

CHECK AGAINST DELIVERY



Speech to the Eleventh Session of the Conference of the States Parties

Organization for the Prohibition of Chemical Weapons

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Mr. Chairman, Mr. Director-General, Distinguished Delegates,

The British playwright Oscar Wilde once commented acidly that modern calendars mar the simplicity of our lives by reminding us that each and every day is the anniversary of some perfectly uninteresting event. With due respect to Mr. Wilde, next April 29th is marked on my calendar, and I do not think those assembled at this Conference would find the anniversary at all uninteresting. In fact, anniversaries are excellent opportunities to reflect, to assess, and to resolve to achieve new goals.

As we approach the 10th Anniversary of the entry into force of the Chemical Weapons Convention, we will find much to celebrate. We will also find much work remaining to be done. One important area where work continues is national implementation of our basic Convention requirements, and it is this issue that I would like to address today.

Last year, the Conference adopted a decision on Article VII that established reporting obligations for States Parties, set benchmark dates for completing tasks, and called upon the Executive Council, the Technical Secretariat and States Parties to work together in the implementation effort. The United States is pleased to note that there has been measurable progress over the past year, due in part to the continued emphasis placed on this issue by the previous Conference.

Specifically, the Technical Secretariat reports that since the Conference last convened:

- Twenty-five States Parties have established a National Authority;
- Thirteen States Parties have enacted legislation covering all key areas;
- Ten States Parties have adopted all measures to control transfers of Scheduled chemicals, and nine have submitted complete initial declarations; and
- Twelve States Parties have established penalties for failure to provide data on Article VI declarations.

Clearly, our collective effort to adopt a meaningful decision has yielded real results. We can take pride in the progress achieved to date, such as the establishment of a National Authority by 95% of States Parties. But rather than rest on those laurels, we should now turn our focus to full legislative and administrative implementation of the CWC's requirements, as my colleague Ambassador Eric Javits suggested yesterday.

Significant work still remains. While most States Parties have now either adopted or drafted legislation, several areas of national implementation merit

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sustained attention and scrutiny. For example, fewer than half of States Parties have:

- adopted all necessary measures to control transfers of Scheduled chemicals;
- established penalties for failure to provide data on Article VI declarations; and
- adopted legislation covering all key areas.

Having worked to pass bills in my own country, I recognize that enactment of comprehensive legislation is a difficult process. Parliamentary procedures differ greatly. Yet as difficult as this process may be, it is the Conference's responsibility to ensure that the national implementation effort does not slip or lose focus. Our long-term objective must continue to be universal and comprehensive compliance with the obligations of the Chemical Weapons Convention.

To ensure that this commitment is not an empty one, it is important to set realistic, achievable milestones on the road to universal implementation. Moving forward from this Conference, therefore, the United States urges that we focus first on those chemical-related activities that are most relevant to the object and purpose of the Convention: the production and trade of organic chemicals.

Therefore, our most immediate implementation priority should be to ensure that all States Parties that play prominent roles in the production and trade of organic chemicals have fully met their Article VII obligations.

We are closer to this goal than we perhaps realize. While the data are imprecise, the United States estimates that approximately 90% of the world's current organic chemical production and trade is occurring in and among States Parties that have met their national implementation obligations. Most of the remaining world production and trade is taking place in about twenty States Parties. Many of those twenty have requested technical assistance from the United States, the Technical Secretariat, and other States Parties. We welcome these requests.

To make next year's celebration of the 10th Anniversary of the CWC even more meaningful, we should collectively focus in 2007 on encouraging full implementation by the approximately twenty States Parties that have organic chemical production facilities, but that have not yet fulfilled all of their Article VII obligations. Importantly, we should pursue this goal through focused cooperation and assistance, not through punitive measures. Indeed, the United States suggests this approach as a way to set priorities in our assistance efforts, not to target any States Parties for negative action.

By focusing assistance efforts, we could bring virtually all existing world organic chemical production and trade under the umbrella of Article VII implementation

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during the 10th Anniversary Year of the Chemical Weapons Convention. This milestone is well within our reach, and while achieving it would not be the end of our efforts on Article VII, it would be an important accomplishment on the road to universal implementation.

There are three important steps in achieving this goal:

First, the Conference should embrace the Article VII decision that is before us this week. The decision adopted by the 10th Conference included specific reporting, oversight, and assistance provisions that are sustained in the decision of this Conference. These provisions are crucial to ensuring that momentum on this issue is not lost. I applaud the efforts of the Technical Secretariat to provide timely and detailed reports to the Executive Council on the status of each State Party's implementation efforts. In the coming year, I encourage the Technical Secretariat to include in its reporting a measure of how close we are to achieving full implementation by all States Parties that have organic chemical production facilities. We also will urge the Technical Secretariat and Executive Council to focus with special urgency in 2007 on providing technical assistance to those States Parties that have such facilities, but have not yet fully implemented Article VII.

Second, it is crucial for the Executive Council early next year to adopt a decision relating to submission of nil declarations. Currently, States Parties are required to submit annual declarations on Article VI activity if it surpasses the declaration thresholds established in the Convention. The absence of any declaration leaves the Technical Secretariat in doubt whether there are activities that should be monitored and verified. Agreement early next year on a nil declaration and a requirement for provisional implementation would better enable the Technical Secretariat to determine how close we are to achieving the goal of ensuring that States Parties have fully complied with their national implementation obligations, including declaration of all relevant chemical activities.

Third, it is important for governments to form partnerships to prepare for implementation. One such partnership is technical assistance, and I am pleased to note that the United States has partnered with the Technical Secretariat to provide more than twenty-five technical assistance visits in the last two years. The Implementation Assistance Programme (IAP), co-developed by the United States and Romania, has proven a useful tool for States Parties seeking to meet their implementation requirements. To expand the reach of this tool, U.S. representatives will be distributing Spanish and French translations of the IAP at this Conference, and we will make the tool available on our website at www.cwc.gov.

The IAP was designed to help governments. But we know from our own experience how important it is for governments also to partner with industry to identify potentially declarable chemical producers and traders and to assist them

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in preparing for implementation. To help, I am pleased to announce today that the United States has developed a *Global Chemical Industry Compliance Program* (GC-ICP) as a companion to the IAP. This simple, five-step program is designed to assist chemical industries in complying with the CWC and related national implementation obligations. It includes sample company policy statements, personnel and training programs to comply with CWC obligations, and procedures to determine whether a chemical facility has declaration and record keeping requirements. The document is being distributed at this Conference; I encourage States Parties to obtain copies and distribute it to industry within their territories. It will also be available on our website at www.cwc.gov.

Three years ago, the Review Conference brought attention to the issue of national implementation, spotlighting it as essential to the effective operation of the Convention. For its part, the United States is committed to help, not only through the implementation tools we have announced today, but also through ongoing technical assistance efforts. This week's Article VII decision, which we wholeheartedly welcome, is the third Conference decision in this area in a little over three years.

But we cannot treat Article VII compliance as just a recurring administrative matter. Rather, we should set achievable milestones so that our 10th Anniversary Year will not be just another one of Oscar Wilde's uninteresting events. Helping to bring about full implementation by "Twenty in Ten" would be an important milestone on the road to universal implementation of the Chemical Weapons Convention. It is a priority that is consistent with the basic object and purpose of this organization. It is a goal to be achieved through cooperation and assistance, not through punitive measures. It is an objective that is in our security interests, and well within our grasp. With hard work, we have the chance to celebrate next year not just an anniversary, but an accomplishment.

Thank you.