



OPCW

Executive Council

Forty-Ninth Meeting

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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-NINTH MEETING OF THE EXECUTIVE COUNCIL**

Mr Chairman,

Once again we are convening in a special meeting of the Council regarding the elimination of Syria's chemical weapons programme. This is a subject which we have repeatedly discussed over the last two years, particularly since the sarin gas attack at Ghouta on 21 August 2013. We often hear suggestions that there is nothing new to discuss, that virtually everything related to Syria's chemical weapons programme has been addressed, that it is time to treat Syria like any other State Party.

And yet the OPCW continues to receive credible allegations that the use of chemical weapons in Syria is still taking place. We continue to be told that discussions with Syria on the gaps and inconsistencies in its declaration have not resolved numerous issues and concerns. And progress continues to be agonisingly slow in destroying all of the remaining chemical weapons production facilities.

Under the Convention, the Executive Council has the responsibility to promote the effective implementation of, and compliance with, the Convention. We look forward to the day that the Director-General will be able to tell us that he is confident that the entire Syrian chemical weapons programme has been eliminated, that concerns about Syria's declaration have been resolved, and that there are no longer any credible allegations of chemical weapons use in Syria. But until then, the Council has the duty to pay special attention to Syria, including the need to hold special meetings to monitor progress and to highlight concerns.

The steady stream of reports that the Syrian regime continues to use chlorine as a chemical weapon against civilians, notably in Idlib Province, is distressing. The United States is gravely concerned that chemical weapons continue to be used by the Syrian regime despite prohibitions under international law, United Nations Security Council resolutions 2118 (2013) and 2209 (2015), and universal condemnation by the international community, including this very Executive Council in its 4 February 2015, decision – by a vote of 40-1.

It is the duty of this Council – and that of the Technical Secretariat – to ensure that the facts about use of chemical weapons are determined and made known. Despite the difficulty of this task, silent toleration is not an acceptable option. The OPCW and this Council must remain seized of this matter – all credible allegations of the use of chemical weapons must be



promptly, impartially and thoroughly investigated by the OPCW. If the use of chemical weapons is confirmed, then the Council must raise its voice collectively and condemn it.

Syria raised concerns in December 2014 about chemical attacks on its forces, but four months later, Syria still has not consented to allow a team of the Fact-Finding Mission into its country to interview soldiers who were allegedly victims of chemical attacks. One might wonder how serious Syria is about its own allegations. In any case, the United States was pleased to learn that this issue did not delay the establishment of a fact-finding team to investigate ongoing reports of attacks on the civilian population with chemical weapons.

It is very encouraging that members of the Fact-Finding Mission are looking into the allegations of chlorine use in Idlib Province in March 2015. The United States fully supports the FFM interviewing medical personnel, witnesses and victims about the chemical attacks that have been reported multiple times since the middle of March. We recognise that doing so has been complicated by the continuing intense fighting in the area and the complex logistical and other arrangements, but we note that key witnesses, including a doctor from the town of Sarmin, Idlib who treated chemical attack victims, have been able to travel to New York to meet with members of the United Nations Security Council. We urge that everything possible be done to accelerate the fact-finding process and also that measures be taken to ensure that in the future teams can be sent into the field more rapidly with the appropriate safety and security arrangements.

While determining the facts and condemning the use of chemical weapons are essential, we must not shy away from the fact that those who use chemical weapons must be held personally accountable. The OPCW Executive Council and the United Nations Security Council agree on that principle. Those individuals who are involved – at all levels – in the continuing use of chemical weapons in Syria should realise that someday this war will end and they will be held responsible for their decisions and actions. Measures for attributing responsibility and holding individuals accountable, of course, still remain to be developed. The OPCW Fact-Finding Mission only has the mandate of determining whether or not chemical weapons have been used, not who used them. But let us be clear: it needs to be done.

We also are troubled by the reports of the Declaration Assessment Team that issues and concerns remain with the completeness and accuracy of the Syrian declaration. The DAT continues to have concerns regarding key elements of the Syrian chemical weapons programme, including agents and precursors, chemical weapons munitions and chemical weapons related facilities. The number and fundamental nature of the unresolved issues and the total lack of original documentation to substantiate Syrian explanations all serve to heighten our concern. We call on Syria to take the necessary measures – without further delay – to earn the confidence of the Council and the international community that its chemical weapons programme has been completely and irreversibly eliminated, and that it is in full compliance with its obligations.

In this overall context, we are somewhat encouraged by the Director-General's report regarding the destruction of the tunnels and aircraft shelters declared as chemical weapons production facilities. Although the original deadline for destruction of these facilities is long past, progress is gradually being made. We hope that at the July Executive Council meeting we will be told that in fact the destruction is close to completion. It is a matter of some concern, however, that one or more facilities may remain indefinitely, since according to

Syria, access to them is not possible. We call upon Syria to redouble its efforts to ensure that these facilities are verifiably destroyed in the near future.

The United States shares the concern of numerous other States Parties that Syria is not meeting its financial obligations under the Convention. Syria has means by which it could do so but refuses to take action in this regard. Other countries have already demonstrated unprecedented generosity in assisting Syria with meeting its destruction obligations. Now all of us as States Parties are being saddled with the continuing verification and other costs that Syria is obligated to pay. We join the call to Syria to comply with its financial obligations under the Convention.

You will soon complete your term as the leader of the Council. We want to thank you warmly for your unceasing efforts over the last year to ensure that the Council fulfilled its responsibilities. We believe that under your leadership it has successfully done so. We greatly appreciate the highly professional and constructive approach you have followed to take on the difficult tasks that we have all faced together.

I request that this statement be circulated as an official document of this meeting of the Council and that it be published on the OPCW public website, as well as on the extranet.

Thank you, Mr Chairman.

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