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**UNITED STATES OF AMERICA**

**STATEMENT BY H.E. AMBASSADOR KENNETH D. WARD  
PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE  
OPCW AT THE EIGHTY-THIRD SESSION OF THE EXECUTIVE COUNCIL**

Madam Chair, Mr Director-General, distinguished ambassadors and delegates,

There are a number of issues before the Council this session – such as acknowledging the successful Libya operation, approving a 2017 budget decision, strengthening implementation of the Convention – and the United States of America intends to address these and other issues under their specific agenda items.

Today, however, the entirety of my statement is devoted to the gravest challenge that our Convention and this Organisation have ever faced. The future of both will hinge on the actions that this Council takes, or fails to take, at this session.

The common bond at the very heart of the Chemical Weapons Convention is a simply stated, but truly enlightened, conviction. We have all pledged to renounce the possession and use of chemical weapons and, as important, not to tolerate those who possess or use such heinous weapons – be they governments or non-State actors. Indeed, the preamble to our Convention enshrines our shared determination, for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons through the implementation of the Convention.

This session of the Council is confronted with a truly extraordinary and, indeed, unprecedented crisis, as an independent team of international experts has determined that a State Party to the Convention – the Syrian Arab Republic – was responsible for two confirmed uses of chemical weapons against opposition-controlled areas in Syria. The OPCW-UN Joint Investigative Mechanism (JIM) was established in August 2015 by a unanimous decision of the United Nations Security Council, resolution 2235 (2015), to identify those involved in incidents of chemical weapons use in 2014 and 2015 confirmed by the OPCW Fact-Finding Mission.

These attacks by the Syrian military involved barrel bombs dropped from helicopters that released a toxic substance – most likely chlorine – in Talmenes on 21 April 2014, and Sarmin on 16 March 2015. As detailed in the Fact-Finding Mission reports and underscored in the JIM's report, helicopter-delivered, barrel bombs are the all too common signature in confirmed chemical weapons attacks in the spring of 2014 and the spring of 2015. It is now impossible to deny that the Syrian regime has repeatedly and systematically used toxic industrial chemicals in violation of the Chemical Weapons Convention and United Nations



Security Council resolution 2118 (2013), and in defiance of this Council's decision of 27 September 2013.

The JIM is now completing its investigation of similar chlorine barrel-bomb attacks occurring in 2014 and 2015, and by the end of this month, the JIM may report additional findings regarding chemical weapons use by the Syrian Arab Republic.

The United States of America condemns in the strongest possible terms the Syrian regime's use of chemical weapons. We call upon the Secretariat and all States Parties to remain vigilant as new allegations of chemical weapons use in Syria have recently arisen and are now being actively investigated by the OPCW Fact-Finding Mission. The alarming prospects for continued chemical weapons use further underscores the dangers of Syria's refusal to fully declare its chemical weapons programme. As I warned at the July Council session, the United States of America remains very concerned with undeclared activities involving traditional chemical weapons – nerve agent and mustard gas – and their associated munitions. Syria's refusal to adequately address issues raised by the Technical Secretariat makes it impossible for the international community to have confidence that all of these prohibited materials have been declared and destroyed. Now, with the publication of the most recent JIM report, it is clear that Syria also has undeclared stocks of toxic industrial chemicals, associated barrel bombs, and production equipment – which it has used to support and perpetrate chemical weapons attacks.

How should the international community and this Council react to these blatant violations of the Convention and continuing threats to the people of Syria? What actions need to be taken? The international community has established an important legal framework to facilitate action to address this crisis – but renewed international will is urgently required to meet this grave challenge.

The Council will recall that, in September of 2013, in the wake of the horrific nerve agent attack in Ghouta on 21 August, the international community prudently viewed Syria's impending accession to the Chemical Weapons Convention with uneasy hope and cautious circumspection. A robust framework was established by the international community designed, on the one hand, to facilitate the destruction of Syria's chemical weapons programme but, on the other, to address any refusal by Syria to completely renounce possession and use of chemical weapons.

The international legal framework is interconnected, with important roles for both the Executive Council and the United Nations Security Council.

The first element of the international framework is the Chemical Weapons Convention itself, as buttressed by the Executive Council's decision of September 2013, which prohibits the possession and use of chemical weapons and which contains tools to address concerns about compliance with these fundamental prohibitions of the Convention.

The second element of the international framework is United Nations Security Council resolution 2118 (2013) which imposes binding legal obligations on Syria to “cooperate fully with all aspects of the implementation” of the 27 September 2013 Executive Council decision and, further, prohibits the possession and use of chemical weapons by Syria. In resolution 2118 (2013), the United Nations Security Council expressly decided that in the event of noncompliance with that resolution, including any use of chemical weapons by anyone in the

Syrian Arab Republic, to impose measures under Chapter VII of the United Nations Charter. In establishing the JIM, the United Nations Security Council reaffirmed its decision to respond to violations of resolution 2118 (2013) under Chapter VII of the United Nations Charter.

In response to the findings of the JIM and in an effort to deter any future use of chemical weapons in Syria, both the United Nations Security Council and the OPCW Executive Council have essential roles in ensuring that the Syrian Arab Republic and the so-called “Islamic State of Iraq and the Levant” (or ISIL), as well as the individuals involved in these chemical weapons attacks, are all held accountable. As the JIM was established by the United Nations Security Council, it is appropriate that deliberations, now underway, be pursued there with a view to the expeditious adoption by the Security Council of a resolution setting out a strong set of enforcement actions.

However, United Nations Security Council action alone is not sufficient. Since Syria is a State Party to the Convention, the Executive Council must address this compliance crisis at this session – as must the Conference of the States Parties in November. The confirmed use by a State Party is the most serious challenge to the Convention and to the global norm against chemical weapons since the creation of the OPCW in 1997. This Council must act and do so decisively.

The United States of America has formally submitted a draft decision for consideration and adoption of the Council at this session. Let me summarise the key elements of this draft decision.

We must condemn in the strongest possible terms the use of chemical weapons by Syria and ISIL and, further, we must underscore our unwavering conviction that Syria and ISIL, as well as the individuals involved in these attacks, must be held accountable.

We must express grave concern at the failure of Syria to fully declare and destroy its chemical weapons programme and acknowledge the alarming implications of the Secretariat's unsuccessful efforts, stymied over a two year period by Syrian officials, to verify that Syria has destroyed its chemical agent stockpile of mustard and nerve agent as well as precursor chemicals.

Additional verification measures must also be imposed on Syria. Having been found to have used chlorine as a chemical weapon, Syria is now required under the Convention to declare and destroy all chlorine stocks and any other stocks of toxic chemicals, including toxic industrial chemicals that it possesses for purposes prohibited by Article I of the Convention. Syria must also declare and destroy all associated munitions such as barrel bombs as well as the equipment and facilities used to produce these chemical weapons.

The United States of America will make every effort and work with all members of the Council to achieve a consensus decision. The use of chemical weapons by anyone anywhere is a threat to all of us, and we should respond with collective resolve. However, let me be clear – inaction by this Council is unacceptable to the United States of America as it would severely damage the credibility and effectiveness of this Organisation and the Chemical Weapons Convention and, indeed, the broader framework of arms control and non-proliferation, which benefits us all.

I would also like to underscore with grave concern that, in its third report, the JIM attributed responsibility to ISIL for the chemical weapons attack occurring in the Syrian town of Marea on 21 August 2015. As the Council is aware, the Government of Iraq investigated and confirmed similar chemical weapons attacks during this same time frame in the Kurdistan region of Iraq. ISIL's repeated use of chemical weapons is in flagrant disregard of the international norms and standards against such use. The United States of America condemns in the strongest possible terms ISIL's use of chemical weapons, and we have placed a high priority on destroying ISIL's chemical weapons capabilities. At this session, the Council should act decisively to strengthen the OPCW's response to the threat of chemical weapons use by non-State actors and adopt the draft decision presented to the Council at its July session.

This Council and the international community owe an incalculable debt to the members of the JIM, the Fact-Finding Mission, and the Declaration Assessment Team. The United States of America deeply appreciates their dedication, courage, and professionalism. We also recognise and honour the steadfast leadership of the Director-General.

It was nearly three years ago that the eyes of the world turned towards The Hague as the Executive Council adopted its historic decision on the destruction of Syrian chemical weapons. The eyes of the world are upon us once again. The international community has renounced chemical weapons as barbaric instruments of cruelty and murder. Regrettably, it is now undeniable that the Syrian Government and ISIL continue to use these heinous weapons. This Council now has the solemn responsibility for ensuring compliance with the Chemical Weapons Convention and upholding the very ideals on which it was founded.

In closing, I would like to underscore that the very name of the room in which we meet today – the Ieper Room – commemorates the victims of a chlorine attack in the war-torn spring of 1915. The name of this room also serves as a reminder to all of us of the horrors of chemical weapons and the imperative, for the sake of all mankind, that we do everything within our power to eradicate this cancer and ensure that such despicable weapons are never used again in Syria or anywhere else.

I ask that this statement become an official document of this meeting and that it be posted on both the OPCW external server and the public website.

Thank you, Madam Chair.

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