

**ISLAMIC REPUBLIC OF IRAN****ARTICLE X: IRAN, THE MAIN VICTIM OF CHEMICAL WEAPONS****Background**

1. Following the aggression committed by Saddam's regime in early 1980s and with a deadly silence of the certain members of international community particularly the United Nations Security Council (UNSC), he did not hesitate to resort to use of chemical weapons in clear violation of the international norms, especially 1925 Geneva Protocol. During the 8-year imposed war on Iran, chemical weapons were used by Saddam's army against Iranian military and civilian alike and more importantly the civilian population in the border city of Sardasht.
2. Although committing such brutal act by Saddam and in particular after the use of chemical weapons against civilians faced unresponsiveness and even tacit support of certain permanent members of the UNSC, such heinous act motivated the international community to convene 1989 Paris Conference for revival and reaffirming the continued validity of 1925 Geneva Protocol. The participating states stressed the necessity of concluding, at an early date, a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons, and on their destruction.
3. Thereafter, the comprehensive agreement on the prohibition of the development, production, stockpiling and use of chemical weapons, and their destruction known as Chemical Weapons Convention (CWC) was concluded in Conference on Disarmament in 1992.
4. It is noteworthy that a little while after the termination of the 8-year imposed war against Iran and especially following the collapse of Saddam's regime, undeniable documents came to surface, revealing the role played by certain states and chemical industries in the West in equipping and providing Saddam's regime with chemical armament or its precursors. As the result of chemical weapons attacks by Saddam's army, unfortunately tens of thousands martyred or were left wounded and some of them regrettably lose their life every on and off due to the consequences brought about by the chemical warfare.
5. With a huge number of chemical victims, the Islamic Republic of Iran decided to build necessary national capability for repulsing chemical agents used by Saddam's regime, with a view to address the challenge as well as treatment and rehabilitation of the Iranian chemical victims.



6. Currently Iran enjoys unique national experiences and capabilities in the field of “assistance and protection against chemical weapons”, an achievement that Iran is prepared to share with other States Parties for the humanitarian aims to fulfill also its obligations under the Convention. As a vivid example, the Islamic Republic of Iran has officially expressed its readiness to offer assistance in case of use of chemical weapons under Article X of the CWC.
7. Moreover, several training courses have been held by Iran on medical treatment of the victims of chemical weapons for the experts and specialists of the States Parties. The latest course of this nature was held in Tehran in October 2018.
8. Article X of the Convention is the most obvious embodiment of the humanitarian goals envisaged in the CWC for safeguarding assistance and protection against the use or threat of use of chemical weapons against any State Party. Such assurance can be materialized, inter-alia, through national capacity building in each States Party to the Convention as provided by paragraph 2 of Article X and also based on the obligation of the States Parties to develop their national capacity according to paragraph 3 of Article X.
9. Regarding the definition of assistance within the Convention’s framework, paragraph 1 of Article X, enumerates supplying of detectors, warning systems, protection equipment, decontamination tools and materials, antitoxins and medical and clinical drugs as well as providing guidance on these protective arrangements, as the most obvious cases of assistance to fulfil obligation under Article X.
10. As far as the Convention’s humanitarian objectives are concerned, many of the States Parties to the Convention attach great importance to implementation of this article, stressing that without effective application of Article X as well as Article XI there would be no balance between the rights and obligations envisaged for the States Parties under the Convention.
11. According to paragraph 7 of Article X, contributions by the States Parties are seemingly limited to shaping of a voluntary fund and if possible, concluding an agreement with the Organization for receiving aids in case of a need. However, after two decades since the CWC entry into force, only some limited measures have been taken by the Policy Making Organs of the OPCW and its Technical Secretariat for the States Parties in order to fulfill their obligations. These includes the decisions made by the States Parties to establish the International Support Network for Victims of Chemical Weapons and Voluntary Fund (CSP-16/DEC.16, dated 2 Dec, 2011), and the decision by the Director-General to establish RRAM: Rapid Response, Assistance Mission (S/1381/2016, 10, May, 2016) as well as a number of workshops and training courses organized by different parts of the Secretariat. Nevertheless, such measures are not adequate to cope with challenges for the full, effective and non-discriminatory implementation of this Article.

Iran's views on the Article X of the Convention

The Islamic Republic of Iran, as the main victim of chemical weapons is of the view that:

12. A review of what has been achieved by the Technical Secretariat and the States Parties with a good financial, scientific and technical capability in connection with Article X indicates that obligations under Article X have yet to be fulfilled. The States Parties should take serious and practical measures in extending such assistances to other States Parties through transfer of technology and relevant equipment in particular in order to promote national capacity building of Parties to the Convention for protection against chemical weapons and assistance if needed. Concluding agreements with the Organization's Secretariat for the purpose of supplying the facilities needed by the States Parties according to Article X and keeping the Organization's readiness updated is essential.
13. Since voluntary nature of Assistance Fund allocated for the contribution of States Parties for implementation of Article X does not serve attaining of the Article X objectives, it is quite necessary to consider the possibility of direct allocation of resources within the OPCW regular program and budget. Indeed, the possibility of such action is foreseen in paragraph 11 of Article X, where it mandates the Director-General to consider certain fund within the OPCW resources for Article X.
14. Allocation of appropriate resources through exchange of equipment and technical and scientific knowledge for protection against chemical weapons is also of high importance for the States Parties' national capacity building, particularly when detection, utilizing warning systems, supplying equipment and decontamination materials is concerned.
15. Due to its humanitarian nature, the International Support Network for Victims of Chemical Weapons is of a high significance and the States Parties and the Technical Secretariat should practically and substantially take necessary actions when they need to do so, through consultation with States Parties such as Iran as the biggest ever victim of chemical weapons. At present, the actions rendered in relation to, and the support extended to the Network are not correspondent to long term goals thereof.
16. There is an uncertainty regarding the utility of the formation of Rapid Response Missions by the Secretariat for two main reasons. First, given the tininess of the golden time for the rapid treatment of chemical weapons victims, the presence of the assistant teams at the scene which might be thousands of kilometers away from the Organization's Headquarter, seems unlikely to be in time. Second, Syrian experience has proven the inability of Fact Finding Missions (FFMs) to appear, where there were suspected cases of use of chemical weapons by the terrorists due to security threats. This indicates that under the similar circumstances, deployment of FFMs could be an impossible task. Meanwhile, creating such teams is exclusively done through the powers of the Director General and assistance request by each State Party is optional. Thus, it seems clear that, like the International Support Network for Victims of Chemical Weapons and the Voluntary Fund provided for in Article X, financial

resources necessary for the FFM are to be derived only from the voluntary funds with no impact on the regular budget of the Organization.

17. Assistance and Protection against chemical weapons envisaged in Article X are among specialized and technical issues and should not to be mixed with other mechanisms set out in the Convention including investigation over alleged use of chemical weapons which has been highly politicized issue in Syrian case. Such approach would overshadow the importance and priority of humanitarian acts under Article X, to be undermined by political and security observations and as a result, many of the States Parties in need of assistance would be deprived from such necessary capacities as the dimensions irrelevant to Article X are attributed to the missions of these teams. Therefore, the Islamic Republic of Iran is of the firm belief that all the States Parties should consider Article X as an issue with a high priority for implementation of the CWC and all relevant stakeholders should focus their activities on enabling OPCW technical Secretariat and Executive Council as well as OPCW community at large, to cope with effective implementation of Article X in urgent cases of use or threat of use of chemical weapons where immediate action is indispensable to render emergency and humanitarian assistance and protection to victim state party and affected people. 23 years after EIF of the CWC, OPCW is yet to be able to cope immediately with urgent cases of assistance to victim States Parties, if they so request such immediate assistance. As the result of this inability, State Parties might hesitate to request any such assistance and they may solely rely on their own national capacity even if it would not be adequate.