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UNITED STATES OF AMERICA

**STATEMENT BY H.E. AMBASSADOR KENNETH D. WARD
PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA
TO THE OPCW AT THE NINETY-FIRST SESSION OF THE EXECUTIVE COUNCIL**

Mr. Chairman,
Mr. Director-General,
Distinguished Ambassadors and Delegates,

In response to widespread use of chemical weapons, a year ago responsible States Parties took the historic decision to establish measures to address chemical weapons use, both in Syria and globally, and to help unmask the perpetrators—a critical step in seeking accountability. The United States commends the Director-General and the Technical Secretariat (“the Secretariat”) for their extraordinary efforts over the last year in implementing the Conference of the States Parties’ decision. In particular, we welcome the recent note by the Secretariat on the OPCW Investigation and Identification Team for Syria (IIT), which indicates that the IIT is fully constituted and operational, and proceeding with the mandate given to it by the Special Session of the Conference of the States Parties.

We take note that the IIT has identified a non-exhaustive provisional list of nine incidents on which it intends to focus its investigative work. Further, the note by the Secretariat indicates that the IIT will continue its assessment regarding prioritisation of the nine cases. The note requests full, good-faith cooperation from all States Parties, in particular regarding the provision of relevant information and access to relevant places and persons. The United States intends to fully support the efforts of the IIT. We are hopeful that the IIT will be in a position to provide at least some of its findings to States Parties this fall.

On May 28, during a briefing by the Secretariat, the Director-General informed States Parties of the actions taken by the Assad regime in defiance of the Special Conference of the States Parties decision. In a letter dated 23 April, the Vice-Foreign Minister notified the Director-General that Syria does not recognise the decision of the Special Conference of the States Parties and, specifically, refused to issue a visa to the IIT Coordinator so he could participate in the Structured Dialogue between the Secretariat and Syria. Further, in two subsequent letters, the Vice-Foreign Minister objected to the members of the IIT receiving access to confidential information regarding Syria.

Syria’s rejection of the Conference of the States Parties decision is baseless, and its obstructionist behaviour undermines our work as States Parties to uphold the Chemical Weapons Convention (“the Convention”) itself. Further, its refusal to issue a visa to the IIT Coordinator is unquestionably a violation of UN Security Council resolution 2118 (2013),



which mandates that the Syrian Arab Republic shall cooperate fully with the OPCW, including by accepting personnel designated by the OPCW, and by providing immediate and unfettered access to, and the right to inspect any and all sites.

These actions by the Assad regime should come as no surprise to anyone. This latest refusal by Syria to cooperate is part of a grotesque pattern of non-compliance with its international obligations. Syria's accession to the Convention in 2013 was an act of political expediency -- not a moral and legal renunciation of chemical weapons. Indeed, less than a month before its accession, the Syrian military used the nerve agent sarin to kill over a thousand people, many of them children, living in the Damascus suburb of Ghouta. Since its accession, Syria has deliberately refused to declare and destroy all of its chemical weapons and has continued to use chemical weapons against its own people.

Undoubtedly, Syria had hoped to perpetrate its campaign of chemical terror with impunity -- unseen in dark corners. The international community has denied the Assad regime the invisibility and anonymity of the shadows. The international community has undertaken a wide range of efforts to identify the perpetrators of chemical weapons use in Syria: the Fact-Finding Mission, the Declaration Assessment Team, the Joint Investigative Mechanism, the Investigation and Identification Team, the UN Independent and Impartial Investigation Mechanism, and the Commission of Inquiry on Syria. Someday these efforts will converge in such a way that all those who ordered and carried out chemical weapons attacks in Syria will be held accountable for their actions and justice will be done.

On 14 January of this year, the Executive Council ("the Council") took a critical first step in updating the Chemical Weapons Convention Annex on Chemicals ("the Annex on Chemicals") when it agreed by consensus to recommend to all States Parties the addition to Schedule 1A of the Annex on Chemicals the two Novichok families included in the Joint Proposal submitted by Canada, The Netherlands, and the United States. Unfortunately, on 9 April, the Russian Federation informed the OPCW Secretariat of its objection to the Council's recommendation that the Joint Proposal be adopted.

On 30 April 2019, the Russian Federation submitted a diplomatic note to the co-sponsors proposing quadripartite consultations, with the aim to merge the Joint Proposal and the Russian Federation's technical change proposal into a single so-called "compromise" proposal. Delegations will recall that the Council recommended rejection of the Russian Federation proposal at its meeting on 25 February 2019, and Burundi subsequently objected to this recommendation for rejection on 9 April. On 3 June, the Director-General circulated to all States Parties a joint diplomatic note from the United States, Canada, and the Netherlands replying to Russia's 30 April note. The co-sponsors reiterated that we intend to proceed with consideration of the Joint Proposal in its current form at the November Conference of the States Parties.

We are of the view that separate, but parallel, adoptions by the Conference of both the Joint Proposal and a revised Russian technical change proposal are achievable. Such adoptions can be accomplished consistent with the process articulated in paragraphs 4 and 5 of Article XV of the Convention provided that the Russian Federation modifies its original proposal to include only those elements which the Technical Secretariat determined fulfil the criteria for inclusion in Schedule 1 of the Annex on Chemicals, as described in the Director-General's evaluation provided to States Parties on 29 January 2019.

As I raised in November, another troubling issue that requires action by OPCW Member States is related to central nervous system (CNS)-acting chemicals. The United States remains concerned that States are deliberately developing CNS-acting chemicals for warfare or for other harmful purposes, cloaking these efforts under the guise of non-prohibited purposes, such as law enforcement or medical research. It is an Administration priority to address this concern by taking concrete action here at the OPCW. The United States is not alone in recognizing that this is an issue that must be addressed. To date, forty-two States Parties have made clear that these chemicals pose a serious challenge for the Convention.

The United States is pleased to announce, together with other States Parties, that we intend to put forward an initiative, in the form of a decision, to make clear that the aerosolized use of CNS-acting chemicals is understood to be inconsistent with law enforcement as a purpose not prohibited under the Convention. We look forward to working with others on the Council and the broader OPCW community to address this issue. We believe that it is a priority to take action now before we are faced with a situation in which an aerosolized CNS-acting chemical is used to devastating effect.

The United States continues its efforts to eliminate the remainder of our chemical weapons stockpile. Destruction operations have been underway at the Pueblo site since September of 2016. Last month, the Static Detonation Chamber located at the Blue Grass site began operations. In April, pursuant to the decision taken at the Sixteenth Conference of the States Parties, the United States hosted a visit for Council representatives to our destruction facility in Pueblo, Colorado. Based on comments received from then-Chair, Ambassador Reinišová, and the Director-General, we believe the visit was a success.

It is necessary, once again, to highlight the very unfortunate situation surrounding the Advisory Body on Administrative and Financial Matters, known as the ABAF. As Council members are well aware, the Russian Federation knowingly nominated Mr. Kuznetsov for the ABAF while failing to disclose his conviction for conspiracy to commit money-laundering activities he engaged in while working for another international organisation. Despite United States and like-minded States' requests through the Council Chair for Russia to propose an alternative candidate to replace Mr. Kuznetsov, Russia has declined to do so.

The integrity and reputation of the OPCW must be protected. This is why the United States, together with Canada, the Czech Republic, Germany, Japan and the United Kingdom, is proposing that the Council take action to reform and update the ABAF Rules of Procedure related to the nomination, conduct, and dismissal of ABAF members. We have developed a proposed update to the ABAF Rules of Procedure that will protect the OPCW against such situations in the future. The proposed amendments to the Rules of Procedure offer straightforward and logical changes to its provisions, consistent with those in other similar international bodies. Our countries intend to officially submit a decision to the Executive Council to address this issue. We hope that Council members will join us in updating the ABAF Rules of Procedure, so we can once again look to the ABAF for its guidance and advice without concern.

The Convention is a remarkable achievement in the progress of humanity. We all must fight for it and, without exception, expose those who use chemical weapons and hold them accountable.

The States Parties to the Convention are entrusted with a solemn responsibility, which demands that in our words, and in our actions, we defend and advance the shared vision of a world free of chemical weapons. Silence and inertia only further embolden those who would use chemical weapons to the detriment of all humanity.

I ask that this statement be designated an official document of this Council session and posted on both the external server and the public website.

Thank you, Mr. Chairman.

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