## **Executive Council**



Ninety-Sixth Session 9 – 12 March 2021

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## REPORT BY THE DIRECTOR-GENERAL

## PROGRESS IN THE IMPLEMENTATION OF DECISION C-SS-4/DEC.3 ON ADDRESSING THE THREAT FROM CHEMICAL WEAPONS USE

- 1. The Conference of the States Parties (hereinafter "the Conference"), at its Fourth Special Session, adopted a decision entitled "Addressing the Threat from Chemical Weapons Use" (C-SS-4/DEC.3, dated 27 June 2018). In paragraph 24 of the decision, the Conference decided that "the Director-General shall provide a copy of this decision and a report on its initial implementation to all States Parties and to the United Nations Secretary-General within 30 days of this decision and thereafter provide a report on progress to each regular session of the Council", in reference to the Executive Council (hereinafter "the Council").
- 2. In furtherance of paragraph 7 of the decision, the Technical Secretariat (hereinafter "the Secretariat") has continued its engagement with the Syrian Arab Republic to clarify all gaps, discrepancies, and inconsistencies noted in its initial declaration and subsequent submissions. The twenty-third round of consultations between the Declaration Assessment Team (DAT) and the Syrian National Authority took place from 22 September to 3 October 2020 in Damascus.
- 3. The Secretariat reported to the Council on the activities and outcomes of these consultations through a Note by the Director-General entitled "Report on the Work of the Declaration Assessment Team" (EC-95/HP/DG.2, dated 1 October 2020), an Addendum to that Note (EC-95/HP/DG.2/Add.1, dated 18 November 2020), and a further Note entitled "Note by the Director-General to the Report on the Work of the Declaration Assessment Team (EC-95/HP/DG.2, dated 1 October 2020)" (EC-95/HP/DG.3, dated 18 November 2020). In these Notes, it was reported that three outstanding issues related to the Syrian National Authority's initial declaration were closed during these consultations, while 19 issues remained outstanding.
- 4. One of the remaining 19 outstanding issues pertains to a chemical weapons production facility (CWPF) declared by the Syrian National Authority as never having been used for the production of chemical weapons. The review of all of the information and other materials gathered by the DAT since 2014, including samples, indicates that the production and/or weaponisation of chemical warfare nerve agents took place at this CWPF. The Secretariat has therefore requested the Syrian Arab Republic to declare the exact types and quantities of chemical agents produced and/or weaponised at the site in question, in line with the relevant provisions of the Chemical Weapons Convention (hereinafter "the Convention"). As at the date of this report, the Secretariat had not yet received a reply to this request from the Syrian National Authority.

- 5. The DAT is deploying to the Syrian Arab Republic from 7 to 25 February 2021 for the twenty-fourth round of consultations. The Secretariat will report to the Council on the results of this deployment in due course.
- 6. At this stage, considering the identified gaps, inconsistencies, and discrepancies that remain unresolved, the Secretariat assesses that the declaration submitted by the Syrian Arab Republic still cannot be considered accurate and complete in accordance with the Convention, Council decision EC-M-33/DEC.1 (dated 27 September 2013), and United Nations Security Council resolution 2118 (2013).
- 7. Consistent with paragraph 8 of decision C-SS-4/DEC.3, and following current practice, the Secretariat continues to update States Parties on the operations of the OPCW Fact-Finding Mission in Syria (FFM) through the monthly progress report entitled "Progress in the Elimination of the Syrian Chemical Weapons Programme", and through reports detailing the FFM's activities and findings regarding specific incidents of alleged use of chemicals as a weapon in the Syrian Arab Republic.
- 8. With regard to an incident that took place in Saraqib, in the Idlib Governorate, on 1 August 2016, the Secretariat issued a Note entitled "Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident of Alleged Use of Chemicals as a Weapon in Saraqib, Syrian Arab Republic, on 1 August 2016" (S/1901/2020, dated 1 October 2020). In this Note, the FFM reported that the results of the analysis of all available data obtained up until the issuance of this report did not allow it to establish whether or not chemicals were used as a weapon in the incident.
- 9. With regard to an incident that took place in Aleppo on 24 November 2018, the Secretariat issued a Note entitled "Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident in Aleppo, Syrian Arab Republic, on 24 November 2018" (S/1902/2020, dated 1 October 2020). In this Note, the FFM reported that all of the information obtained and analysed, the composite summary of the interviews, and the results of the laboratory analyses did not allow it to establish whether or not chemicals were used as a weapon in the incident.
- 10. Additionally, the Secretariat issued a Note entitled "Summary Update of the Activities Carried Out by the OPCW Fact-Finding Mission in Syria" (S/1922/2020, dated 21 December 2020), to update States Parties on its recent activities.
- 11. Pursuant to paragraph 10 of decision C-SS-4/DEC.3, the Secretariat established the Investigation and Identification Team (IIT) to identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the FFM determines or has determined that use or likely use occurred, and cases for which the OPCW-United Nations Joint Investigative Mechanism (JIM) has not issued a report.
- 12. The IIT is continuing its investigations and will issue further reports in due course, subject to the evolution of the coronavirus disease (COVID-19) pandemic.

- 13. The voluntary funding requirements for 2021 for the IIT of EUR 1.3 million, as specified in the Programme and Budget for 2021 (C-25/DEC.7, dated 1 December 2020) have been met. Contributions and pledges have been received from Australia, Canada, Denmark, Finland, Germany, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the European Union.
- 14. In continuation of its regular briefings to States Parties on chemical weapons-related activities in the Syrian Arab Republic, on 2 October 2020 the Secretariat provided States Parties with a presentation to inform them of the status of the Secretariat's mandated activities in the Syrian Arab Republic pertaining to the full elimination of the Syrian chemical weapons programme. The Secretariat will continue to keep States Parties informed of activities and progress with regard to the Syrian chemical weapons programme through existing reporting modalities and, subject to the evolution of the COVID-19 pandemic and its impact on OPCW activities, through briefings.
- 15. Pursuant to paragraph 12 of C-SS-4/DEC.3, the Secretariat has put in place appropriate measures to preserve and provide information to the International, Impartial, and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), the body established by the United Nations General Assembly in resolution 71/248 (2016). All transfers of information to the IIIM are being implemented in a manner consistent with the OPCW's rules and policies on confidentiality.
- 16. In accordance with paragraph 18 of C-SS-4/DEC.3, the Secretariat is developing options for further assistance to States Parties to help prevent the chemical weapons threat posed by non-State actors, and to aid States Parties' contingency planning in the event of a chemical weapons attack. Taking into consideration, inter alia, the decision of the Council entitled "Addressing the Threat Posed by the Use of Chemical Weapons by Non-State Actors" (EC-86/DEC.9, dated 13 October 2017), the Secretariat is building on existing activities related to preparedness, prevention, and response.
- 17. Despite the impacts of the COVID-19 outbreak, the Secretariat is continuing its capacity-building support during this period through the use of online platforms or similar means to enable States Parties to sustain their engagement, including in support of their preparedness, prevention, and response capacity.
- 18. Pursuant to paragraph 20 of C-SS-4/DEC.3, the Director-General, if requested by a State Party investigating possible chemical weapons use on its territory, can provide technical expertise to identify those who were perpetrators, organisers, sponsors, or otherwise involved in the use of chemicals as weapons. Accordingly, the Secretariat is working to ensure that it has the necessary capabilities to respond to such requests.
- 19. As reported previously, the Secretariat has been implementing a series of capacity-building measures to expand the existing skills of relevant Secretariat staff. These measures include, inter alia:
  - (a) training to further build investigative capabilities in areas such as crime scene management, witness interviews, evidence collection, and forensics;

- (b) the procurement of relevant software and equipment; and
- (c) the revision of job descriptions with more generic requirements regarding scientific background in order to attract a larger pool of candidates, including those that may have skills and expertise applicable to activities under paragraph 20 of C-SS-4/DEC.3.
- 20. In furtherance of paragraph 23 of C-SS-4/DEC.3, the Secretariat will continue to prioritise the realisation of the universality of the Convention, on the understanding that this goal is essential to achieving its object and purpose, to enhancing the security of States Parties, and to international peace and security. The Director-General continues to call upon all States Parties to support the Secretariat's efforts in this regard.

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