



### 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.
3. The last round of consultations between the Declaration Assessment Team (DAT) and the Syrian National Authority took place in Damascus in February 2021. As reported previously, between 30 April 2021 and May 2022, all efforts to organise the next round of consultations between the DAT and the Syrian National Authority remained unsuccessful.
4. Consequently, in May 2022 the Secretariat proposed the resumption of the practice of addressing declaration-related issues through exchange of correspondence, even if such exchanges demonstrably bring fewer outcomes as compared to the DAT’s deployments to the Syrian Arab Republic. This had been the practice between June 2016 and April 2019 (see the report by the Director-General to the Eighty-Second Session of the Council, EC-82/HP/DG.2\*, dated 30 June 2016). This proposal was agreed to by the Syrian Arab Republic through a letter dated 31 May 2022.
5. Through its note verbale dated 14 September 2022, the Secretariat provided the Syrian Arab Republic with a list of pending declarations and other documents requested by the DAT since 2019 that could assist in resolving the current 20 outstanding issues. As at the date of this report, the Secretariat still had not received any such pending declarations or other documents from the Syrian Arab Republic.



6. In light of this, the Secretariat proposed to send a reduced team comprised of some members of the DAT to conduct limited in-country activities (LICAs) in the Syrian Arab Republic from 17 to 22 January 2023. The Secretariat provided the Syrian National Authority with a list of LICAs for the mission, recalling that these would not involve any consultations between the Secretariat's reduced team and the Syrian Arab Republic.
7. Following confirmation by the Syrian Arab Republic, the reduced team deployed and conducted the planned activities. During the visit, the Syrian Arab Republic did not provide any pending documents or declarations. The DAT is currently assessing and analysing the outcomes of this visit, which will be included in the report of the DAT ahead of the 102nd Session of the Council.
8. Considering the limited nature of the LICAs and the limited outcomes to be had from the exchange of documents, the Secretariat will continue its efforts to restore technical consultations between the DAT and the Syrian National Authority. This will depend on the commitment of the Syrian Arab Republic to fulfil its obligations, including the obligation to accept and provide entry visas to all members of the DAT.
9. The Director-General's "Report on the Work of the Declaration Assessment Team" (EC-101/HP/DG.2, dated 28 September 2022) on the recent activities of the DAT was noted by the Council at its 101st Session. In that report, the Secretariat concluded that, 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 Chemical Weapons Convention (hereinafter "the Convention"), and, inter alia, Council decisions EC-M-33/DEC.1 (dated 27 September 2013) and EC-94/DEC.2 (dated 9 July 2020), Conference decision C-25/DEC.9 (dated 21 April 2021), and United Nations Security Council resolution 2118 (2013).
10. 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, inter alia, 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.
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 has not issued a report.
12. On 27 January 2023, the Secretariat issued a Note entitled "Third Report by the OPCW Investigation and Identification Team Pursuant to Paragraph 10 of Decision C-SS-4/DEC.3 'Addressing the Threat from Chemical Weapons Use', Douma (Syrian Arab Republic) – 7 April 2018" (S/2125/2023, dated 27 January 2023). In this report, the IIT concluded, on the basis of all the information obtained and its analysis, that "there are reasonable grounds to believe that, between 19:10 and 19:40 (UTC+3) on 7 April 2018, during a major military offensive aimed at regaining control of the city

- of Douma, at least one Mi-8/17 helicopter of the Syrian Arab Air Force, departing from Dumayr airbase and operating under the control of the Tiger Forces, dropped two yellow cylinders which hit two residential buildings in a central area of the city”, killing at least 43 named individuals and affecting dozens of others.
13. As mandated by paragraph 10 of decision C-SS-4/DEC.3, the report was submitted to the Council and to the United Nations Secretary-General for their consideration.
  14. On 2 February 2023, the Director-General and the Coordinator of the IIT briefed States Parties in The Hague on the report. Upon the invitation of the President of the United Nations Security Council, on 7 February 2023 the Director-General and the Coordinator of the IIT briefed the United Nations Security Council on the report.
  15. The IIT is continuing its investigations and will issue further reports in due course.
  16. The voluntary funding requirements for the IIT for 2022–2023, as specified in the Programme and Budget for 2022–2023 (C-26/DEC.11, dated 1 December 2021), have been set at EUR 1,212,192 in 2022 and EUR 1,213,775 in 2023. Contributions and pledges have been received from Australia, Canada, the Czech Republic, Denmark, Finland, Germany, Ireland, Japan, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the European Union.
  17. In continuation of its regular briefings to States Parties on chemical weapons-related activities in the Syrian Arab Republic, on 28 September 2022 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 through briefings.
  18. 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.
  19. 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.
  20. 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 State Party requests, including through assessing relevant forensic tools and capabilities that may be useful in fulfilling them.

21. 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 revision of job descriptions to recruit applicants with the skills and knowledge to match the evolving needs of the Secretariat;
  - (c) through internal and external consultations, the assessment of potential additional investigative tools and capabilities that could be useful for the Secretariat if called to assist a State Party in identifying perpetrators, organisers, sponsors, or otherwise, of chemical weapons use on its territory; and
  - (d) support for the procurement of software and equipment through the creation of a test and evaluation programme.
22. The Secretariat will continue to expand these activities in order to scale up knowledge and expertise within the Secretariat, and the Centre for Chemistry and Technology is expected to underpin these efforts.
23. 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.