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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-THIRD SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairperson,
Mr Director-General,
Distinguished Ambassadors and Delegates,

Just over two years ago, on 4 March 2018, Russian government agents used a ‘novichok’ nerve agent in an attempt to assassinate former Russian citizen Sergei Skripal and his daughter, in Salisbury, UK. A British police officer and two bystanders were hospitalised as a result of the incident, with one of these victims dying from her exposure. This reckless act was an egregious violation of the Chemical Weapons Convention (hereinafter “the Convention”) and endangered the lives of thousands of residents in Salisbury and Amesbury. The two-year anniversary of this incident reminds us of the potential devastation caused by chemical attacks and underscores the need for States Parties to continue our efforts to rid the world of these despicable weapons of war.

As we gather for the first Executive Council (hereinafter “the Council”) session in 2020, we should review what the Council needs to accomplish this year.

In June 2018, responsible States Parties took the historic decision at a Special Session of the Conference of the States Parties (hereinafter “the Conference”) to address chemical weapons use in Syria by unmasking the perpetrators – a critical step in seeking accountability. We understand that the OPCW Investigation and Identification Team (IIT) is working diligently to finalise its investigation, and Ambassador Onate has indicated the IIT report will be issued in the first half of April. Once the IIT report is released, the United States believes a special meeting of the Council should convene soon thereafter to consider any findings. It is critical that the Council and the Conference respond decisively to any IIT findings of chemical weapons use by the Assad regime.

It is essential that this year the Council and the Conference effectively address and counter the threat from central nervous system (CNS)-acting chemicals. This threat encompasses the repurposing of pharmaceutical compounds, such as anaesthetics – like fentanyl – for military or law enforcement purposes – uses which are directly contrary to the Convention.

Given their highly toxic properties, the use of CNS-acting chemicals in warfare would unquestionably be a violation of Article I of the Convention. With respect to law



enforcement, Article II of the Convention requires that, like all other “purposes not prohibited,” law enforcement must utilise “types and quantities” of toxic chemicals consistent with such purposes. Due to the unavoidable danger of overexposure, aerosolised CNS-acting chemicals cannot satisfy the “types and quantities” requirement of the Convention. Further, the United States is deeply concerned that some states are deliberately developing CNS-acting chemicals for military warfare, under the guise of law enforcement.

CNS-acting chemicals repurposed from a controlled medical setting pose a serious risk of further re-emergence of chemical weapons – opening up a backdoor to the Convention. It is imperative that action be taken to expose and counter this threat before aerosolised CNS-acting chemicals are used to devastating and deadly effect.

At the Ninety-Second Session of the Council in October 2019, the United States together with Australia, Switzerland and nineteen other co-sponsors launched an initiative calling for the adoption of a set of decisions. As a two-step process, the Council would recommend to the Twenty-Fifth Session of the Conference in November 2020 that it formally decide that aerosolised CNS-acting chemicals are inconsistent with law enforcement as a purpose not prohibited by the Convention. To be clear, this set of decisions would not impose any new obligations on States Parties nor require any changes to the Convention. Instead, the decisions would make clear the States Parties’ understanding that the Convention prohibits the aerosolised use of CNS-acting chemicals in law enforcement. It is already addressed by the Convention and such use is inconsistent with purposes not prohibited.

The United States, together with twenty-seven co-sponsors, calls on all Council members to join us and remove any ambiguity that may exist regarding these chemicals.

The Rules of Procedure for the Advisory Body on Administration and Finance (ABAF) also require action by the Council.

At the last session of the Council, the United States along with co-sponsors Bulgaria, Canada, The Czech Republic, Germany, Japan, The Netherlands, Ukraine, and the United Kingdom, submitted a draft decision to revise the ABAF Rules of Procedure. Our goal is to update and augment the Rules of Procedure with qualifications for ABAF membership and a code of conduct establishing procedures for dismissal of members, including breaches of the code of conduct. As we have previously emphasised, these new provisions would not be retroactive and, instead, would be applicable to all future nominees and requests for renewal of ABAF membership. Similar provisions are already embedded in the Rules of Procedure for the Scientific Advisory Board and the Advisory Board on Education and Outreach. The United States and the other co-sponsors consider it to be crucial for the integrity of the ABAF and the overall integrity of the Organisation itself that all of its advisory boards set high ethical standards. We have taken into account nearly all of the comments we have received from delegations; however, in order to remain useful, essential elements of the ABAF Rules of Procedure must remain intact.

At the Twenty-Fourth Session of the Conference meeting in November 2019, the United States raised issues regarding Myanmar’s non-compliance with the Convention. The United States called on Myanmar to declare its past chemical weapons program to the OPCW, to destroy its chemical weapons production facility, and offered to assist Myanmar in its efforts, including through the provision of technical expertise. I am happy to report that during the last week of February, the United States held productive technical, bilateral consultations with Myanmar in Naypyitaw.

The United States continues to call on Myanmar to come into compliance with the Convention as agreed, and looks forward to providing additional technical expertise to assist Myanmar. The United States will continue to report on the status of these discussions until this issue is resolved.

The United States expresses its appreciation for the efforts of Ambassador Gómez and Ambassador Puja with respect to the Facilitation on Governance Issues. Their leadership has engendered a constructive approach and positive movement. Since both facilitators will be moving on to new responsibilities, we look forward to working with the two new facilitators to continue the forward movement of this important facilitation. In this regard, we fully support Ambassador Matthew Neuhaus and Ambassador Laura Dupuy Lasserre as the new co-facilitators.

The United States is pleased to announce it will make a \$100,000 donation to the Program to Strengthen Cooperation with Africa on the Chemical Weapons Convention. We welcome the Note by the Director-General outlining the needs and priorities for the Fifth Phase of the Program. The United States fully supports the OPCW's capacity-building efforts in Africa and we recognise the need to increase laboratory capabilities on the continent. We hope that our donation, in conjunction with other U.S. initiatives and our bilateral partnerships in Africa, will strengthen protection against the use of chemical weapons, promote investigative capabilities in the region, and enhance the effectiveness of African National Authorities.

This year will once again be a challenging time for the Council. We must continue to fulfil our responsibilities as Council members to address chemical weapons use, forestall any further re-emergence of chemical weapons, address compliance concerns, and promote the integrity of the OPCW. The United States is fully committed to achieving all of these goals this year and stands ready to work with all responsible States Parties to defend the Convention and ensure its effective implementation.

Thank you, Mr Chairperson.

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.