

UNITED STATES OF AMERICA

STATEMENT BY H.E. AMBASSADOR JOSEPH MANSO PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OPCW NINETY-FIFTH SESSION OF THE EXECUTIVE COUNCIL

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

We gather today amid continued difficult circumstances. As the world grapples with the ongoing impacts of the COVID-19 pandemic, we express our deepest sympathies for the loss of life that has impacted all our nations. It is a testament to the enduring relevance and importance of this Organization and the work we do that the Executive Council gathers today for its ninety-fifth session during these difficult circumstances.

Time and again, the Executive Council meets amidst new and alarming instances of chemical weapons use. These include brazen violations and repeated instances of non-compliance by States Parties. OPCW Member States, especially those in the Executive Council, have a crucial obligation to call out non-compliance with the Chemical Weapons Convention, and to make clear any chemical weapons use is unacceptable by holding accountable those who deploy such weapons. Unfortunately, that becomes a difficult task when there are some within this Council that are guilty of violating the Convention. As a further affront, some States Parties continue efforts to shield from accountability those responsible for repeated chemical weapons use. The disinformation and propaganda used to distract us from our business is transparent and will not deter those responsible nations among us from ensuring that this Council takes meaningful action. This Council must not stay silent. We must not allow violations of the Convention to go unchallenged. We must consider all avenues available to us in order to ensure accountability and we must unite swiftly behind a meaningful course of action. Every day we wait, and every instance in which chemical weapons is used for which there is no accountability, we risk eroding the norm against the use of such weapons and ensuring impunity for those that deploy them.

The use of a chemical weapon in the poisoning of Alexey Navalnyy is a reprehensible act the United States and other concerned nations have condemned in the strongest terms. We are grateful for Germany's efforts to provide urgent medical care to Mr. Navalnyy and we wish him a complete recovery. The United States has full confidence in the analytical findings of the German government, subsequently confirmed by French and Swedish laboratories, which determined a nerve agent from the Novichok group was used in the poisoning of Mr. Navalnyy. We welcome Germany's request for technical assistance from the OPCW, as it will provide yet another source of independent, expert analysis.

We know Russia developed Novichok nerve agents in the 1980s for use against NATO countries. While Russia has claimed to have eliminated its *declared* chemical weapons stockpile, the use of a Novichok nerve agent in Salisbury in 2018 demonstrated that Russia clearly has not met its obligations under the Chemical Weapons Convention and it still maintains a chemical weapons program. Russia's contempt for the international norm against chemical

weapons use must stop. The United States calls on Russia to join the responsible nations of the world and comply with its international obligations by fully declaring and eliminating its chemical weapons program, including its Novichoks. We call on Russia to explain to CWC States Parties how a Novichok nerve agent was used within its borders.

The use of chemical weapons cannot occur with impunity. States Parties must continue to uphold the norm against chemical weapons use and – for the sake of our collective peace and security – bring chemical weapons use to zero. Any use of chemical weapons, under any circumstances, is a threat to the international standards and norms against chemical weapons use and threatens international security. The use of a Novichok nerve agent by a State Party would be a clear breach of international law and an egregious violation of the Chemical Weapons Convention.

In response to the many challenges facing this Organization, the United States and likeminded States Parties continue to work together to reinforce the norm against chemical weapons use and to seek measures that inhibit future use. We continue our efforts to strengthen the OPCW and to ensure the Organization remains fit for purpose, adapting to new and emerging threats. In front of us during this Executive Council session are decisions that signal the continuing importance of the Convention and will further the OPCW's efforts to address evolving security challenges. To that end, the United States and numerous co-sponsors support adopting a decision recommending to the November 2020 Conference of the States Parties that it take a decision affirming States Parties' understanding that the use of aerosolized Central Nervous System (CNS)-acting chemicals is inconsistent with law enforcement as a "purpose not prohibited" by the Convention.

The draft decision before the Council during this Executive Council session does not propose any new legal obligations on States Parties. The Technical Secretariat has also determined the decision will not incur any financial, administrative, or program and budget implications. The revised draft before the Council includes additional language as a result of consultations that have taken place over the last year. These changes do not alter the original core purpose of the decision, but instead only seek to clarify and ensure States Parties remain well informed about how relevant scientific knowledge develops in the future. By having the Conference of the States Parties memorialize the understanding of States Parties on this application of the Convention, we are making clear that countries cannot hide their work to advance an offensive capability regarding aerosolized CNS-acting chemicals under the guise of doing so for law enforcement as a "purpose not prohibited" under the Convention. It is imperative this Council take action to address these agents and clarify this grey area without delay.

As the United States has reported previously, beginning in February 2019, the United States held bilateral discussions with Myanmar to address U.S. concerns regarding Myanmar's past chemical weapons program. The United States has continued our consultations with Myanmar and we recently held another bilateral discussion. The United States stands ready to assist Myanmar in its efforts, including through the provision of technical expertise. We call on other States Parties to assist in this effort and we welcome Myanmar's request for training from the Technical Secretariat. We call on Myanmar to declare its past chemical weapons program so its historical chemical weapons production facility can be accounted for and destroyed in

accordance with the Convention and so that States Parties in a position to do so can assist in that important effort.

The United States looks forward to the Director-General's forthcoming report responding to the EC decision "Addressing the Possession and Use of Chemical Weapons in the Syrian Arab Republic," which was adopted at the July Executive Council session. While it is unfortunate the Council was not able to adopt this decision by consensus, it was crucial that the majority of this body demonstrated leadership when presented with the facts and findings in the Investigation and Identification Team's report. These attacks have remained unanswered for too long. When faced with the heinous use of chemical weapons, OPCW Member States have a responsibility to condemn these acts and take action in response. We must not allow those States Parties that have repeatedly used these deplorable weapons of war in violation of the Convention to fracture the unity of this Council in condemning such acts. Responsible nations cannot stay silent. We must continue our efforts to support the OPCW in its difficult work on attribution.

As is clear, the Organization is faced with vital work in the coming year ahead. We are confident the highly professional and hardworking staff members of the Technical Secretariat will continue to faithfully carry out the significant mandates we have entrusted to them. They do so even as the world continues to grapple with the far-reaching effects of the COVID-19 pandemic. We are grateful for their work. Yet, gratitude will only go so far. We must fund the Organization and provide it with the resources it needs to fulfill what we, as States Parties, have asked of it. To that end, the United States fully supports the 2021 draft program and budget put forward by the Technical Secretariat and under consideration at this Council's session. We call on the Council to perform its duty under Article VIII by considering and submitting the draft program and budget to the upcoming Conference of the States Parties. The Conference adopted the budget overwhelmingly last year, and we are confident it will do so again this year in order that the Organization may continue its critical mission.

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.