



Permanent Representation
of the Federal Republic of Germany
to the OPCW

**STATEMENT OF THE FEDERAL REPUBLIC OF GERMANY
BY H.E. AMBASSADOR GUDRUN LINGNER
PERMANENT REPRESENTATIVE OF GERMANY TO THE OPCW
AT THE 96th SESSION OF THE EXECUTIVE COUNCIL
(The Hague, 9 - 12 March 2021)**

Mr. Chairman, Director General, distinguished Ambassadors and Delegates,

This 96th session of the Executive Council takes place once more in the very challenging circumstances of the COVID-19 pandemic. Thus, let me start by congratulating our Chairman and the Director General, supported by the Technical Secretariat, for making it possible for us to convene here today in person. However, despite all laudable efforts, this will be, again, a very peculiar meeting of the Council. Proceedings have had to be adapted, interactions with observers are difficult and our time for discussions is very limited. In my view, this meeting represents nevertheless a symbol of our shared conviction that it remains essential, also in these times of a global health crisis, that we all together uphold the Chemical Weapons Convention.

Germany strongly believes that we must make all necessary arrangements to enable the political organs of the OPCW to continue working. In this context, I would like to draw your attention to the Business Continuity Initiative that Germany has launched last year, trying to develop consensus among States Parties for allowing the EC to convene remotely in cases where the Council is not in a position to do so in-person. Germany has proposed a Non Paper on this issue in September 2020, which has since been discussed and recently updated by including the valuable comments made by different States Parties during two rounds of consultations held since the last Council meeting. I would like to thank all participants of these consultations for their constructive engagement. We highly appreciate your support. A last round of consultations will be organised with the help of regional groups in the inter-sessional period after EC96. After these consultations, an EC decision can hopefully be drafted, and will then be considered by the Executive Council.

Apart from this consultation process, Germany has contributed, in December 2020, one million Euros to the special OPCW Trust Fund for Security and Business Continuity. Germany believes that finding a way of ensuring business continuity in times of crisis and enhancing digital capacity of the OPCW is pivotal for the continued functioning of the Organisation.

Mr. Chairman,

This March 2021 marks a sad anniversary: a decade of war in the Syrian Arab Republic. Over 12 millions of women, men, girls and boys have fled the country or are internally displaced and hundreds of thousands have lost their lives. As described in detail by the report published on 18.02.21 by the UN Commission of Inquiry on the Syrian Arab Republic, millions of civilians have suffered heinous violations of international law and human rights at the hands of warring parties, and this includes the repeated and confirmed use of chemical weapons against the Syrian people.

The use of chemical weapons anywhere, by anyone and under any circumstances constitutes, as we all know, a clear threat to international peace and security. Germany remains committed to holding those who used these horrific weapons to account.

Mr. Chairman,

Unfortunately, we do not know who is responsible for every single use of a chemical weapon in Syria since 2011. But in some cases, the incidents could be investigated and attributed by several international and independent investigation commissions. Notably the OPCW's Investigation and Identification Team (IIT) has concluded in its first report released in April 2020 that the Assad regime used chemical weapons on three occasions in Ltamenah in 2017. In response to this confirmation, the EC94 adopted a decision in July 2020 requesting that Syria take measures to redress the situation (EC94/DEC.2 dated 9th July 2020). The Syrian Arab Republic failed to complete any of the measures set forth in this decision, as reported by the OPCW Director-General in October 2020.

Noting the refusal of the Syrian Arab Republic to honour the decision taken by the Executive Council and to come back into compliance with the Convention, the upcoming 25th Conference of the States Parties will have to decide the further course of action in accordance with Art XII of the CWC. Germany calls upon all States Parties to support the draft Decision entitled "Addressing the Possession and use of Chemical Weapons by the Syrian Arab Republic" (C-25/DEC/CRP.10, dated 25 November 2020), co-sponsored by 46 States Parties, including Germany. It is time for the international community and for all States Parties of the CWC to respond to the confirmed use of chemical weapons by the Syrian Arab Republic.

The refusal of the Syrian Arab Republic to truly cooperate with the OPCW and to fulfil her obligations as defined by the Convention also manifests itself in the context of the ongoing work of the Declaration Assessment Team (DAT). After 23 rounds of consultations in Damascus and many years of active engagement, the Syrian National Authority has still not given explanations or sufficient information on 19 outstanding issues. And make no mistake, the substance of these outstanding issues is significant. It includes, inter alia, indicators of the presence of 3 undeclared chemical warfare agents on Syrian territory, the unknown fate of a substantial amount of chemical weapons such as hundreds of tonnes of sulphur mustard, sarin, VX and ricin solution, thousands of chemical munitions that are not accounted for and several non-declared production sites of chemical warfare nerve agents. The last report by the Director General on "Progress in the elimination of the Syrian Chemical weapons programme" (EC-96/DG.6, dated 25.01.21) therefore states unequivocally that the declaration submitted by the

Syrian Arab Republic still cannot be considered accurate and complete in accordance with the Convention and United Nations Security Council resolution 2118 (2013).

Germany applauds the OPCW's leadership and the professional manner in which the Technical Secretariat carries out all missions in Syria. We strongly support the impartial and independent work of DAT, FFM and IIT and look forward to their future reports.

Mr. Chairman,

Before ending this statement, Germany wishes to reiterate our call upon the Russian Federation to disclose the circumstances of the poisoning of Alexei Navalny with a chemical warfare agent on 20 August 2020. Article VII of the Chemical Weapons Convention commands all States Parties not to permit in any place under its control any activity prohibited by the Convention. Therefore, Germany notes with great concern that the Russian Federation, on whose territory the attack occurred, still has not started any formal investigation of the poisoning of Mr. Navalny and has withdrawn, on 16 December 2020, its request for a Technical Assistance Visit by OPCW experts, which could have helped to clarify the case. The call for clarification was recently shared by Agnès Callamard, UN special rapporteur on summary killings, and Irene Khan, UN special rapporteur on freedom of expression, in their letter on the Navalny case (published on 01 March 2021).

Three specialised laboratories from Germany, France and Sweden as well as two designated OPCW laboratories have confirmed independently that a chemical nerve agent of the Novichok group had been used to poison Mr. Navalny. We again urge the Russian Federation to disclose in full the circumstances surrounding this confirmed use of a chemical weapon and to bring those responsible for it to justice.

I would kindly ask for this document to be posted on the OPCW External Server and public website.

Thank you.