



OPCW

Review Conference

Fourth Session
21 – 30 November 2018

RC-4/NAT.19*
29 November 2018
ENGLISH only

JOINT PAPER

**SHARED VIEWS OF THE PARTICIPATING STATES OF THE INTERNATIONAL
PARTNERSHIP AGAINST IMPUNITY FOR THE USE OF CHEMICAL WEAPONS**

IMPLEMENTATION OF DECISION C-SS-4/DEC.3, DATED 27 JUNE 2018

This joint paper is issued on behalf of the following States Parties: Austria, Australia, Belgium, Bulgaria, Canada, Côte d'Ivoire, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ghana, Ireland, Italy, Japan, Kuwait, Latvia, Lithuania, Luxembourg, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Peru, Poland, Republic Of Korea, Senegal, Slovenia, Spain, Sweden, Switzerland, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Ukraine.

Introduction:

An informal group of 38 countries and the EU, the International Partnership against Impunity for the Use of Chemical Weapons (hereinafter “the Partnership”) was created in Paris on 23 January 2018 and aims to bring together Member States from all OPCW regional groups in order to uphold and strengthen the implementation of the Chemical Weapons Convention (hereinafter “the Convention”) against the use of chemical weapons, to promote its objectives, to give all possible support to the Organisation for the Prohibition of Chemical Weapons (OPCW) to fully carry out its mandate in this respect, and to deter any future use of such weapons.

At present, the re-emergence of chemical weapons use is a serious threat to collective security, which must be combatted by the international community.

The international community now faces an unprecedented situation of repeated use of chemical weapons since 2012, having witnessed chemical weapons attacks in Syria, Iraq, Malaysia and the United Kingdom. While these attacks do not shake our faith in the promise of the Convention, the cornerstone of the chemical weapons ban regime and the long-standing norm against the use of chemical weapons, impunity for the use of chemical weapons is intolerable and has not yet been addressed sufficiently.

While regretting the non-renewal of the mandate of the OPCW-United Nations Joint Investigative Mechanism, the Partnership affirms that impunity threatens not only the value of the Convention to us all, but also ultimately raises a question of international security.

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Reissued for technical reasons.



The decision adopted by the Fourth Special Session of the Conference of States Parties to the Chemical Weapons Convention entitled “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3) marked an important step forward on which the Fourth Review Conference must build. Members of the Partnership are convinced that States Parties at this year’s Review Conference must adequately respond to the need to address the re-emergence of and impunity for the use of chemical weapons.

1. A common vision for the activities of the OPCW from 2019

During the experts meeting of the Partnership in Paris on November 7 and 8 2018, the Partners agreed to develop a common vision.

The decision “Addressing the Threat from Chemical Weapons Use” (C-SS-4 /DEC.3) is legitimate. It was adopted by over three-quarters of those present and voting at the Fourth Special Session of the Conference of the States Parties: 77% of those present and voting (82 States Parties voted in favour of the decision), fully in accordance with the provisions of Article VIII of the Convention and the rules of procedure.

Attribution is a mission of the Technical Secretariat (hereinafter “the Secretariat”), in accordance with the Convention. The June Decision entrusted the Secretariat to set up attribution arrangements. The implementation of this decision indeed requires dedicated resources and means. The attribution mechanism requires independence and impartiality as well as a high level of expertise and qualifications.

OP10

The Partnership members support the proposals, submitted by the Director-General in the Programme and Budget for 2019 to implement OP10, to create an Attribution Team. The budget for 2019 includes a 2.4% increase, which is reasonable and proportionate to cover this, and is essential to strengthen efforts to prevent any further use of chemical weapons. It should be remembered that this proposal is made against the backdrop of an alarming resurgence of chemical weapons.

The Attribution Team within the Secretariat should be able to build on reports and information gathered by the Fact-Finding Mission Mechanism (FFM), the Declaration Assessment Team (DAT), and other mechanisms, such as the International Impartial and Independent Mechanism (IIIM), and the Commission of Inquiry and the Joint Investigative Mechanism (JIM) archives.

OP20

The fact that the Director-General may provide expertise in response to a request from a State Party in support of an investigation of possible use of chemical weapons on its territory is established in the June Decision. Such deployment does not require any additional decision to be adopted by policy-making organs.

The Partnership welcomes the Director-General’s report pursuant to paragraph 20 of the June Decision, and supports the Secretariat in its work to ensure implementation of paragraph 20 of the decision.

The Attribution Team created to implement OP10 will help to build attribution expertise within the rest of the Secretariat, through attribution-related knowledge transfer and staff training. This Attribution Team should also provide guidance for the requested technical expertise to other staff members of the Secretariat.

Therefore, staff trained on global attribution are expected to be deployed on call, if requested by a State Party investigating a possible chemical weapons use on its territory. Such staff could be deployed on short notice, and should be at zero standing-cost.

OP21

The Partnership welcomes the Director-General's report on proposals and options pursuant to paragraph 21, and supports the Secretariat in its work to ensure implementation of paragraph 21 of the decision.

Regarding assistance:

The establishment of an upgraded OPCW laboratory in The Hague could contribute to enhancing assistance and cooperation by becoming a training platform to build the national capacities of Member States. This ambitious and relevant project deserves support. Among other objectives, it can strengthen OPCW Member States' resilience, with a view to combatting proliferation and possible activities of non-state actors.

Attaining the proficiency level to join the network of designated laboratories offers a concrete and practical objective for countries wishing to develop knowledge and capacities in all regions, and for the international cooperation activities of the OPCW.

Supporting States in creating and implementing a legal framework and other necessary measures to implement nationally the provisions of the Convention would be crucial. For instance, the OPCW could provide assessment services, upon request of States Parties, with regard to national emergency response plans and national plans to upgrade chemical safety and security.

The expansion of designated laboratories to all regions is a concrete and practical option to develop knowledge and capacities worldwide. A cooperation channel between designated laboratories and those seeking to become designated could be an important first step for achieving this.

Carrying out table-top exercises and exchanges of best practices for responding to chemical weapons use are timely and necessary. These exercises enhance synergy between States Parties and need to be supported and encouraged.

Therefore, strengthening the capabilities of the customs administrations of the States Parties in the application of national and international regulations concerning the transfer of scheduled chemicals could be an effective measure for preventing the use of chemical weapons by non-state actors.

Regarding verification:

The Partnership fully supports efforts by the Director-General to enhance verification tools and mechanisms to be used by the Secretariat to optimise the verification of the destruction of all declared stockpiles of chemical weapons and to deter States and non-State actors from developing chemical weapons.

A wider array of signatures in the OPCW Central Analytical Database OCAD could also play an important role in strengthening verification.

2. The role of the Partnership in the network of international stakeholders committed to the non-proliferation of chemical weapons

All States Parties to the Convention are committed to complete elimination of chemical weapons and to a world free of chemical weapons. To this end, a dedicated international organisation and other mechanisms and initiatives have been put in place in the last three decades, notably, the OPCW, the United Nations Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons, and other multilateral initiatives, including those aimed at advancing the implementation of States' commitments under the Convention, United Nations resolution 1540, and other counter-proliferation initiatives through international cooperation and capacity-building assistance.

Against this backdrop, the Partnership seeks to support the activities of the OPCW as well other relevant multilateral initiatives. At the end of its first year of existence, the Partnership has demonstrated its benefits through:

- its role as a platform for political dialogue among participating States;
- the dissemination of lists of persons or groups sanctioned by the participating States;
- information sharing through experts meetings;
- helping build the capacities of participating States; and
- seeking to gather information regarding individuals and entities engaged in activities prohibited by the Convention and sharing such information to bring those responsible to justice.

In the future, this transregional Partnership will continue to work towards its shared common goal: fighting impunity for the use of chemical weapons in line with the international and global approach and in accordance with the object and purpose of the Convention. It will continue to serve both as a meeting point for practical exchanges on operational activities and as a political platform to build support for strengthening implementation of the norm prohibiting the use of chemical weapons.

On the operational side, the Partnership will continue to explore further opportunities for practical exchanges of information, joint awareness raising, and circulation of best practices amongst its members. Exchanges with existing mechanisms and initiatives will be encouraged.

The Partnership is open to any interested State Party committed to stand against impunity for those who develop, contribute to the development of, or resort to the use of chemical weapons, and engage to put an end to such use.