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UNITED STATES OF AMERICA

**STATEMENT BY H.E. AMBASSADOR ROBERT P. MIKULAK
PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA
TO THE OPCW AT THE FORTY-EIGHTH MEETING OF THE EXECUTIVE COUNCIL**

Mr Chairman,

The issue of use of chemical weapons goes to the very heart of the Chemical Weapons Convention. In the Preamble, States Parties express their determination “for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons,” through the implementation of the provisions of the Convention. Thus, it is essential that all credible allegations of the use of chemical weapons be carefully looked into and the results of such fact-finding efforts be addressed seriously by the Executive Council.

In April 2014, the Director-General created the OPCW Fact-Finding Mission to establish the facts surrounding allegations regarding the use of toxic chemicals, reportedly chlorine, for hostile purposes in Syria. The members of the Executive Council expressed broad support for this effort and praised the leadership of the Director-General. As recently as its Seventy-Seventh Session, in October, the Council reaffirmed that support, requesting the Fact-Finding Mission to continue its work in the Syrian Arab Republic.

With the third report of the Fact-Finding Mission, dated 18 December, the Council now has before it the results of the Fact-Finding Mission’s work regarding alleged attacks on three villages. This report completes the work of the Fact-Finding Mission with respect to the alleged use of chlorine in the villages of Talmenes, Al Tamanah, and Kafr Zita in northern Syria during April and May of 2014. The report provides a more detailed account of the work undertaken by the Mission in its second phase and the process leading to the findings of chemical weapons use presented in its second report.

The Fact-Finding Mission has reported that the evidence supports the finding that chemical weapons were used, and that, with respect to the alleged attacks on the three villages, its work has now been concluded. As underscored by the Technical Secretariat in its cover note to the third report, the Fact-Finding Mission’s overall conclusion is clear and compelling – “the Mission has presented its conclusions with a high degree of confidence that chlorine has been used as a weapon.”

The first question that inevitably arises is “who is responsible for this use of chemical weapons?” In this regard, the Technical Secretariat’s cover note explicitly confirms that “the work of the Mission has remained consistent with its mandate, which did not include the question of attributing responsibility for the alleged use.” Attribution is ultimately the



responsibility of the policy-making bodies of the OPCW. At the Seventy-Seventh Session of the Executive Council and subsequently at the recent Conference of the States Parties, over fifty States Parties joined in a statement attributing responsibility for the chemical weapons attacks to the Syrian military, citing key evidentiary findings set out in the second report, including the use of helicopters to deploy the chlorine as a weapon. A few States Parties deny that Syria is responsible, while others have refrained from or avoided addressing the attribution question.

The Fact-Finding Mission, established by the Director-General and staffed by the Technical Secretariat of the Organisation established to implement the Convention on the Prohibition of Chemical Weapons, has concluded with high confidence that chlorine has been used as a weapon in the Syrian Arab Republic. The use of chemical weapons in the Syrian conflict has breached an international norm that has stood unbroken for two decades. Preventing such abhorrent behavior is the very reason the Convention exists. If we fail to identify and hold accountable those responsible for these attacks now, are we not inviting similar attacks in the future? Let us not forget the victims of Aum Shrinrikyo and Saddam Hussein's use of chemical weapons against Iran and the Kurdish civilians in Halabja. It is clear that the use of any toxic chemical as a weapon in Syria is prohibited both by the Chemical Weapons Convention and United Nations Security Council resolution 2118 (2013). To continue to be silent in the face of such a report would be irresponsible and raise serious questions regarding the credibility of the OPCW and the efficacy of the Convention.

We urge this Council to find a way to strengthen and uphold the international norm against the use of chemical weapons by seeking common ground in our shared abhorrence of chemical weapons and our shared condemnation of their use.

Surely, we can all agree that the Council should be deeply concerned with the Fact-Finding Mission reports of chemical weapons use in Syria. Surely, we can all agree that those who are responsible for such attacks should be held accountable. And surely, we can all agree that the Fact-Finding Mission should continue its work to consider and report on all credible allegations of chemical weapons use within Syria.

I am confident that the bonds that unite us against the use of chemical weapons remain strong. Surely we can stand together and reassure the world that the OPCW remains fully committed to the global norm that utterly rejects the use of chemical weapons. Ignoring these actions could be perceived as tacit acceptance of the use of chemicals as weapons. And so, let us adopt by consensus a Council decision that ends our silence and reflects our shared vision of a world truly free of the scourge of chemical weapons. Let us uphold the reputation of the OPCW and the object and purpose of the Chemical Weapons Convention, and let us not be irresponsibly silent in the face of the confirmed use of chemical weapons.

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

Thank you, Mr Chairman