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STATEMENT OF CANADA

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**TWENTY-SECOND CONFERENCE OF THE STATES PARTIES TO
THE CHEMICAL WEAPONS CONVENTION**

as delivered by

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PERMANENT REPRESENTATIVE OF CANADA TO THE
ORGANISATION FOR THE PROHIBITION OF
CHEMICAL WEAPONS**

**THE HAGUE
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Distinguished Chairperson, Director-General, Permanent Representatives, colleagues,

Let me start by welcoming your election to this position, Mr Chair, and pledging my delegation's cooperation throughout these proceedings. I would like to thank your predecessor Ambassador Israng as well as the General Committee of the 21st Session of the Conference, the Director-General, and the staff of the Technical Secretariat who have worked so diligently to prepare everything we need for our work this week.

Canada restates its condemnation of the **Syrian Arab Republic** for its continuing breaches of the Chemical Weapons Convention (CWC), and condemns both Syria and Daesh for violations of international humanitarian law. We are deeply distressed by the conclusions of the OPCW-UN Joint Investigative Mechanism (JIM) in its report of October 26: that Syrian government forces deployed an aerial bomb containing sarin on April 4 in Khan Shaykhun, and that Daesh fired munitions containing sulphur mustard at Umm Hawsh in September 2016. This is the fourth time the Assad regime has been found responsible for chemical weapons use – evidence, if any more was needed, of a conscious choice by its senior leadership to ignore its international legal obligations and weaken the global taboo against such weapons.

Every member of this Conference should be outraged by the JIM's conclusions. It is not enough that the Syrian government was found responsible for using chlorine barrel bombs on at least three occasions in 2014 and 2015. Syria's military has now been found to have used the very nerve agent it claims to have shipped outside the country for destruction. Use requires possession; failure to disclose such possession creates another clear violation of the Convention, namely Syria's failure to be open and honest in its declaration.

Mr Chair, the JIM's findings converge directly with what the OPCW's Declaration Assessment Team (DAT) has been telling us for a year and a half: that Syria has not fully accounted for its chemical weapons program, and that some of the most glaring holes in its story point to the retention of a sarin production capability. We must collectively recall the Director-General's conclusion in June 2016 that Syria's explanations are "not scientifically or technically plausible" and that there is no point pursuing further dialogue without a complete change of approach by Damascus. This determination still stands.

Since then, Syria has consistently failed to produce meaningful documentation, senior decision-makers from its chemical weapons program, or cogent clarifications, or to act on the Secretariat's advice. Indeed, the DG's report of October 4 on his high-level consultations with Syria makes it clear that Damascus is manipulating the process to project a false image of cooperation. This process makes a mockery of a verification regime to which every other State Party has faithfully submitted, and abuses the Secretariat's time and goodwill.

As stewards of the Chemical Weapons Convention, Conference members must be prepared to adopt measures that are within its power under the Convention in order to address such breaches. Canada was disappointed that the Executive Council was unable to take action last week. The Syrian government's actions are illegal and indefensible, and measures must be imposed on Syria to bring it back into compliance with the Convention. Failure to act will leave the OPCW a permanently diminished organisation, one incapable of defending its foundational tenets.

Sadly, conditions were also not in place for the Security Council to refer the JIM's compelling body of evidence to an appropriate judicial mechanism, or to continue its investigation into more than 60 cases of confirmed use. Canada deplores Russia's eleven vetoes – and counting – in the Security Council to shield its Syrian ally from censure. This systematic obstruction callously ignores the suffering of Syrians and prevents the perpetrators of these atrocities from being held accountable.

Just last week, I walked to the International Criminal Tribunal for the Former Yugoslavia to hear the verdict against Ratko Mladic. On my way into the court, I passed hundreds of survivors and families of victims of the crimes committed in Bosnia in the 1990s. Accountability is not a game between states, played for the sake of political one-upmanship. Accountability for wartime atrocities brings closure to victims and lays the groundwork for peace and reconciliation.

Canada takes some solace in knowing that the JIM not only performed its job admirably, but that it has helped to build cases against those responsible. The Mechanism's tireless efforts have helped advance future accountability, and Canada fully expects that justice will eventually be served. Canada expresses its deep gratitude to the leadership and staff of the JIM, as well as to members of the OPCW's Fact-Finding Mission (FFM) and Declaration Assessment Team. We laud their objectivity, dedication, competence, and professionalism in seeing their crucial missions through. Canada is proud to have contributed €5.8 million in voluntary funding since 2016 to support the contingency operations of the Technical Secretariat and the JIM and, by extension, the objectives of the Convention as a whole. We will do everything in our power to ensure that the pursuit of justice for victims of these atrocities does not end here.

In this context, we note the important role of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in Syria (IIIM), created last year by the UN General Assembly. As long as credible allegations of chemical weapons use in Syria continue to surface, we expect the FFM to continue its essential work. We also expect its reports to be shared, if requested, with the IIIM.

Turning to more positive news, Canada congratulates the **Russian Federation** on completing the elimination of its declared chemical weapons stockpile on September 27. This is an accomplishment that would not have been possible without the dedication of thousands of individuals, including the many OPCW inspectors who deployed around the clock over the last two decades to verify that the mission was accomplished. We extend our sincere gratitude to each and every one of them.

Canada acknowledges the critical contributions made by many international partners under the banner of the Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Members of the Global Partnership provided billions of dollars and sophisticated technical support to assist the Russian government in achieving this milestone. For Canada's part, we are proud to have contributed more than \$200 million toward the construction and operation of the destruction facilities at Shchuch'ye and Kizner, which together eliminated more than 10,000 tonnes of nerve agent and millions of CW munitions. The complete destruction of Russia's declared CW stockpile provides incontrovertible proof that where strong leadership, collective resolve, trust, and coordinated action meet, no task is too difficult.

The recent conclusion of destruction operations at Germany's GEKA facility marks the end of a multi-year international undertaking to help **Libya** eliminate its chemical weapons program. One of Canada's proudest contributions to global disarmament in the last decade has been our role in this effort, anchored by €4.5 million in voluntary funding since 2012 which helped destroy Libya's sulphur mustard stockpile as well as hundreds of tons of precursors. We commend the OPCW for verifying this complex undertaking, and applaud the initiative and cooperation of Libya's Government of National Accord in facilitating removal. Keeping these toxic chemicals out of the hands of Da'esh or other armed groups has made North Africa and the world more secure. It has also showcased the convening and operational capabilities of the OPCW, reaffirming its enduring, essential place in the international security architecture.

Turning to another State Party committed to eliminating its legacy stockpile, Canada welcomes the Director General's statement yesterday that **Iraq** has completed the encapsulation of CW remnants at the Al-Muthana bunker complex. Canada has been happy to assist, providing funds through the OPCW to train Iraqi first responders in medical countermeasures, as well as National Authority experts in sampling, analysis, and decontamination. These skills have allowed government authorities not only to finish the hazardous job at Al-Muthana, but could assist them in responding to and investigating chemical weapons attacks by Da'esh on Iraqi territory. Canada looks forward to Iraq's final report confirming the complete elimination of its chemical weapons program.

On administrative matters, Canada is pleased to support the **Draft Program and Budget for 2018** and to express appreciation for the smooth consultations which produced it in September. We welcome the Secretariat's continuing respect for principles of Zero Nominal Growth and zero-based budgeting in its initial proposal to States Parties. In future years, we expect the Secretariat to be more proactive in maintaining an appropriate balance between operational and support staff numbers. We are also pleased to see the target level for the Working Capital Fund raised to a range of €7 to 9 million, and welcome the flexibility shown by delegations in using the 2015 surplus of €2 million to boost the Fund closer to that target while also covering the extra one-time costs of the 4th Review Conference.

Despite these positive developments, Canada remains concerned with the Organisation's precarious **cash position**. It bears repeating that the only reason we are in this situation is the failure of some States Parties to pay their assessed contributions and verification costs. It is unacceptable that such delinquency may prevent the Technical Secretariat from fully implementing its program of work. Membership in the OPCW comes with rightful benefits, but it also comes with matching obligations. Canada believes firmly that **states in arrears** must face the consequences of non-payment, and not just on voting rights: Canada's view is that States Parties with more than two years' worth of outstanding dues should not enjoy access to staffing opportunities within the Secretariat for its citizens.

Canada was honoured to have been elected co-chair of the **Open-Ended Working Group on Future Priorities** last year. We are conscious of the trust States Parties have invested in me and my South African colleague for this important task, and we pledge to continue working diligently and transparently with the facilitators of other informal mechanisms, regional coordinators, the Secretariat, and of course all States Parties to develop consensus-based recommendations for the Fourth Review Conference.

One emerging challenge which Canada, in its national capacity, sees as essential to be addressed is the threat posed by **central nervous system-acting chemicals** to the goals of the CWC. We simply cannot turn a blind eye to a phenomenon which could trigger the re-emergence of chemical weapons under a different name. Canada's position is clear: we are not developing, producing, stockpiling, nor using any toxic chemicals other than Riot Control Agents for law-enforcement purposes. We have therefore subscribed again this year to the joint paper on the aerosolisation of CNS-acting chemicals, and call on others to do the same. It is Canada's view that these agents, which possess unpredictable and potentially lethal properties, have no place in riot control or other law-enforcement activities. We thank Australia and Switzerland for their leadership, and encourage all States Parties to consider how the Policy-Making Organs might address this issue in the years ahead. We also urge those who have developed national policies to declare them in formal meetings.

Canada also notes that the last four years have seen greater changes in the operating environment and practices of the **verification regime** than the previous sixteen years combined. Remote verification, satellite imagery, and forensic analysis of audio and video footage have proved to be valuable verification tools. Removal and destruction of chemical warfare agents outside the territory of possessor states in international waters or at commercial facilities was unforeseen by CWC negotiators but, under stringent OPCW verification, has served chemical disarmament and international security well. The success of new, innovative mechanisms like the JIM and the FFM in investigating chemical weapons use is a major achievement which bears witness to the pragmatic adaptability of the CWC and the OPCW.

While routine verification of industry and CW destruction remains fit for purpose, recent events show that state and non-state actors remain willing and able to develop and use chemical weapons. The Secretariat's analytical and investigative capabilities need to be upgraded, including in the area of **chemical forensics**, to allow for identification of perpetrators. In this context, Canada welcomes the Council's decision earlier this year to include new validated data of non-scheduled chemicals, degradation products, synthesis by-products of scheduled chemicals, and Riot Control Agents in the **OPCW Central Analytical Database (OCAD)**. This will make OCAD a more useful and pertinent tool for inspectors, including in any Investigations of Alleged Use (IAUs) or Challenge Inspections (CIs). We also look forward to the conclusions of an ongoing study, funded by Canada's WMD Threat Reduction Program, to assess options for upgrading the OPCW Laboratory so that it remains fit to handle new demands.

As a final point on future priorities, the long-term retention of critical expertise, especially for non-routine deployments but also for industry verification, must be safeguarded. Canada believes this will require revisiting the current **tenure policy**. No organisation which wants to sustain success on complex and technical files forces its most talented and experienced professionals to leave after seven years. In this regard, Canada supports the draft decision on rehiring of inspectors, which will allow the Director General to maintain a sufficient stock of seasoned Team Leaders to support non-routine deployments as well as facilitate training and transfer of knowledge to the next generation of inspectors.

In conclusion, Mr Chair, Canada wholeheartedly endorses the Executive Council's recommendation that Ambassador Fernando Arias be appointed as the **next Director General**. We pledge Canada's full support as he transitions into the position.

At the same time, we wish to salute the remarkable achievements of the **current Director General**, Ahmet Üzümez. Director General, your tenure has been transformative for this Organisation, as you initiated its transition to a post-destruction phase and steered it through the most important crisis it has ever faced. You did so with deep diligence, unflappable decorum, and impressive stamina – unwavering in your commitment to uphold the fundamental norms and principles enshrined in the Convention. You have done a great service to the cause of global security and disarmament, and we wish you the best in your future endeavours.

Mr Chair, I ask that this statement be circulated as an official document of the 22nd Session of the Conference and posted on the OPCW's public website.