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UNITED STATES OF AMERICA

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DEPUTY ASSISTANT SECRETARY OF STATE FOR DEFENCE POLICY,
EMERGING THREATS, AND OUTREACH
AT THE NINETY-FOURTH SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairperson, Mr Director-General, Distinguished ambassadors and delegates,

We convene under extraordinary circumstances. The COVID-19 pandemic is impacting our lives, our way of life, and our economies in an unprecedented manner. As we adapt to the current situation, it is essential that the most vital work to implement the Chemical Weapons Convention continues unabated. Although challenged by the present pandemic, we, the Executive Council, must still meet and fulfil our duty under the Convention. I commend the Chair of the Executive Council, the Director-General, and the Technical Secretariat for taking all the necessary measures to enable this session of the Executive Council to properly convene and conduct its business.

Important events have occurred since our last session in March which require our immediate and full attention. Most significantly, on 8 April 2020, the Technical Secretariat released the first report of the Investigation and Identification Team (IIT).

The findings of the IIT's first report are clear and convincing: the Syrian Arab Republic conducted three chemical weapons attacks in Ltamenah in March 2017, blatantly disregarding its obligations under the Chemical Weapons Convention. By the IIT's tally, more than 100 persons were affected by the three attacks, including a doctor conducting surgery in the hospital on which the Assad regime dropped a chlorine-filled cylinder on 25 March 2020. He died from his exposure. On 24 and 30 March 2017, the Syrian regime dropped aerial bombs filled with sarin with devastating effect. Such callous disregard for human life would be unfathomable if it were not already the oft-repeated behaviour of the Syrian regime.

Previously, the OPCW-UN Joint Investigative Mechanism (JIM) attributed four instances of chemical weapons use to the Syrian authorities. Among these four was the 4 April 2017 sarin attack on Khan Shaykhun. The chemical weapons attacks on Ltamenah and Khan Shaykhun were separated by less than two weeks and 20 kilometres; as confirmed by two separate investigative bodies, this is clearly no coincidence.

To a regime determined to subdue its populace at any cost, chemical weapons are just another tool in its arsenal. When aerial bombing causes a terrified populace to seek sanctuary underground, an air-dropped cylinder of dense, deadly chlorine drives them out again, or, as in the case of the surgeon in the underground hospital, it simply kills.



Consider for a moment the audacity of the Assad regime. Repeated, substantiated use of chemical weapons against the Syrian people, the destruction of hospitals, the retention of chemical weapons in order to conduct such attacks, an abject refusal to comply with its obligations under the Chemical Weapons Convention and UN Security Council Resolution 2118, all while steadfastly denying the clear truth, and portraying itself as the victim.

The United States shares the conclusions of the IIT and the JIM in each of the seven instances of chemical weapons use they attributed to the Syrian authorities. These instances prove that the Assad regime retains chemical weapons stocks, specifically sarin and chlorine, as well as the expertise and willingness to deploy these chemical weapons.

Despite the overwhelming evidence proving the Assad regime carried out multiple chemical weapons attacks, Syria and its enabler, Russia, would have us believe otherwise. They have launched one outlandish conspiracy theory after another. In one breath they blame the White Helmets, while in the next they point the finger at a mysterious cabal of Western backers. When they don't have the facts on their side, they simply make them up. When report after report reveals an abundance of damning facts, they target the fact-finders themselves, attempting to smear and discredit the FFM's and IIT's professional staff. No doubt we will hear these untruths repeated during this Council session. We will likely hear new lies as well. But make no mistake: Syria, Russia, and other enablers of the Assad regime are carrying out a deliberate campaign of disinformation. Their aim is simple: sow confusion and distract from the truth.

Fortunately, no amount of disinformation can obscure the compelling evidence presented by the IIT. The IIT report itself examined a number of "alternative explanations," thoroughly debunking several of the baseless theories put forward by Russia and Syria. To conduct its work, the IIT sought out all relevant information. It conducted interviews, examined transcripts from the Fact-Finding Mission, consulted medical files, and reviewed analysis of environmental samples and ammunition fragments. It also drew upon satellite imagery, analysed flight patterns, and consulted with outside experts. The totality of this information led the IIT to the inescapable conclusion that the Syrian government was responsible for these three confirmed chemical weapons attacks on Ltamenah. Notably, the IIT was able to complete its investigation into the Ltamenah attacks without cooperation from the Assad regime, despite its obligations under UN Security Council resolution 2118.

The United States supports the impartial, professional, and independent work of the IIT. The United States has full confidence that the IIT will continue to rely on established investigatory techniques and analysis as it seeks to identify the perpetrators of other cases of chemical weapons use in Syria.

We stand at a critical juncture for efforts of the OPCW and the international community to address the series of horrific chemical weapons attacks that have taken the lives of so many innocent Syrians since 2013. As Director-General Fernando Arias said when the IIT report was released, "it is now up to the Executive Council and the Conference of the States Parties [...] to take any further action they deem appropriate and necessary." This Executive Council must take decisive action to ensure that Syria is held accountable. In taking such action, we will reinforce the obligations of the Convention that we, as States Parties, are bound to uphold.

The United States is part of a cross-regional group of responsible States Parties seeking to address directly these unconscionable actions of the Syrian regime. We call on this Council to condemn the use of chemical weapons in Ltamenah and demand that the Syrian regime immediately cease its use of chemical weapons. The Council should give the Syrian regime a prescribed time frame to take certain actions in order to redress the situation. Among these actions are the declaration of facilities where the chemical weapons used in the Ltamenah attacks were developed, produced, stockpiled, and stored for delivery; the declaration of its remaining chemical weapons stockpile and production facilities; and the resolution of the outstanding issues with its declaration.

The responsibility lies with Syria to demonstrate it has fulfilled the obligations it undertook when it acceded to the Convention. Should Syria fail to complete all of the measures the Council requests of it, then the Executive Council should recommend that the Conference of the States Parties take action. This approach uses the procedures laid out in the Convention to address these situations and is fully justified by Syria's repeated use of chemical weapons and its incomplete declaration—its refusal to abide by its obligations under the Convention. I ask that every member of the Council consider the IIT's irrefutable findings attributing these additional cases of chemical weapons use to the Syrian authorities and join responsible parties in promoting accountability.

The COVID-19 pandemic has also prevented us from addressing other important business before the Council, including the draft decisions on central nervous system (CNS)-acting chemicals and the Rules of Procedure for the Advisory Body on Administrative and Financial Matters (ABAF).

The United States, Australia, and Switzerland, along with 26 co-sponsors drafted a decision that recommends to the November 2020 Conference of the States Parties that it take a decision that affirms States Parties' understanding that the use of aerosolized CNS-acting chemicals is inconsistent with law enforcement as a purpose not prohibited by the Convention. The draft decision before the Council does not propose any new legal obligations on States Parties. The Technical Secretariat already determined that the decision will not incur any financial, administrative, or programme and budget implications. We must make clear that countries cannot hide work to pursue these chemicals for non-permitted military purposes under the guise of law enforcement.

With respect to ABAF, the United States and numerous co-sponsors submitted a draft decision to revise the ABAF Rules of Procedure during the Ninety-Second Session of the Council. The revised rules create a code of conduct and set minimum qualifications for ABAF members. Establishing ethical standards for ABAF members ensures the integrity of the Body as it provides its valuable advice to the Director-General. Further, these changes will make the ABAF Rules of Procedure similar to those of other OPCW bodies and similar bodies at other international organizations.

I wish to update the Council on the status of our efforts with regard to Burma's declaration. The United States continues to engage Burma about its obligations to declare its past chemical weapons program and destroy its historical chemical weapons production facility. Between Executive Council meetings, the United States shared detailed information with Burma about the process for updating its declaration. We continue to stand ready to assist Burma to ensure it fulfils its obligations under the Convention.

Let me conclude in the same place I began, addressing the most pressing issue before us at this Council—the Syrian regime’s repeated use of chemical weapons. The United States believes the Assad regime will continue to use chemical weapons as long as it perceives the tactical advantages of their use outweigh the consequences. In response to the IIT’s first report, the Council must take a tangible step towards ascribing costs to the use of chemical weapons and in reinforcing the obligations of the Convention that all States Parties commit to uphold. The unchecked use of chemical weapons by any state presents an unacceptable security threat to all states and cannot occur with impunity. We urge other nations to join our efforts to promote accountability for the Syrian regime and uphold the international norm against chemical weapons use. The credibility of the Chemical Weapons Convention and its institutions is at stake.

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.

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