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**SLOVAKIA**

**STATEMENT ON BEHALF OF THE EUROPEAN UNION  
DELIVERED BY MR JACEK BYLICA  
SPECIAL ENVOY FOR NON-PROLIFERATION AND DISARMAMENT AT THE  
TWENTY-FIRST 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 Turkey 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 Georgia 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 Eduardo Ibarrola-Nicolín of Mexico, for the efficient and effective manner in which he has handled the work of the Conference during the last year. Let me welcome you, Ambassador Christoph Israng of Germany, 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 Odette Melono of Cameroon 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 commend him for his leadership promoting and defending the Convention and its credibility. 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 challenging circumstances.

One year after we had commemorated the very sad centenary of the first use of chemical weapons on a massive scale during World War I, the European Union is appalled by the recurring and systematic use of chemical weapons in Syria, as reported by the OPCW Fact-Finding Mission (FFM). The European Union is equally appalled by the findings of the



third and fourth report of the OPCW-United Nations Joint Investigative Mechanism (JIM) that the Syrian Arab Armed Forces have been involved in the use of toxic chemicals as weapons in three cases and that the so-called “Islamic State of Iraq and the Levant” (ISIL) has been involved in the use of sulfur mustard in one case.

This is the first time in the history of the OPCW that an independent body, created by the United Nations Security Council through its resolution 2235 (2015), has confirmed the use of chemical weapons by a State Party to the Convention, as well as by non-State actors such as the so-called ISIL. This clear case of violation of the provisions of the Convention warrants appropriate action as envisaged by United Nations Security Council resolution 2118 (2014) and foreseen in the Convention, which remains the sole international instrument to verifiably ban an entire category of weapons of mass destruction.

In this respect, the EU welcomes the recent decision taken at the Eighty-Third Session of the Executive Council which condemned the use of chemical weapons in Syria both by SAR Armed Forces, as well as by the so-called ISIL and expressed grave concerns about the findings of the JIM reports. The EU echoes the call in the aforementioned decision that all parties identified in the JIM reports as having been involved in the use of toxic chemicals as weapons, should immediately desist from any further use.

The EU reiterates its strong belief that the use of chemical weapons by anyone, including non-State actors, anywhere and under any circumstances is abhorrent and must be rigorously condemned and that those responsible for such acts must be held accountable. The use of chemical weapons constitutes a violation of international law, a war crime, and a crime against humanity. The EU strongly supports and recalls United Nations Security Council resolutions 2118 (2014) and 2235 (2015), in which the United Nations Security Council resolutions affirm that any use of chemical weapons in Syria should trigger Chapter VII measures under the United Nations Charter. It is deplorable that allegations on the use of chemical weapons both by SAR Armed Forces, as well as non-State actors, continue even in recent months. In the light of the above, the EU welcomes the adoption by consensus of United Nations Security Council resolution 2319 (2016) renewing JIM's mandate for one more year to continue identifying perpetrators of chemical attacks in Syria. The EU also 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. In parallel the Director-General should continue to brief the United Nations Security Council on the findings of the FFM in coordination with the United Nations Secretary-General as necessary.

The EU strongly supports the work of the Declaration Assessment Team (DAT), but is forced to deplore the fact that, as the Director-General stated in his report at our July session of the Executive Council, due to the Syrian response the OPCW cannot confirm that the Syrian declaration is “accurate and complete”. We therefore find ourselves in the regrettable situation where this Conference must once again-more than 3 years after Syria’s accession to the Convention-acknowledge many and deeply troubling uncertainties regarding the dismantling of the Syrian chemical weapons programme, notably the gaps and contradictions contained in the Syrian chemical weapons declarations. These uncertainties are reinforced by the findings of the JIM that the Syrian Armed Forces have used chemical weapons on at least 3 occasions and ISIL/Daesh in one location.

Following extensive technical consultations on these results, the Secretariat considers that many of the explanations provided by the Syrian Arab Republic are not scientifically or technically plausible, and that the presence of several undeclared chemical warfare agents is still to be clarified. Syria has manifestly failed to declare its full chemical weapons programme and activities, in compliance with the Convention, and failed to irreversibly dismantle its chemical weapons programme and put its chemical weapons beyond use. The EU is deeply concerned that these chemical weapons might fall in the hands of terrorist groups.

The EU therefore regrets that the Secretariat is unable to verify the precise quantity of chemical weapons that were destroyed or consumed prior to the Syrian Arab Republic's accession to the Convention. We recall the report of the Director-General on the DAT work and bilateral consultations in which he highlighted that "without a change in the approach by the Syrian Arab Republic, no further progress will be possible". The Secretariat has reiterated its call for the Syrian Arab Republic to provide information that is scientifically and technically plausible, to facilitate access to individuals with strategic knowledge and oversight of the Syrian chemical weapons programme, and to engage in a dialogue that is proactive and fully transparent. The EU expects that the Syrian Arab Republic will implement the decision of the Eighty-Third Session of the Executive Council in its entirety and will intensify its efforts of cooperation with the Technical Secretariat of the OPCW to resolve all outstanding issues including to fully declaring relevant toxic chemicals and associated facilities.

The EU and its Member States have supported, by significant contributions, the work of the OPCW in verifying the dismantling of the declared Syrian chemical weapons programme. 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. Regarding the costs arising in connection with the elimination of its chemical weapons programme and the verification thereof, the EU regrets the fact that Syria has rejected its proposal on the use of the "frozen assets" and considers it unacceptable for the OPCW to let a State Party seek any excuse to avoid facing its financial responsibilities specified in Article IV paragraph 16 of the Convention.

We commend the OPCW for planning the safe removal of the remaining chemical weapon precursors from Libya for destruction outside the country. This constitutes a positive and important development for Libya's stabilisation. It also illustrates the relevance of the OPCW vis-à-vis the risk of non-State actors and chemical weapons. We also commend the Libyan Government and several States Parties, including a number of EU Member States, which made key contributions through providing maritime transport, a suitable destruction facility, personnel, technical expertise, equipment, financial and other resources. The EU and its Member States confirm their readiness to support the full implementation of the destruction plan regarding remaining tasks.

We also appreciate that Iraq keeps the Executive Council informed about its investigations of the allegations of use of chemical weapons by non-State actors on its territory and welcome the support of the Technical Secretariat. We welcome this cooperation which illustrates, once again, the value for States Parties to cooperate with the OPCW, when facing the threat or the use of chemical weapons, including by non-state actors.

Universal adherence to the Convention remains a top priority for the EU. We once again call upon the United Nations members not yet Party, the Democratic People's Republic of Korea,

Egypt, Israel and South Sudan to ratify or accede to the Chemical Weapons Convention without delay, and without conditions, thus contributing to the goal of a world free of chemical weapons. We encourage the Technical Secretariat to continue its efforts in this direction in a targeted and tailor-made manner and reiterate that the EU, through its current voluntary financial contribution and relevant action, continues its active support to the Technical Secretariat's efforts and stresses its willingness to assist new States Parties to meet their obligations under the Convention.

Regarding the destruction of declared stockpiles and verification thereof, 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 the States Parties on the final extended deadlines. Furthermore, we support the continuation of visits by Executive Council representatives to facilities in the possessor States Parties in the interest of transparency. It is recalled that the EU and EU-Member States have supported this action with financial assistance.

As we are progressing towards the post-destruction era and regarding the future of the OPCW, the EU wants a successful security and disarmament organisation that will remain relevant in the face of new challenges. In this vein, the OPCW will need to retain or enhance several of its capabilities and primarily ensure an adequate verification regime. In parallel, the issue of chemical security and safety should be given adequate importance to cope with recent developments. We look forward to a constructive discussion in the OEWG on the future priorities of the OPCW.

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 to have 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. We believe that this may require some limited revision to the tenure policy in order to avoid the loss of skills and expertise. 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 (SAB) and encourages further discussion on SAB recommendations aiming at strengthening the Convention's verification regime. The EU also looks forward to the recommendations 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 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 and we encourage them to make full use of this system's capabilities.

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 19 years

after the Convention entered into force, 42 States Parties have not put in 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. In this respect, we support the work of the facilitator on Article VII in the hope that the outcome of his extensive interaction with all regional groups will result in identifying useful solutions thereof.

The EU encourages all States Parties to submit adequate and timely declarations under Article X, and to increase offers of assistance. The OPCW should continue to focus on the capacity of the Technical Secretariat to support States Parties to prevent, respond to and mitigate incidents or attacks involving toxic chemicals. The European Union continues to support activities related to national implementation, assistance and protection, international cooperation and in particular the Africa Programme. We believe that cooperation with the regional EU Centres of Excellence can be of particular importance in this direction. The European Union 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 the current international security situation we believe that the OPCW must take action to promote chemical safety and security, to address these challenges including in cooperation with other regional and global actors. The European Union is gravely concerned about the risk of State and non-State actors acquiring such weapons, which has already become a dark reality in Syria and Iraq. The implementation of all Articles of the Convention constitutes a tangible contribution to the effort to prevent and respond to acts of terrorism and by non-State actors in the field of chemical security. The EU believes that the Executive Council should not remain silent on threats posed by non-State actors and calls for the swift adoption of the relevant draft decision.

In the same vein, we expect the Open-Ended Working Group on Terrorism to look into some of the new challenges and to make useful relevant recommendations. In this respect, the EU supports the efforts of H.E. Tony Aidoo, Ambassador of Ghana, Chair of the OEWG on Terrorism, and of H.E. María Teresa Infante, Ambassador of Chile and Chair of the Sub-Working Group on Non-State Actors. Their work proves the relevance of the OPCW in playing an important role in the fight against chemical terrorism and the threat of transnational terrorism.

Finally, the Member States of the European Union, whose contributions amount to more than 40% of the OPCW budget 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. In the same vein, the Member States of the EU have contributed actively in the consultations on the Programme and Budget for 2017. We seize this opportunity to call on States Parties that are in serious arrear of payment of their annual contribution to pay what they owe to OPCW immediately. By not paying what they owe to the OPCW, they take a big responsibility in undermining the effective functioning of the Organisation and in constraining the resources available to support States Parties in need of assistance.

The recent reports of the JIM and the decision of the Executive Council, (EC-83/DEC.5, dated 11 November 2016), reminds us of the fundamental aims of the Convention and the essence of the OPCW's work to achieve a world free of chemical weapons by destroying

existing chemical weapons and preventing their use and 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.

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