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UNITED STATES OF AMERICA

**STATEMENT BY DEPUTY ASSISTANT SECRETARY MALLORY STEWART
DELEGATION OF THE UNITED STATES OF AMERICA AT THE TWENTY-FIRST
SESSION OF THE CONFERENCE OF THE STATES PARTIES**

Mr Chairman,
Mr Director-General,
Distinguished delegates,

I am pleased to join you here today to continue our work together to strengthen the implementation of the Chemical Weapons Convention. As events have clearly illustrated since the Conference of States Parties last convened, the Convention and the Organisation for the Prohibition of Chemical Weapons remain as relevant and vital as ever. Before turning to the work at hand, I wish to warmly congratulate Ambassador Christoph Israng on the assumption of his important duties and to assure him of the United States' delegation's full support. I would also like to express our appreciation to the outgoing Chairperson, Ambassador Eduardo Ibarrola-Nicolín, to the Director-General, Ambassador Ahmet Üzümcü, and to all of the staff of the Technical Secretariat.

I must address a number of issues today, but none is more crucial to the future of the Convention than addressing the confirmed use of chemicals as weapons in Syria, and working to deter and prevent State and non-State actors from using such weapons ever again. On November 11, the Executive Council:

- condemned in the strongest possible terms the use of chemical weapons by the Armed Forces of the Syrian government;
- called for accountability for all actors involved in the heinous use of chemical weapons by Syria; and
- imposed additional and necessary stringent verification measures on Syria.

In taking its decision, the Council responded responsibly to the findings of the OPCW-United Nations Joint Investigative Mechanism (JIM), which determined that the Syrian Arab Armed Forces used toxic chemicals as weapons in Syria in three separate attacks in 2014 and 2015.

In the same decision, the Council condemned in the strongest possible terms the use of chemical weapons by the so-called "Islamic State of Iraq and the Levant"-also known as "Da'esh"-in one attack in Syria in 2015.



As we all agree, any use of chemical weapons is deeply abhorrent and cause for alarm. The use of chemical weapons by Da'esh is repugnant and an example of the growing threat of non-State actor use of chemical weapons. It underscores the importance for all States Parties to take affirmative steps to counter the threat through the effective implementation of national measures, consistent with obligations under Article VII of the Chemical Weapons Convention.

However, the crucial imperative to address the non-State actor threat should not distract from, nor diminish, the urgent need to address the principal challenge before the international community and this august body: the confirmed use of chemical weapons by Syria – a State Party to the Convention. Syria's flagrant use of chemicals as weapons is a direct assault on the Convention. For the first time in the history of the Convention, we are facing the confirmed use of chemical weapons by a State Party. We cannot ignore this, and we must redouble our efforts to defend the integrity of our treaty and the international norm it embodies. When any international law is allowed to be blatantly and repeatedly violated with no consequences, all international law is weakened.

Moreover, the Syrian regime's repeated use of chemical weapons, as reported by the JIM, further underscores the urgency that all States Parties must attach to fully addressing the gaps, inconsistencies, and discrepancies in Syria's declaration. This is true for a number of reasons.

Firstly, there is already a long list of open issues associated with Syria's declared chemical weapons programme and the JIM has confirmed Syrian Arab Armed Forces willingness to use chemical weapons. Additionally, the Convention is clear, that any chemical employed for its toxic properties in warfare is defined as a chemical weapon. We must now recognise the need for Syria to fully declare all of the materials and facilities associated with its production and use of chlorine barrel bombs. This requirement is all the more urgent in light of continuing credible reports of the use of chlorine barrel bombs by the Syrian regime, including as recently as this month.

Secondly, the presence of non-State actors in the region, who actively aspire to acquire chemical weapons, makes it even more critical that Syria completely declare and eliminate the remaining elements of its chemical weapons programme. There must be absolute transparency to confirm that nothing is left for anyone to use.

Against this backdrop, the United States commends the personnel of the OPCW Fact-Finding Mission for their courageous work to verify where chemical weapons have been used in Syria. The United States also commends the tireless efforts of the OPCW's Declaration Assessment Team, which has the daunting task of verifying Syria's chemical weapons declaration. That task is made all the more challenging in the face of continued dissemblance, delay, and defiance from Damascus.

Amid the alarming news coming out of Syria regarding chemical weapons use, and its sobering implications for the Convention, this past year we were pleased to collaborate with other States Parties and the Technical Secretariat in an effort that resoundingly reaffirmed the possibilities and great promise of the OPCW. I am referring to the removal of the remaining chemical weapons precursors from Libya for destruction. That effort stands as a shining example of what States Parties can accomplish together, transparently and efficiently, when we approach difficult challenges with ingenuity, goodwill, and determination. On behalf of

the United States, I warmly commend the efforts of the Libyan Government, the OPCW Technical Secretariat, and the many States Parties that contributed to this important success.

I am also pleased to report that the United States continues to make steady, measurable progress toward the complete elimination of our own stockpile. We remain fully committed to completing chemical weapons destruction as safely and as quickly as practicable, and consistent with our planned completion date. The United States has, as of 31 October this year, destroyed 24,952 metric tons, nearly 90 percent, of our declared Category 1 chemical weapons. More than 2.33 million munitions and containers have been destroyed, including 100 percent of our binary chemical weapons. With the successful commencement of operations at the Pueblo Chemical Agent-Destruction Pilot Plant on 7 September, United States' efforts to complete destruction of our remaining stockpile gained additional momentum. We look forward to welcoming members of the Executive Council to the United States in April 2017 to visit the Blue Grass Chemical Agent-Destruction Pilot Plant, which constitutes the final phase of the United States' chemical weapons destruction programme.

The United States is pleased again this year to co-sponsor the statement (C-21/NAT.3/Rev.2) highlighting the risks posed to the Convention by central nervous system-acting chemicals in law enforcement scenarios. In connection with such scenarios, these chemicals are often referenced by the misleading term "incapacitating agents". However, as the thirty-three co-sponsors to the statement remind us, central nervous system-acting chemicals cannot be used safely to incapacitate outside of a clinical setting. Instead, these chemicals lend themselves to the potential use as deadly chemical weapons. More specifically, there is growing concern that the development, production, acquisition, and stockpiling of these chemicals for supposed law enforcement purposes could constitute a "backdoor" to the re-emergence of chemical weapons possession and use. We believe this matter warrants further discussion and consideration by all States Parties, and we therefore continue to encourage all delegations that have not yet done so to put their views on this matter on the record. The United States commends Australia and Switzerland for spearheading this initiative. I can firmly state once again that the United States is not developing, producing, stockpiling, or using central nervous system-acting chemicals for law enforcement purposes, nor are we using riot control agents as a method of warfare.

The United States commends the efforts of the Technical Secretariat in developing a Programme and Budget proposal for 2017 that we believe will contribute prudently to addressing one of the financial challenges of the OPCW. I am referring specifically to the concerted measures envisioned for rebuilding the Working Capital Fund. These measures are essential to ensuring that the Organisation is able to meet its financial commitments and to continue to operate in the event of unpredictable, episodic cash-flow shortfalls. At the same time, it is important to underscore that rebuilding the Working Capital Fund is a necessary, but not by itself, sufficient condition for ensuring the long-term financial health of the OPCW. Regrettably, the principal challenge in this regard remains the failure of some States Parties to pay their OPCW assessed contributions and other invoices. If left unaddressed, the resulting, growing income deficit threatens the ability of the OPCW to fulfil its core functions.

Furthermore, the OPCW's ongoing financial crisis necessarily consumes substantial amounts of management attention, both at the Technical Secretariat and among States Parties. This is particularly unfortunate now, at a time when we need to focus our collective attention on upholding the strength and effectiveness of this Organisation and the international norm,

including confronting the complex challenges highlighted by the use of chemical weapons in Syria. With that in mind, the United States looks forward to engaging actively in the deliberations of the recently launched Open-Ended Working Group on Future Priorities of the Organisation. And, we welcome the efforts of Canada and South Africa in their very able coordination of that Working Group.

The OPCW will mark its twentieth anniversary next year. Over the past two decades, the hallmarks of this remarkable Organisation have been innovation, pragmatism, and impeccable credibility. Confronted by a dynamic and increasingly complex international system, the OPCW has risen to every challenge. This Organisation and the Convention that it serves deserve the strong support of all States Parties. Through our collective stewardship we can ensure that the OPCW will continue to play its indispensable and unique role in global security.

Mr Chairman, I request that this statement be considered an official document of the Twenty-First Session of the Conference of the States Parties and posted on the external server and the public website.

Thank you.

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