



ORGANISATION FOR THE PROHIBITION
OF CHEMICAL WEAPONS

STATEMENT BY

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Distinguished guests,
Ladies and gentlemen,

It is a great honour for me to speak at the Lowey Institute for International Policy which has a well earned reputation as a preeminent international policy think tank.

I am also glad to visit Australia which played a leading role in the negotiations that led to the Chemical Weapons Convention (CWC). Everyone associated with the negotiations for the Convention, remember the important contribution Australia had made by offering a complete text of the Convention representing the compromises on many of the outstanding issues.

A distinguished Australian diplomat, the late Mr John Gee made an invaluable contribution in the formative phase of the OPCW; first as the Director of Verification in the Provisional Secretariat and later, as the Deputy Director-General of the Organisation for the Prohibition of Chemical Weapons (OPCW). Last year, we were honoured to receive at our headquarters, H.E. Mr. Stephan Smith, the Australian Minister for Defence.

My own visit therefore represents acknowledgment and appreciation of the strong Australian commitment to the goals of the CWC and its support for the work of the OPCW.

A global and verifiable ban on chemical weapons that the Convention represents was realised after a long historic campaign. Several earlier international efforts faltered because they could not codify an unconditional and comprehensive prohibition on chemical weapons. The CWC represents an exceptional international treaty. It is comprehensive and non-discriminatory. By prohibiting the development, production, stockpiling, transfer, retention and use of chemical weapons under conditions of international verification, the Convention deals at once with both disarmament and non-proliferation.

There is no other international legal instrument relating to weapons of mass destruction which is as comprehensive in its approach while also being accepted on a near universal basis.

The OPCW, created specifically to oversee the implementation of the Convention, also represents a first in the history of disarmament and non-proliferation. Purely by way of comparison, there is not a comparable ban on nuclear weapons, for example; and the one that exists for biological weapons, has no verification mechanism or an implementing agency.

The key to our success has been the ability of the OPCW to demonstrate how a complete ban on an entire category of weapons of mass destruction can in fact be implemented in practice. Our work represents several dimensions. Verification provides the basis of confidence in the effectiveness of the treaty. At the same time, assistance and protection against chemical weapons and international cooperation for peaceful uses of chemistry address the expectations of our diverse membership.

From concept to practice, the verification regime of the Convention is now firmly established. It serves current needs and is adaptable to future requirements. Membership of the Convention has expanded rapidly to 188 States Parties. Only 8 countries have not joined the Convention.

Verification of destruction of declared chemical weapons has thus far been the major focus in terms of allocation of resources. 73 percent of these chemical weapons have already been destroyed. The Russian Federation and the United States of America are the two largest possessor States. Both are making steady progress towards the complete destruction of their respective stockpiles.

While they will miss the final deadline which as per the Convention was 29 April 2012, States Parties have collectively reviewed and already decided on the matter. Their decision represents the very constructive and positive spirit that informs the OPCW multilateral experience. It enables both countries to fulfil their obligations while on part, they will provide greater transparency and enhanced reporting to assure that they are on track to complete the task.

As the actual stocks of chemical weapons continue to diminish, OPCW verification will focus more on the objective of preventing the re-emergence of chemical weapons or non-proliferation. On the side of the industry verification, the Organisation will continue its work to ensure that production and consumption of scheduled chemicals and the operations of other chemical production facilities, as defined by the Convention, remain dedicated for peaceful purposes. Monitoring of trade

in scheduled chemicals will also remain a vital complement to on site verification.

Ladies and gentlemen,

The Convention relies for its effectiveness on good faith implementation. National declarations submitted by States themselves provide the basis for verification planning and execution. States in possession of chemical weapons are obligated to declare these to the OPCW and provide plans for their destruction. The OPCW then verifies the process of destruction. Similarly on the commercial side, all relevant chemical industry has to be declared to the OPCW.

But it is erroneous to presume that the Convention is premised on declaratory commitments alone; and here certain important facets of the verification tool box need to be mentioned. This discussion is especially pertinent given the recent events in Libya and what is now happening in Syria, although the latter is not a State Party to the Convention.

It is generally accepted that the use of chemical weapons will constitute the most flagrant breach of the Convention. To redress and remedy a situation caused by the use of chemical weapons, States Parties have at their disposal three options that respond to different scenarios. As a means to deter and if necessary uncover incidents of noncompliance, the Convention allows the conduct of a ‘challenge inspection’ at any facility or location in the territory or in any place under the jurisdiction or control of any other State Party. The sole purpose of a challenge inspection is to clarify or resolve questions concerning possible non-compliance. In other words, the challenge inspection request must be confined to the scope of the CWC.

A challenge inspection can also be called to investigate incidents involving the suspected use of chemical weapons. In other words, if one State Party has reasonable grounds to believe that another might have used chemical weapons; it can call for an Investigation of Alleged Use (IAU) in the form of a “Challenge Inspection”.

Another important Article of the Convention, Article X, also foresees the possibility of an IAU. Under this Article each State Party has the right to request assistance and protection if it considers that chemical weapons

have been used against it or if it faces such an imminent threat. Assistance and Protection is one of the key objectives of the Convention. By joining this treaty, States Parties renounce chemical weapons completely and unconditionally. In return, each State Party has the right to request the OPCW or other Member States to receive assistance and protection against the use, or threat of use, of chemical weapons.

While this sets the framework and the modalities to operationalise the right to assistance, a crucial intermediate step involves the establishment of facts. For this purpose, Article X requires the Director-General to initiate an investigation to “provide foundation for further action”. The investigation thus serves the twin purpose of establishing the violation of the Convention as well as to assist in the decision to provide supplementary assistance to the affected State Party.

The third, and in the current circumstances in the Middle East, important potential scenario involves the alleged use of chemical weapons by a State that is not a Party to the CWC. In this case, an IAU can be requested by the United Nations Secretary-General. The Convention envisages close cooperation between the OPCW and the United Nations and, if so requested, the OPCW can be called upon to put its resources at the disposal of the Secretary-General.

While happily none of the scenarios that I have mentioned has so far been invoked, the OPCW Secretariat needs at all times to be prepared to fulfil the responsibilities assigned to it by the Convention.

For this purpose, we conduct simulations, practise challenge inspections and field exercises covering the various scenarios. The purpose is to test our capabilities and to keep our selves in readiness.

The most recent of these was a practice challenge inspection conducted towards the end of 2011. The exercise involved a fictitious request from Australia, playing the role of the “Requesting State Party”, to carry out a challenge inspection in the Kingdom of Thailand, which had accepted to co-organise the exercise and to play the role of the “Inspected State Party”. This exercise triggered activities at headquarters, involved the deployment of the inspection team to the “inspected state party”, the conduct of field activities, and development of the preliminary inspection report. We are currently analysing the evaluation of the exercise with a view to maintaining a high level of preparedness for operations under Article IX. We have also commenced preparations for a similar capacity

building field exercise in Serbia at the end of 2012 which will focus on the IAU mechanism.

A major field exercise called “ASSISTEX 3” was held in Tunisia, in October 2010. This activity was meant to strengthen our preparedness to deliver assistance and protection in an emergency situation. This was the first such exercise conducted outside of Europe.

During the rapid developments in the past year, the international community was on several occasions concerned about the potential use of chemical weapons by the former regime in Libya.

The Libyan interim government at the time was concerned itself and had conveyed to me a request for possible assistance. I immediately addressed communications to our States Parties to ascertain the nature and extent of what they could provide. The response was generally positive. I also raised the subject with the Secretary-General of the United Nations because for us to be able to deliver assistance to Libya required a partial lifting of the embargo which the Security Council had placed on Libya at the time.

Fortunately events in Libya turned for the better and OPCW inspectors were able to ascertain in November last year that the stockpile of chemical weapons that Libya had initially declared remained intact. Of great concern was the new Libyan government’s notification to the Conference of States Parties, in November, of the discovery of additional quantities of mustard agent and chemical weapons munitions that had not been included in the initial declaration. OPCW inspectors verified these new weapons in January this year.

This is the first time that OPCW has been faced with a situation where an original declaration has been shown to be incomplete. It related to chemical weapons that should otherwise have been duly declared. The General Obligations of the Convention stipulate that “Each State party to this Convention undertakes never under any circumstances: to develop, produce, otherwise acquire, stockpile or retain chemical weapons....”. The OPCW regime relies entirely on the declarations and actions taken by our States Parties. When a question arises regarding compliance with the Convention, States Parties should first, wherever possible, try to clarify and resolve concerns that arise as a result of doubts or ambiguities.

The Convention even provides timelines within which questions should be answered (no later than 10 days after a request). In any case each the

State Party has the right to request a challenge inspection of any facility or location for the sole purpose of clarifying any question concerning possible non compliance. Although I, as Director General, will coordinate the sending of an inspection team to conduct an inspection, it is only States Parties who have the right to call for a challenge inspection.

While we have never been asked to do it, the presence of this mechanism and the Technical Secretariat's preparedness fosters confidence amongst States Parties. Our experience in Libya vividly illustrates that handling chemical weapons issues in a conflict situation can never be an easy or predictable exercise. Let me say a little more on this. On the political side for example it generates uncertainties about reliable interlocutors. Once those difficulties are overcome the Organisation has to deal with difficult logistical decisions that are compounded by security concerns.

We conducted two missions to Libya in November and January. Both were undertaken in rather difficult circumstances. Our preparations in dealing with contingencies as well as coordination procedures were tested to the full and found workable. We will continue to conduct lessons-learned exercise to further improve our response in situations like this. The missions would not have been possible without the support of the United Nations Department for Safety and Security (UNDSS), the Government of Germany, who provided us with military aircraft, and of course the co-operation of the Libyan authorities. For both missions we flew in and out of Al Jufra airfield, which was the closest airfield to the relevant site. We needed special permission from the Libyan authorities to do this as our designated point of entry is Tripoli.

The lack of a stable security situation in the region required the team to deploy each day from Malta to Al Jufra airfield. These conditions meant that the German aircraft returned to Malta after deploying the team, returning again in the evening to pick them up. The team faced considerable hazards due to lack of secure accommodation, and a large number of abandoned weapons and munitions on the route between the airfield and the site to be inspected. UNDSS provided armoured vehicles and drivers and OPCW sourced personal protection equipment for the team.

The missions succeeded in verifying the newly declared items. The team appropriately tagged and sealed the remaining items for final verification during future destruction operations. Until then the Libyan authorities will have the responsibility to secure them. During the inspection activities within the bunker, the high level of sulfur mustard vapour

concentration required the team to conduct the majority of its verification activities wearing self contained breathing apparatus and gas tight suits.

At the end of May, I visited Tripoli, where I met the Libyan Foreign Minister, H.E. Ashour Saad Ben Khaial, and the Under Secretary of the Ministry of Foreign Affairs, Dr Muhammad Abdul Aziz. Productive discussions were held on Libya's plans and preparations to complete the destruction of its remaining stockpile of chemical weapons. The Libyan authorities reaffirmed their commitment to eradicate the remaining stockpiles of chemical weapons in the shortest possible time, and expressed appreciation for the support and assistance provided by the Secretariat as well as some States Parties.

More recently, in a communication received from the Libyan National Authority, the Secretariat was informed that the Libyan Ministry of Defence has been tasked to take appropriate measures to ascertain that all of Libya's sites in all regions of the country are free from any materials likely to be relevant to the Chemical Weapons Convention. It has furthermore informed the Secretariat that arrangements are also in hand for the continued collection of evidence and information regarding the chemical weapons recently discovered in Libya, as well as preparations at the Ruwagha site to conduct a technical study to better identify the munitions filled with mustard gas and explore ways for destroying them.

The case of Libya underscores once again the importance of keeping the Chemical Weapons Convention strong.

Such a resolve is particularly important for two reasons.

First. The Organisation needs to transition from its traditional disarmament emphasis to one focussing on non-proliferation. This is a natural consequence of the success achieved in eliminating the declared stockpiles of chemical weapons. The remaining ones will soon be eliminated thus allowing the Organisation to focus almost exclusively on the long term goal of preventing the re-emergence of chemical weapons.

Second. The global financial situation creates pressures on our budgetary situation. We will perhaps have to do more with less. The OPCW is embarking on a cross-organisational strategic and structural adjustment without compromising on the integrity of our core objectives and while fully safeguarding the operational needs of implementing the Convention.

Change creates challenges but also opportunities. States Parties can focus with renewed determination of a number of priorities. The domestic implementation of the Convention requires further impetus. The Convention is as strong as its weakest link. Effective domestic implementation of the Convention throughout the world will ensure enhanced security for all States Parties. It is not only an obligation under the Convention but also a necessary pre-condition in dealing the asymmetric threats, especially terrorism. Apart from the serious threat of terrorism involving chemical weapons or toxic chemicals, science and technology are advancing rapidly and in the process show capacity for producing new and novel chemicals. The structure of the chemical industry is transforming with the ability to produce new chemicals with new methods and techniques. Effective national implementation of the Convention requires sustained efforts to ensure that the prohibitions of the Convention agreed by States Parties will apply to all their citizens uniformly across the globe.

We also need to redouble our efforts to promote the universality of the Convention. Our motto is, 'working together for a world free of chemical weapons'. It is based on the vision of the Convention. But this vision will remain elusive until each and every nation in the world accepts the ban on chemical weapons as established by the Convention. In this context, the OPCW will fully support efforts towards making the Middle East a zone free from all weapons of mass destruction. We will also continue to work with other non parties to persuade them to join the Convention.

At the political level, States Parties should also reaffirm their commitment to goals of the Convention. Success can breed complacency. We need to remember that it took over a hundred years to achieve an effective and comprehensive prohibition of an entire category of weapons of mass destruction. Eliminating those weapons is no doubt an outstanding achievement. But preserving and strengthening the Convention against threats that an uncertain future can generate is equally important. States Parties will have such an opportunity in October this year at a high level meeting to be convened at the UN Headquarters. The Secretary-General of the United Nations supports this initiative and will address the forum. I am inviting the Foreign Ministers of States Parties to attend this important event.

Ladies and Gentlemen,

In our endeavour to build a better future, we must remain mindful of the past. The dangers as we knew them historically may seem diminished. But they may yet re-emerge in other forms. Promoting disarmament and non-proliferation are critical to the objectives of international peace and security to which we are all committed.

The example of the Chemical Weapons Convention is one in which the entire international community can find reassurance of the validity of multilateralism. It can also serve as a model for other initiatives in the field of disarmament. It is my hope that we can all continue to work collectively to strengthen the Convention and to make the OPCW even more responsive to the needs of our times and the future.

Thank you