Compassionate, the Merciful

Mr. Chairman,

At the outset, I would like to begin by congratulating you for your well deserved election as the Chairman of the Second Review Conference of the Chemical Weapons Convention and wish you every success in steering of our deliberations. I should also thank the Director General, Ambassador Rogelio Pflirter, and his colleagues in the Technical Secretariat for their efforts in advancing the objectives of the Convention. We also appreciate the exertions of Ambassador Lyn Parker of the UK who over an extended period of time conducted the negotiations of the Open-ended Working Group and Ambassador Oscar de los Reyes Ramos of Cuba, as the Chair of the NAM for his contribution to preparations of the Review Conference.

Mr. Chairman,

The Review Conference, as stipulated by the CWC, is a unique occasion for the objective review of the progress made in the implementation of the Convention and sets the agenda for the future work of the Organization. We have all along maintained that to preserve the nondiscriminatory nature of the Convention and to further its object and purpose, it is essential to address the Convention in a holistic manner. In this respect, the Review Conference cannot but to be considered as an opportunity to reaffirm the legally binding commitments as well as political will of the States Parties for full, effective and non-discriminatory implementation of all provisions of the Convention, in particular those on destruction.

We are holding our second review conference at a time when, ten years after the entry into force of the Convention, the international community still faces threats of chemical warfare either by terrorist groups or by some states. These challenges combined with our review of the operation of the Convention, as well as destruction commitments of the Possessor States Parties have made it all the more compelling to seek necessary corresponding recommendations and decisions. It is our earnest hope that this Review Conference commands a comprehensive consensual final outcome.

The past 10 years for the OPCW is marked with relatively notable achievements, including development of its institutional capacity, and further implementation of the CWC as an enterprise to promote our collective security. However, as we drive forward, there is the need to build on this achievement and work together for full implementation of the Convention, through ensuring its universality, destruction of all chemical weapons by the final deadlines, removing the persistent obstacles to the full, effective and non-discriminatory implementation of Article XI and taking specific measures to provide assistance and care for thousands of chemical weapons victims across the globe and in particular in Iran and Iraq.

Complete destruction of chemical weapons remains the most important foundation of the Convention, which is yet to be attained. For the sake of credibility of the Convention all Possessor States Parties must take every necessary measure to meet the final deadline and to destroy all their chemical weapons by 29 April 2012. Failure to meet this deadline is a clear and serious case of non-compliance. It would also raise the concern that domestic policies have resulted in preferences for retaining certain stockpiles as “Security Reserves”.

The slow pace in destruction of chemical weapons by the major Possessor States is a matter of serious concern. While calling on the Possessors to speed up their destruction activities, the Non-possessor States Parties should remain vigilant and should closely monitor the implementation of the destruction obligations of the major possessors. In this context, the OPCW and its decision making organs, especially the Executive Council and the Conference of States Parties have a significant role.

The obligation not to use chemical weapons explicitly includes the use of riot control agents as a method of warfare. We deplore the recent use of such non-lethal weapons as means of warfare and stress that the States Parties have the obligation not to resort to these weapons for military purposes.

The commitment of the Islamic Republic of Iran to the Chemical Weapons Convention goes far beyond a mere legal undertaking. It stems from a very bitter experience in our recent history. In its invasion of Iran, Saddam’s regime made use of various types of chemical weapons, on a large scale, against Iranian civilians and military alike. These all-out inhumane attacks resulted in about 100,000 known chemical injuries and deaths. At the sideline of this Conference you could visit an exhibition set up by some of those living

with chemical injuries. The tragedy and its lingering implications have made our determination and policies in opposing all weapons of mass destruction, including chemical weapons, more resolute.

The Iraqi nation also fell victim to Saddam's barbaric policies when he decided to employ chemical weapons against his own people.

Despite several reports by the UN fact-finding teams, proving Saddam's violations of the 1925 Geneva Protocol, the international community, and in particular the UN Security Council, kept silent. It is ironic to note that the Security Council resolutions neither made any reference to these serious violations of the Geneva Protocol nor bothered to condemn them.

As a result, the Iraqi regime got away with impunity and the major powers rewarded Saddam with provision of further military hardware and technology as well as economic and trade contracts. This but sent a loud and clear signal that grave violations of a significant treaty would be tolerated should one serve the interests of certain powers.

We firmly believe that such tragedies should never happen again. To this end, in addition to our collective efforts in promoting the Convention and its ban on production and use of chemical weapons have to be supplemented with concrete measures to bring to justice those who assisted Saddam in development and use of chemical weapons. The perpetrators of such crimes should not enjoy impunity. It is highly expected that all those countries whose companies or individuals have been involved in helping Saddam to commit crimes against humanity abide by their legal and moral responsibilities and cooperate in administration of justice.

Iran has a vast knowledge and experience in treatment of chemical injuries. In addition to implementation of our treaty obligations under the Convention, we have shared our invaluable experience in the field of medical treatment of victims of chemical weapons with other states as well as the OPCW. In association with the Organization, we have organized eight international medical courses at which physicians from various member states have taken part. I am also pleased to report that the 9th International Medical Course is due to be held in Tehran in 2008. These undertakings could be expanded by creation of a regional center in Iran for treatment of chemical injuries.

Here, I should once again draw the attention of the international community to the plight of victims of chemical weapons and repeat our submission on establishment of a “Chemical Weapons Victim's International Funding & Assistance Network”. We expect the Executive Council to start considering the details of such a network.

The 10th anniversary of the entry into force of the Chemical Weapons Convention coincided with the 20th anniversary of the chemical attacks by Saddam's Regime against the Iranian civilians in Sardasht city. This for us had a special meaning as to highlight the relevance and contribution of the Convention to the international peace and security. Taking the advantage of these two occasions several initiatives were launched in 2007. These included a seminar on CWC in Tehran on 9 May, a scientific seminar in Shahid Beheshti University on 27 June, a commemorative gathering with the presence of the victims of chemical weapons in Sardasht city on 28 June, two specific medical congresses respectively in Mashhad and Isfahan, publication of a special magazine and a memorial stamp in June, and finally “the International Seminar on the Consequences of Use of Chemical Weapons Against Iran” in Tehran, on 22-23 October 2007.

Given the contribution of the Convention's universality to the international peace and security, we are of the view that it should rank amongst the priorities of the Second Review Conference. We need to broaden the membership of the OPCW. This is more indispensable for the Middle East. Some countries in the region have refrained to join the Convention in reaction to the Israel's unrelenting programs to develop all sorts of weapons of mass destruction. To make steadfast headways towards universality, the international community needs to mount pressure on Israel to join non-proliferation and disarmament treaties and dismantle its biological, chemical and nuclear arsenals and their related facilities.

The OPCW annual reports indicate that 96% of schedule 3 transfers are headed to Israel. This is a clear disregard for the provisions of paragraph 27 of Part VIII of the Verification Annex, concerning the transfer of Schedule 3 chemicals to non-parties. This was intended to serve as a disincentive for CWC's non-membership.

On the other hand, consistent with Articles VI and XI and as a benefit of membership, the Convention provides for free trade in the field of peaceful uses of chemistry among the States Parties.

There exists no provision in the Convention to impede the legitimate transfer of chemicals between the States Parties. In other words, the transfer restrictions on chemicals will, in principle, only be applicable to non-parties. However, regrettably some States Parties have put in place certain arbitrary and discriminatory extra conventional restrictions on exchange of technology, material and equipment for peaceful purposes among the CWC States Parties. The latest report by the Technical Secretariat indicates that as of 21 November 2007 only 32% of States Parties by mere yes/no answers confirmed that their national regulations are consistent with Article XI (2e). One should note that State Parties are obliged not to maintain among themselves any restrictions which might hamper their economic and technological development. And, therefore, export control regimes need to be brought in line with the provisions of Article XI (2e) which aims to promote chemical trade among States Parties.

Narrow interpretation of Article XI has, so far, undermined the regulatory aspect of the Article. This approach has had various implications, including inter-alia for the international cooperation programs and activities of the Organization.

It is high time to have a thorough discussion on various aspects of Article XI and ensure its full and non-discriminatory implementation. The Executive Council, as mandated by the 12th Session of the Conference of the States Parties, has to agree on concrete measures for full implementation of Article XI within an agreed framework. We hold that the Review Conference shall reinforce the foregoing decision of the CSP and make the necessary recommendations thereon.

Iran has already prepared a detailed proposal on Article XI, which is an updated version of its earlier proposal presented at the First Review Conference. We hope that serious negotiations would commence on this proposal.

Verification of chemical industry is a mechanism through which the Organization ensures compliance with the Convention. The verification mechanism has classified chemicals according to their degree of risks in three categories. Logically, each category has its own verification procedure. Attempts at redefining the hierarchical risks envisaged in the Convention for

three schedules of chemicals would endanger the focus of the verification regime of the Convention.

For the last several years, implementation of Article VII on national implementation has been subject of intensive discussions. Pursuant to the Action Plan agreed at the First Review Conference, considerable progress has been achieved in this regard. Therefore, our future efforts should be of encouraging nature.

On a related matter, one must note with dismay that some State Party has incorporated certain conditions contrary to the Convention in its national legislation. This approach towards implementation of Article VII is detrimental to the integrity of the Convention and the Article itself.

We believe that efficient functioning of the Organization lies in close cooperation between the Technical Secretariat and the States Parties. There is the need to build on the existing good relations between the two by promoting transparency. We continue to support the implementation by the Technical Secretariat of the tenure policy. In implementation of the tenure policy, the Technical Secretariat should ensure, amongst others, the opportunity for the developing States Parties especially those with active participation in the work of the OPCW to be properly represented in the Technical Secretariat. At present, some developed States Parties in the Technical secretariat are over represented. That is contrary to the equitable geographical representation principle envisaged in Article VIII regarding the selection of Staff.

To conclude, I shall say that we are the torch carrier for almost half a century of international efforts to ban chemical weapons. Let us work hand in hand to rid the world of the risks of chemical weapons for ever. We owe this to the past, present and future generations.

Thank you Mr. Chairman