

As Delivered
April 8, 2008

**Statement by
AMBASSADOR ERIC M. JAVITS**

**United States Delegation
to the
Second Review Conference
of the
Chemical Weapons Convention**

April 7, 2008

Mr. Chairman, Mr. Director-General, distinguished delegates and guests:

It is a great honor for me to address this assembly at such an important moment in the history of the Chemical Weapons Convention. It is also a significant milestone for me personally, since I arrived in The Hague to take up my duties on the eve of the First Review Conference. A lot has happened in these past five years. We have achieved a great deal through hard work, earnest exchange of views, and the goodwill of States Parties. The result has been to make the Chemical Weapons Convention a success. As we review the past half decade and plan for the future, I believe that we can and will preserve our tradition of consensus decision-making, and that together we will establish for this Organization a clear road map for the work ahead.

I warmly welcome our new chairman, who will lead us through this Review Conference, Ambassador Waleed El Khereiiji of Saudi Arabia. I know him to be both wise and pragmatic, and he will bring us -- all together -- to a successful conclusion. I would also like to express my profound thanks to Ambassador Lyn Parker, the chairman of our working group for the Review Conference, who has worked so patiently and diligently over the past year to lay the groundwork for this Conference. Their efforts, and those of many others – delegates, Technical Secretariat staff, members of civil society, and of course our Director-General – have been and will continue to be critical to the success of this Conference.

I would also like to say a word about someone who could not be here today. Ambassador Donald Mahley, who many of you have worked with over the years on the Chemical Weapons Convention or in his other role as the President's Special Negotiator for Chemical and Biological Weapons, is about to retire from government service after 43 years. Ambassador Mahley was the Director of Defense Policy and Arms Control at the National Security Council during the Chemical Weapons Convention negotiations in the late 1980s, and has been involved with the Convention ever since, playing a critical role for the United States in bringing the negotiations to closure, and the establishment of this Organization in which we now participate. He has served the United States with great distinction. I believe that through his years of work in multilateral arms control and nonproliferation, he has also performed a great service to the entire international community.

I would like to share with you the personal message to us from Ambassador Mahley, and I quote:

“Ambassador Javits asked me to provide a few very short comments as I leave government service, and reflect on the twenty-four years I have been engaged in the Chemical Weapons issues from the standpoint of the United

States Government. Any short comments will inevitably do less than justice to the efforts that thousands have devoted to this issue over the years, but I can not help but highlight a few things that seem to me personally as significant insights gained from the Chemical Weapons Convention and the Organization for the Prohibition of Chemical Weapons.

Historically, chemical weapons are unique. They have been used in warfare more often, and with greater effect, than any other weapon of mass destruction in modern times. They have been an active part of national arsenals even more often – certainly more than nuclear or biological weapons. Nations attempted to rid the world of the chemical weapons threat as early as 1925, but in truth serious efforts to ban such weapons only gained both international credibility and the prospect of success in 1989. Completing all of the significant elements between 1989 and 1992 was a tremendous achievement of all those involved in the negotiation. Solving the myriad issues during the Preparatory Committee period was another remarkable achievement.

The Chemical Weapons Convention is likely the last of the global Weapons of Mass Destruction arms control treaties, and certainly is the most complex. The negotiators should be congratulated for choosing to confront issues rather than avoid them.

But I would reserve my greatest congratulations for those of you involved in the daily implementation of the Convention. Director-General Pfirter, the Technical Secretariat, the members of the Executive Council, and the States Parties all deserve the thanks of the world for holding fast to the vision of the Convention. It is still a lean international organization, not having fallen prey to the temptation to bloat and turn to internal bureaucracies rather than the mission at hand. The pace of technology in chemistry has not slackened, and the threat has transmuted from the state to the non-state actor. And the Convention has moved with that evolution.

I can look back with pride to my own involvement in the development and execution of the mission of the Chemical Weapons Convention. But I can only salute those of you who have translated the dream of making chemical weapons an uncivilized aberration into a reality, and who continue to find effective solutions to an ever-evolving threat. I hope the Review Conference continues to operationalize the promise of the Convention. Good luck, and do not lose sight of the security goal inherent in your efforts.”

Unquote, and thank you, Ambassador Mahley, for that advice.

Mr. Chairman,

I warmly welcome the Republic of the Congo, the newest member of the Convention, into our organization. Other states -- Iraq, Lebanon, Guinea Bissau, the Dominican Republic, and the Bahamas -- are on the verge of accession, and I urge them to take the final steps to join us as soon as possible. For those few states remaining outside the Convention, we must renew our efforts to urge ratification and accession. Unless and until our membership is truly universal, we will not fully meet the aims of the Convention.

As we begin this Review Conference, let us re-dedicate ourselves and our governments to the object and purpose of the Chemical Weapons Convention, to its full implementation, and to compliance with all of our obligations. This is an ideal opportunity for us to reaffirm the commitments our nations made in joining the Convention with the aim of completely excluding the possibility of use of chemical weapons by any state, group, or individual. We should also use this opportunity to underscore the continuing importance each of us places on compliance with the Convention, from both national and global perspectives, and our collective responsibility to follow through on compliance concerns.

During the months of preparation for this Conference, there has been much discussion about the relative importance of various objectives set out in the Convention. I believe that such debates miss the point -- which is that the Convention is made up of a series of interlocking, mutually reinforcing objectives and commitments. The Chemical Weapons Convention represents a grand agreement that all nations possessing chemical weapons will destroy them, and that no nation will ever again develop, produce, seek to retain or transfer such weapons, or permit entities or individuals to do so on their territory. It provides for assistance and protection from chemical attack, and includes important provisions to ensure that it does not interfere with trade in chemistry for peaceful purposes or the economic and technological development of its members. The success in achieving each of these objectives depends, in important ways, on successfully achieving the others. The Convention is unique: a verifiable agreement that is at once both a disarmament treaty and a non-proliferation treaty. The matter we must address at this Conference is not the relative importance of these commitments, but how to move the Convention forward -- with all its interlocking aims. This is the only way we can reach our ultimate goal.

The Chemical Weapons Convention has roots almost a century old. The horrors of poison gas in the trenches of World War I left an indelible impression on the soldiers who fought there and on the collective conscience of mankind. And the proliferation of chemical weapons, and their use again in the Iran-Iraq war, gave critical impetus to the negotiation of this treaty.

Some have claimed that chemical weapons are not effective instruments of war, and that it was only their lack of utility that allowed nation-states to agree to ban them. But these weapons can still be lethal, and especially today, when battles are fought in the streets of cities and terrorists target unarmed, unprotected civilians, chemical weapons are in some ways a greater threat than ever.

The threat we face is changing, but it certainly is not going away. If this Organization is to remain relevant, it will need to evolve as well, and that is why we are gathered here today.

The destruction of chemical weapons is fundamental to the Convention. Those of us who possess chemical weapons have special responsibilities to secure these weapons, to declare them, and to destroy them under international monitoring. Destruction has not been as rapid as any of us would wish. Most possessors of chemical weapons were forced to seek extensions to their original 10-year deadline. But destruction is proceeding. Albania has completed its destruction. India and another State Party are nearing completion. The United States, with the second-largest stockpile in the world, has destroyed over 51 percent of its chemical weapons. This demonstrates our resolve and our commitment to destroying our chemical weapons as rapidly as can be done safely. When we were granted our extended deadline, the United States committed to work to improve the rate of progress, and we have done so.

We understand the concerns that have been expressed over the delays in achieving the destruction of existing stockpiles of chemical weapons. It is right that this Conference give serious consideration to this matter. But the commitment of the United States to disarmament is clear, and the resources we have devoted to this complex, difficult task are enormous. U.S. resources have gone not only to our own destruction efforts, but also to assist the destruction activities of other possessor States.

Mr. Chairman,

As the world's chemical industry evolves, verification must evolve with it, as provided for in the Convention. There have been significant changes in the industry since entry into force. My government believes that this Review Conference should request the Director-General to study how these changes in the chemical industry may affect the reliability of traditional indicators of chemical weapons production; the efficacy of inspection procedures, equipment, and frequency; and the relevance of sampling and analysis, so that verification remains effective, now and in the future.

We also need to improve our approach to Other Chemical Production Facilities (OCPF), both by increasing the percentage of facilities that are inspected annually and by improving identification of the specific facilities that should be

inspected. Some of these facilities incorporate technologies and features that are highly relevant to the Convention. However, the OCPF category also includes facilities that are not relevant at all. We believe that this Review Conference should request the Director-General to study and report on ways to focus declarations of the OCPF category -- including by means of exemptions for certain classes of industrial facilities that have been found to be of no relevance -- in order to focus our effort on facilities that are relevant.

One valuable new tool that the Technical Secretariat has developed extensively over the past several years is the Verification Information System (VIS). We congratulate all those who have worked to develop and refine the key modules of this system that will simplify and standardize electronic declarations by States Parties. We are pleased that the Secretariat plans to demonstrate the Verification Information System this week during the Conference for everyone interested in seeing how it works, and again in May during the Industry Cluster meetings. We look forward to the Secretariat's development of a tool for States Parties to use to facilitate the submission of electronic declarations. The automation of verification information at the OPCW should reduce costs and result in improved data quality, and increased accessibility and timeliness of information.

The world has changed in recent years. We face new threats. It is a new era of asymmetrical challenges by shadowy non-state groups seeking to tear down the architecture of civilization. The possible use of toxic chemicals by terrorists is just one of the challenges of this new world. Just last year in Iraq, attacks occurred using chlorine, a common industrial chemical. Although the Convention designed declarations and routine inspections to detect quantities of toxic chemicals that were militarily significant, such inspections were not designed to detect or deter small-scale production or improvised use of toxic chemicals by non-state actors. This is an issue we must now address.

There are tools already at hand in the Convention that can help us to meet this new challenge. One such tool is the requirement that States Parties put in place effective national implementation measures, in other words, laws and regulations, to prevent individuals from producing, stockpiling, or using chemical weapons or assisting, encouraging, or inducing, in any way, others to do so. The full and effective implementation of and compliance with all Convention provisions by States Parties would be a key contribution to efforts to deny terrorists access to weapons of mass destruction, as was recognized by United Nations Security Council Resolution 1540. The Convention also includes assistance provisions under Article X that may help to mitigate the effects of a terrorist attack using chemical weapons.

The First Review Conference noted that the OPCW was established as a forum for consultation and cooperation among States Parties, and certainly this framework could and should be used to exchange experiences and discuss

issues related to the threat of terrorists' and non-state actors' use of chemical weapons. My government firmly believes that consultation and cooperation among States Parties can help to mitigate this threat. It is time to make better, more concerted use of the tools in the Convention, and of the OPCW as a forum, to raise awareness among States Parties about the threat of terrorist use of toxic chemicals.

Effective national implementation has been a priority in the OPCW for some time now. Although many states have made progress in drafting and ratifying implementing legislation, some, unfortunately, have not. The Technical Secretariat and some States Parties have been assisting countries to draft effective laws and enforcement procedures. This important work must continue. We believe that States Parties should also add a new level of cooperation in addressing implementation challenges, by sharing information and experience on specific issues. We have proposed that the annual two-day meeting of national authorities be lengthened and that there be a yearly focus or theme, so that national experts can present briefings and compare experiences on important Convention-related matters. Themes for meetings could include topics such as domestic law enforcement issues associated with the Convention, methods of outreach to industry, or national methods of overseeing imports and exports of toxic chemicals.

The United States believes firmly in the value of international cooperation, and we support the work of the Technical Secretariat in this area. The United States would like to see increased partnership with industry; for example, through OPCW associates program and internships. We are encouraged by reports of what some national industrial associations have done to help their own members and their National Authorities, with advice and guidance from the OPCW, but without waiting for or relying on programs to be designed here in The Hague. Industries have a lot to offer on a voluntary basis, but we must become more proactive and creative in reaching out to engage them in this important endeavor.

Over the past year, the 10th anniversary celebrations of the Chemical Weapons Convention provided valuable exchanges with industry, academic experts, and non-governmental organizations on current issues. The United States supports continuing and increasing such informal contacts by the Secretariat and delegations on issues that are directly related to the Convention.

We would like to see the important work of the Scientific Advisory Board supported by a stronger process, including improvements in the formulation of requests for study by the Board and in how its recommendations are received and reviewed. We continue to support increased funding under the regular budget for the Scientific Advisory Board to allow two meetings per year, instead of the current single meeting, and the provision of some funding for temporary working groups.

The OPCW has developed a strong organizational foundation, of which we all should be proud. It has operated for the past three years with zero nominal growth budgets without hampering important functions. My government agrees with the Director-General's view in his note to this Conference that we should begin planning for a "gradual shift" in the workload in the years to come when there will be a decrease in destruction activity. We should reaffirm the importance of the Technical Secretariat maintaining its competence through highly qualified inspectors and staff, while also maintaining expertise and institutional memory as the required technical capabilities shift in the years ahead. This Review Conference should seek to reinforce the important work of the oversight bodies, the Executive Council and the Conference of the States Parties, and stress the necessity of strong political leadership in overseeing the work of the Organization.

As we begin the critical deliberations of the Conference this week, let us reflect upon the positive accomplishments of the OPCW over the last ten years, even as we look for ways to refine and improve it further. One of our hallmarks and most valuable accomplishments has been to work by consensus, in which each State Party has a voice and all are important. In that spirit of consensus, we should use our time over the next two weeks wisely to discuss the issues of greatest importance and to record both our agreement and our recommendations for improving our work over the next five years.

Finally, Mr. Chairman, I pledge my personal commitment and that of the U.S. delegation to work closely with you and all of the delegations present here to make this a productive and successful Conference that will guide our work on the Chemical Weapons Convention in the years ahead.

Thank you.