

**National statement by the Federal Republic of Germany after publication of the first report of the OPCW Investigation and Identification Team**

On 08.04.2020, the OPCW presented the first report of the OPCW Investigation and Identification Team (IIT) on the topic of attribution of responsibility for the use of chemical weapons in Syria. Germany welcomes the publication of this first IIT report and reiterates her full support for the IIT's important work. The report clearly shows that the IIT investigations have been conducted with the utmost care, expertise, impartiality and transparency.

This first published IIT report examines comprehensively three chemical attacks in Ltamenah (Syria), which took place on 24, 25 and 30 March 2017. After thoroughly investigating all the facts, the report concludes that the Syrian Arab Air Force is to be held responsible for the use of sarin containing aerial bombs on 24 and 30 March as well as the dropping of a chlorine-filled cylinder on a hospital in Ltamenah on 25 March 2017. These terrible attacks were planned, prepared and repeated. They could only have been carried out through the engagement of the highest military authorities of the Syrian Arab Republic. And as was said by the IIT coordinator while presenting his report: if authority can be delegated, responsibility cannot.

The heinous attacks in Ltamenah in March 2017 constitute a clear breach of the Chemical Weapons Convention and Germany condemns them in the strongest possible terms. We reiterate our commitment to the purpose of the CWC: chemical weapons must not be used, never, under any circumstances, nor can they be developed, produced or stockpiled. The Syrian Arab Republic is a State Party to this Convention. Yet, as convincingly laid out in the detailed IIT report, it is now a proven fact that the Syrian Arab Air Force has used chemical weapons against civilians in Ltamenah. This also confirms that the Syrian Arab Republic has still neither fully declared its chemical weapons program in accordance with the CWC nor has it destroyed stockpiles completely as demanded by the CWC and the United Nations Security Council Resolution 2118. This was also pointed out by the OPCW Director General Fernando Arias in his introduction to the presentation of the first IIT report: The Director General invited all States Parties to take into consideration that despite all efforts by the OPCW Declaration Assessment Team and although there has been intensive dialogue between the OPCW and the Syrian Arab Republic on this matter for six years, the Syrian chemical weapons declaration is neither accurate nor concrete to this very day.

As stated in the report, the Syrian Arab Republic has refused any cooperation with the IIT-mission of the OPCW, ignoring the decision by the Conference as well as its obligations for cooperation under Article VII.7 CWC. Despite numerous requests, the IIT was denied access to Syria. Germany deeply regrets this lack of cooperation by the Syrian Arab Republic and expresses sincere gratitude to the OPCW and the IIT experts for having accomplished their

grim task under very difficult circumstances. Those who are still tolerating the Syrian obstructive behaviour with regard to an OPCW mission in Syria must finally assume their responsibility and exert their full influence on the Syrian Arab Republic.

Germany urges all States Parties to refrain from further questioning the legality of the IIT and rather contribute to the implementation of a legally binding decision taken by a Conference of the State Parties. The IIT has been established on the basis of a decision adopted at the Fourth Special Session of the Conference of the State Parties on 27 June 2018. With this decision, entitled “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3) we, the OPCW State Parties, have mandated the OPCW Technical Secretariat to establish a team of independent, impartial and highly professional experts who were asked to identify perpetrators in cases where the FFM had confirmed the use or likely use of chemical weapons in Syria. This mandate was given to the IIT in full respect of the CWC, particularly in accordance with Art. VIII of the Convention.

Germany understands that the current COVID-19 induced circumstances in the Netherlands do not allow for the holding of an Executive Council meeting at this moment. However, we call on all State Parties of the CWC to take up the case of non-compliance by the Syrian Arab Republic that is documented in the first IIT report by convening an Executive Council at the earliest possible moment. This coming EC shall, in line with the provisions of Art. VIII CWC, acknowledge the findings of the IIT report, consider the concerns arising from them and conduct consultations on the consequent measures to be recommended for the decision of the Conference of the State Parties. We must and we will react to the breach of the CWC.

In a broader perspective, Germany calls upon the international community to uphold the respect of international law and to come together in a multilateral effort to show our commitment to non-proliferation and the ban on chemical weapons. We strongly reaffirm that those responsible for violating the CWC must be held accountable. Those who chose to use chemical weapons in pursue of their perceived strategic interests must be brought to justice.

*Germany requests that this statement be designated as an official document submitted in response to the Director-General’s presentation of the Report of the OPCW Investigation and Identification Team, and posted on both the external server and the public website.*