



OPCW

Conference of the States Parties

Twentieth Session
30 November – 4 December 2015

C-20/NAT.46
30 November 2015
ENGLISH only

LUXEMBOURG

**STATEMENT ON BEHALF OF THE EUROPEAN UNION
DELIVERED BY
MR JACEK BYLICA, PRINCIPAL ADVISOR AND SPECIAL ENVOY FOR
NON-PROLIFERATION AND DISARMAMENT AT THE
TWENTIETH SESSION OF THE CONFERENCE OF THE STATES PARTIES**

Mr Chairperson,
Mr Director-General,
Distinguished delegates,
Ladies and gentlemen,

I have the honour to speak on behalf of the European Union.

The Candidate Countries the former Yugoslav Republic of Macedonia, Serbia and Albania, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, align themselves with this statement. Andorra, Monaco and San Marino also associate themselves with this statement.

At the outset, let me express the appreciation of the European Union for the outgoing Chairperson, Ambassador Vesela Mrden Korać of Croatia, for the efficient and effective manner in which she has handled the work of the Conference during the last year. Let me welcome you, Ambassador Eduardo Ibarrola-Nicolín of Mexico, as the new Chair of the Conference and assure you of the European Union's full cooperation and support throughout your tenure.

Our appreciation also goes to the Chair of the Executive Council Ambassador Francesco Azzarello of Italy and the other members of the Bureau for the way they have steered the work of the Council during a period of increased and challenging action for the Organisation.

I seize this opportunity to thank the Director-General for his statement, which as always provides useful guidance to our work. I also wish to reiterate our appreciation to him and to the OPCW staff for their commitment to the work of the Organisation and to their efforts regarding the ongoing Syrian chemical weapons operation very often in particularly difficult circumstances.

During the current year we have commemorated the very sad centenary of the first use of chemical weapons on a massive scale during World War I and we have adopted the Ieper



Declaration which condemns the use of these terrible weapons by anyone, anywhere and under any circumstances. The horror caused by these inhumane weapons has led to the adoption of the Chemical Weapons Convention which remains the sole international instrument to verifiably ban an entire category of weapons of mass destruction.

And yet, despite the success of the Convention, it is regrettable to witness the use again of chemical weapons, on a repeated and continuing basis. In this respect, the EU welcomes the recent decision taken at the Fiftieth Meeting of the Executive Council which condemned all use of chemical weapons in the Syrian Arab Republic and expressed grave concern about the findings of the Fact-Finding Mission reports. In two of its most recent reports the Fact-Finding Mission has concluded that the alleged incidents in the Idlib province in March 2015 likely involved the use of one or more toxic chemicals- including chlorine- as a weapon. Once again the indications, including the use of helicopters - an asset that only the Syrian Government possesses - implicate the Syrian regime in connection with chemical weapons attacks against its own citizens. It is equally worrisome that the FFM was able to confirm with utmost confidence that during an incident in the town of Marea, close to Aleppo on 21 August 2015, at least two people were exposed to sulfur mustard, and that the effects of this chemical weapon very likely resulted in the death of an infant. The EU reiterates its strong belief that the use of chemical weapons by anybody, anywhere and under any circumstances is abhorrent and must be rigorously condemned and that those responsible for such acts must be held accountable. In this vein, the EU supported the decisions taken by the Executive Council at its Forty-Eighth and Fiftieth extraordinary meetings and welcomed United Nations Security Council resolution 2209 (2015) which condemned the use of chlorine as a chemical weapon in the Syrian Arab Republic as a violation of both United Nations Security Council resolution 2118 (2013) and of the Chemical Weapons Convention. The EU also welcomed the adoption of United Nations Security Council resolution 2235 (2015) setting up a Joint Investigative Mechanism to identify in close cooperation with the FFM, perpetrators of chemicals attacks in the Syrian Arab Republic, which will constitute a powerful deterrent to the use of chemical weapons and impunity thereof. The EU strongly supports the view that any future use will trigger Chapter VII measures under the United Nations Charter.

In the light of the above, the EU fully supports the decision of the Director-General to have the FFM continue its work as long as necessary. In this respect, we call on all parties in the Syrian Arab Republic to extend their full cooperation to the FFM staff whose professionalism and commitment are exemplary and to ensure that it can carry out its work in a safe, independent and effective manner. It goes without saying that the Director-General should continue to brief the United Nations Security Council on the findings of the FFM in coordination with the United Nations Security Council as necessary.

At this point, I would like to inform that the EU is proceeding to important financial contributions to the dedicated Trust Funds established by the OPCW and by JIM in support of United Nations Security Council resolution 2235 (2015). We hope that these funds will be made available to both beneficiaries by the end of the year. It is also to be noted that several EU Member States are also proceeding to similar significant contributions.

I seize this opportunity to reiterate our appreciation to the Technical Secretariat and contributing States Parties for the progress achieved in the destruction of the declared Syrian chemical weapons and production facilities. However, we find ourselves in the regrettable situation where this Conference must also once again acknowledge many uncertainties

regarding the dismantling of the Syrian chemical weapons programme, notably the gaps and contradictions contained in the Syrian chemical weapons declarations. These uncertainties lead to doubts as to compliance by the Syrian Arab Republic with its obligations under the Convention and make it impossible to have confidence that its chemical weapons programme has been irreversibly dismantled. During this year's Executive Council sessions and meetings we had the opportunity to look into the alarming findings of the Declaration Assessment Team's five reports whereby more new questions arose than found satisfactory answers. Beyond the reports of the DAT, the Executive Council, relying on the report of the Secretariat (EC-80/P/S/1, dated 25 September 2015) issued at its Eightieth Session, underscored the substantial unresolved issues, including the gaps, inconsistencies, and discrepancies of the Syrian declaration. It stressed the importance of fully verifying that the declaration and related submissions of the Syrian Arab Republic are accurate and complete, as required by the Convention and EC-M-33/DEC.1, dated 27 September 2013. It goes without saying that the Executive Council needs to continue to monitor the situation in the Syrian Arab Republic closely and must remain seized of the matter. It is long past time for the Syrian Arab Republic to face its responsibilities and provide full transparency of its programme.

Regarding the costs arising in connection with the elimination of its chemical weapons programme and the verification thereof, the EU regrets the fact that the Syrian Arab Republic has rejected its proposal on the use of the "frozen assets" and considers unacceptable for the OPCW to let a State Party seek any excuse to avoid facing its financial responsibilities.

Turning to other points of concern, we would like to welcome OPCW's action in Iraq to assess the situation regarding the allegations of use of chemical weapons by non-State actors on its territory. We also welcome any cooperation Iraq would provide to the Technical Secretariat in order to address this serious issue. We appreciate that the Director-General keep the Executive Council informed on actions OPCW may take on this matter in the future.

Universal adherence to the Convention remains a top priority for the EU. With the accession of Myanmar and Angola this year membership has reached 192. The European Union calls upon the very few States not Party to accede to the Convention without delay. We encourage the Technical Secretariat to continue its efforts in this direction in a targeted and tailor-made manner, and reiterate our willingness to actively contribute to this common objective with concrete action such as its latest voluntary financial contribution during this year.

Regarding the destruction of declared stockpiles and verification thereof we express satisfaction with the termination of the destruction process in all but one of the Russian Federation facilities, while progress has been marked in the construction of the two remaining US facilities. In this respect, we call on the possessor States to continue their efforts to complete the destruction in the shortest time possible in accordance with the provisions of relevant decisions of the Conference of States Parties on the final extended deadlines. Furthermore we support the continuation of visits by Executive Council representatives to facilities in the possessor states in the interest of transparency.

As we are progressing towards the post-destruction era, we all wish for an effective OPCW, whose role will have to be shifted to preventing the re-emergence of chemical weapons. We welcome the relevant retreat organised by the Director-General in October as the beginning of a reflection process which will result in significant recommendations to the Fourth Review Conference in 2018.

If it is to remain relevant in the domain of prevention of the re-emergence of chemical weapons, the OPCW will need to retain adequate verification capabilities. It is imperative that the Organisation continues having staff with the necessary skills, expertise and experience to meet both operational requirements and contingencies, including verification pursuant to Article VI as well as possible challenge inspections or investigations of alleged use. This should be adequately reflected in the Short and Medium Term planning of the Organisation. In order to cope with advances in science and technology, including the convergence of chemistry and biology, the EU supports the work carried out by the members of the Scientific Advisory Board and welcomes the SAB's Working Group Report on Verification which identifies important recommendations for strengthening the Chemical Weapons Convention verification regime. The EU also supports the establishment of the Advisory Board on Education and Outreach which will constitute an important enhancement in the same direction. Finally, we would like to commend the work of the Technical Secretariat in assisting States Parties in their declaration process: the new tools put at the disposal of the States Parties, such as the SIX submission system, are expected to assist States Parties in this direction.

The EU calls on all chemical professionals to live up to the provisions of the newly established "The Hague Ethical Guidelines", an inclusive text drafted by chemistry practitioners from countries in every regional group, as they constitute an important step to advance understanding among chemistry practitioners of the importance of nurturing responsible and ethical norms for scientific research and development. States Parties and the Technical Secretariat as well as the Advisory Board on Education and Outreach can play an important role to promote awareness of these guidelines and their possible application.

The close cooperation between the United Nations, WHO and the OPCW in the Syrian operation has produced many valuable lessons learned that should guide our work in the future. Cooperation with other relevant international organisations, such as the BTWC ISU, CTBTO and the IAEA, has also proven fruitful. In the same vein, regular engagement and cooperation with all stakeholders, including the chemical industry, academia and civil society, ought to be further and fully utilised.

Looking back towards national implementation of the Convention in accordance with Article VII, we cannot but observe that results remain modest. It is regrettable that 18 years after the Convention entered into force, a relatively high number of States Parties has not put into place and enforced all necessary legislative and administrative measures. The European Union acknowledges the often very serious challenges and competing priorities some States Parties face and continues assisting in this area, not only through the new voluntary contribution, but also through extensive outreach. We also support the Technical Secretariat's efforts to put in place tailor made relevant solutions including through education and outreach, drawing on experiences of European CBRN Risk Mitigation Centers of Excellence.

The European Union attaches great importance to the work carried out under Article X, which constitutes one of the core pillars of the Chemical Weapons Convention. The European Union encourages all States Parties to submit adequate and timely declarations under Article X and increase offers of assistance.

The European Union actively supports the OPCW activities regarding assistance, protection and international cooperation directed at States Parties from all regional groups with

particular emphasis placed on support to the OPCW's Programme for Africa. The most recent EU Council decision for the years 2015-16 contains many projects designed to advance work in this area. We encourage States Parties to take advantage of the assistance provided through the funded activities, by participating in them according to their own needs. The EU also stands ready to discuss concrete proposals put forward under Article XI, in accordance with the relevant decision taken by the Third Review Conference in April 2013.

In the light of recent developments in different parts of the world, we acknowledge the importance of action to promote chemical safety and security and the need for the OPCW to adapt its work accordingly. We expect the open-ended Working Group on terrorism under its new Chair to look into some of these new challenges and to make useful relevant recommendations. We also welcome the establishment of the sub-Working Group on non-State actors that is hoped to shed light in this newly manifested phenomenon. Their work proves that the OPCW can play an important role in the fight against chemical terrorism and the threat of transnational terrorism. In this respect, the EU supports the efforts of H.E. Tony Aidoo, Ambassador of Ghana Chair of the OEWG and of H.E. María Teresa Infante, Ambassador of Chile Chair of the Sub-Working Group. The issuance of three relevant notes by the Technical Secretariat will provide useful guidance in this respect.

Finally, the Member States of the European Union, whose contributions amount to more than 40% of the OPCW budget, have contributed actively in the consultations on the Programme and Budget for 2016. The Member States of the EU support the need for a Programme and Budget which will allow the Organisation to discharge of its core tasks and activities and remain relevant amidst the emerging challenges. We seize this opportunity to call on States Parties that are in serious arrear of payment of their annual contribution. By not paying what they owe to the OPCW, they take a big responsibility in disturbing the financial balance of the Organisation.

We should all be reminded of the essence of the OPCW's work: to achieve a world free of chemical weapons by destroying existing chemical weapons and preventing their re-emergence. We should also be reminded that this endeavour is a collective one and that it can only be achieved through a cooperative and multilateral approach. We are looking forward to working with all delegations in a constructive and open manner at this Conference and we trust that it will be a success.

In closing, I would like to request that this statement be circulated as an official document of the Conference and be published on the OPCW website and extranet.

--- 0 ---