

CHECK AGAINST DELIVERY



**STATEMENT ON BEHALF OF THE EUROPEAN UNION
DELIVERED BY MR. JACEK BYLICA, SPECIAL ENVOY
FOR DISARMAMENT AND NON-PROLIFERATION
AT THE 22ND CONFERENCE OF THE STATES PARTIES
(THE HAGUE, 27 NOVEMBER-1 DECEMBER 2017)**

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 Albania, The Former Yugoslav Republic of Macedonia and Turkey, as well as Iceland, Norway and Ukraine 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 Christoph Israng of Germany, 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 Abdelouahab Bellouki of Morocco, 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 current and former Chairs of the Executive Council Ambassador Sheikh Mohammed Belal of Bangladesh and Ambassador Odette Melono of Cameroon.

I seize this opportunity to thank the Director-General for his statement, which as always provides useful guidance for our work. I commend him for his leadership in promoting and defending the CWC 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.

We express appreciation for the approval by consensus of the decision of the EC-86 to recommend to the 22 CSP Ambassador Fernando Arias of Spain for the post of the new Director General to take up his duties in July 2018. The EU will support the new Director General in his work to lead this Organisation forward to create a world free of Chemical Weapons. The 4th review Conference in November 2018 will be an important milestone in this regard.

Mr. Chairperson,

In 2015 we commemorated the very sad centenary of the first use of chemical weapons on a massive scale during World War I. This year we celebrate the 20th anniversary of the OPCW, the organisation which is overseeing implementation of the Convention on Chemical Weapons. The Convention is the first multilateral

instrument to ban an entire category of weapons of mass destruction under international verification. Despite the successes we have celebrated the Convention faces fundamental challenges today that its drafters had hoped to consign to history. We are appalled by the recurring and systematic use of chemical weapons in Syria by the Syrian government and by ISIL. The OPCW-UN Joint Investigative Mechanism (JIM) concluded in its 7th report on 26 October that Syria had used sarin at Khan Sheikhoun on 4 April 2017, and that ISIL had used sulphur mustard at Um Housh on 15 and 16 September 2016. This is the second time that an independent body, created by the UN Security Council through its Resolution 2235 (2015), has confirmed the use of chemical weapons by a State Party to the CWC, as well as by non-state actors such as ISIL. This clear case of violation of the provisions of the CWC warrants firm and appropriate action as envisaged by UN Security Council Resolution 2118 and foreseen in the CWC. The perpetrators of such horrific acts must be held accountable. The EU reiterates its condemnation in the strongest terms of all use of chemical weapons. The use of chemical weapons, including the use of any toxic chemicals as weapons by anyone, be it a State or non-State actor, anywhere and under any circumstances constitutes a violation of international law, and may amount to a war crime, and a crime against humanity. The EU remains committed to supporting the OPCW in its efforts to fulfil the goal of the Convention of a world free of chemical weapons, thus contributing to international peace, security and to general and complete disarmament.

The EU is seriously concerned by the findings of the most recent Fact Finding Mission report. The report states that "the Fact Finding Mission (FFM) is able to conclude that sarin was more than likely used as a chemical weapon on 30 March 2017 in the south of Ltamenah". The victims of this and other chemical weapons attacks deserve justice, and that requires the perpetrators to be identified. There can be no impunity and those responsible for such acts must be held accountable. It is with great regret that with all the evidence of chemical weapons use in 2017 in Syria the OPCW EC is yet to opine on this matter.

In this regard, the EU is deeply concerned that Russian vetoes have blocked the renewal of the mandate of the OPCW-UN Joint Investigative Mechanism, to further investigate this and other incidents and identify those responsible for the use of chemical weapons. In this respect, on Friday 24 November the High Representative Ms Mogherini made a Declaration on behalf of the EU which set out our grave concern on the failure to reach agreement on the renewal of the mandate of the JIM, which undermines attempts to ensure accountability for the use of chemical weapons in Syria and damages efforts to consolidate the international chemical non-proliferation regime. We call for quick action that will allow JIM to continue its crucial work. Perpetrators must be identified and held accountable.

The EU strongly supports the ongoing work of the FFM considering other allegations of chemical weapons use in Syria. We call on all parties in Syria to ensure unfettered and safe access to all locations the FFM deems necessary. The OPCW's Declaration Assessment Team (DAT) must also continue its work to verify Syria's declarations and address "gaps, inconsistencies and discrepancies" therein as identified by the Director General. We are looking forward with great interest to the DAT's report from its recent deployment in Syria. It is unacceptable that, more than 4 years after joining the Convention, Syria's declaration can still not be verified as

accurate and complete. We call on Syria to engage meaningfully with the OPCW to resolve all outstanding concerns expeditiously. The EU calls upon all countries to use their influence to prevent any further use of chemical weapons by the Syrian government and calls on the Syrian Arab Republic's allies to exercise appropriate pressure on the Syrian government to this end.

Regarding the costs arising in connection with the elimination of its chemical weapons program and the verification thereof, the EU regrets the fact that Syria has rejected its proposal on the use of the "frozen assets". It is unacceptable that Syria, a State Party, seeks to avoid facing its financial responsibilities and obligations specified in Article IV paragraph 16 of the Convention.

Mr. Chairperson,

We would also appreciate Iraq keeping 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 the Technical Secretariat has provided to Iraq. The EU looks forward to verification by the Technical Secretariat of the destruction of the remaining chemicals at Al-Muthana. This cooperation illustrates, once again, the value for States Parties in cooperating with the OPCW, when facing the threat or the use of chemical weapons, including by non-state actors.

The EU remains deeply concerned about the use of the nerve agent VX at an airport in Malaysia on 13 February 2017. The EU welcomes the update that Malaysia provided to the Executive Council at its 86th Session about the investigation to date. The EU encourages Malaysia to keep the Executive Council informed of further developments on this matter in accordance with decision EC-84/DEC.8 of 9 March 2017.

Mr. Chairperson,

Turning to other issues, we underscore that universal adherence to the Chemical Weapons Convention remains a top priority for the EU. We once again call upon the UN members not yet Party, DPRK, 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. 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 welcome the announcement by the Russian Federation of the completion of destruction of its remaining declared chemical weapons stockpiles in Kizner within extended deadlines. This is indeed a historic step to delivering a world free from chemical weapons to which the EU and many EU Member States have contributed considerably. The EU supports efforts to eradicate the remaining stockpiles including by providing financial assistance to visits by Executive Council representatives to relevant destruction facilities in the interest of transparency.

The EU welcomes the progress of destruction of the remaining Libyan Category 2 chemical weapons at the GEKA facility in Germany. The EU and its Member States confirm their readiness to contribute to the decontamination of the former storage site at Ruwagha.

Mr. Chairperson,

As we approach the 4th review Conference next year, the EU looks forward to the OPCW continuing as a successful security and disarmament organisation that will remain relevant and efficient in the face of new challenges. In this vein we welcome the constructive discussions held in the OEWG on the future priorities of the OPCW over the past year. We also welcome the recently held OPCW conference on the evolution and future of the Chemical Weapons Convention. A forward-looking approach to the implementation of the Convention, and strengthening multilateral efforts to promote its full implementation, will be essential to achieve its goals and address future challenges.

In the same context the OPCW will need to retain or enhance several of its capabilities. It is important for the verification regime that staff has 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. The adoption at EC-86 of the decision on the rehiring of inspectors reflects the need to retain talented and experienced inspectors, and also the need for the Secretariat to enhance its work to ensure effective knowledge transfer within the Secretariat.

The EU is also prepared to engage in consultations to consider whether the tenure policy might need a limited revision in order to avoid the loss of skills and expertise.

In parallel the issue of chemical security and safety should be given adequate emphasis and attention to respond effectively to recent developments. The OPCW needs to keep up with advances in science and technology, as those included in the "Report of the Scientific Advisory board's workshop on emerging technologies", SAB-26/WP.1. The EU welcomes the work carried out by the members of SAB and encourages further discussion on SAB recommendations aiming at strengthening the CWC verification regime. The EU also looks forward to the recommendations of the Advisory Board on Education and Outreach which are expected to constitute an important enhancement in the same direction. We would also 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 submissions system have proven very useful in assisting States Parties in this direction. We encourage all States Parties to make full use of this system's capabilities.

The dialogue and cooperation of the OPCW with the United Nations and WHO and other international agencies such as the CTBTO, IAEA, WCO and the BTWC ISU, has also proven fruitful. Lessons learned from the Syria operation are an important example in point. 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. In this vein, the unobstructed attendance at the CSP and

the 4th Review Conference by relevant NGOs should be ensured. In order to enhance the global fight against chemical weapons and foster a culture of responsibility, we need to engage a wide range of pertinent stakeholders also in conformity with the 3rd Review Conference recommendations.

Regarding national implementation of the Convention in accordance with Article VII, we acknowledge that results remain modest. It is regrettable that 20 years after the Convention entered into force, 42 States Parties have not yet put in place and enforced necessary initial legislative and administrative measures. The European Union is fully aware of the often very serious challenges and competing priorities some States Parties face in this regard. We continue to provide assistance not only through renewed voluntary contribution, but also through extensive outreach. We support the work of the facilitator on Article VII, and hope that the outcome of his extensive interaction with all regional groups will support universal implementation of the Convention.

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. The European Union continues to support activities related to prevention, response to and mitigation of incidents or attacks involving toxic chemicals. We also support OPCW programmes designed to promote national implementation, assistance and protection and international cooperation, notably the Africa Programme. We believe that cooperation with the regional EU Centres of Excellence can be of particular benefit in this direction. We consider the presence of Technical Secretariat senior staff at the recent 5th meeting of the EU Centers of Excellence in Brussels as a very positive step. The European Union stands ready to discuss concrete proposals put forward with relevance to 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 welcome OPCW's efforts to promote chemical safety and security and 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 chemical weapons, which has already become a dark reality in Syria and Iraq. The EU welcomes the adoption of the relevant Decision at EC-86.

The EU supports the efforts of H.E. Momar Diop, Ambassador of Senegal, Chair of the OEWG on terrorism, and of H.E. Maria Teresa Infante, Ambassador of Chile, Chair of the Sub-Working Group on Non-State Actors. These Groups underline the relevance of the OPCW in playing an important role in the fight against chemical terrorism and the threat of transnational terrorism.

The Member States of the European Union, whose assessed contributions amount to more than 40% of the OPCW budget, support the need for a Programme and Budget which will allow the organisation to carry out its core tasks and activities, and remain relevant amidst emerging challenges. We seize this opportunity to call on States Parties that are in arrears of payment of their annual contribution to pay what they owe to OPCW immediately, to avoid undermining the effective functioning of the

Organisation and avoid constraining the resources available to support State Parties in need of assistance.

Mr. Chairperson,

The fundamental aims of the Convention and the essence of the OPCW's work is to achieve a world free of chemical weapons by destroying existing chemical weapons and preventing their use and re-emergence. The repeated use of chemical weapons should make all redouble their efforts to uphold the CWC and the international legal framework against chemical weapons use to ensure that tragedies like those in Khan Shaykhun and Ltamenah will not be repeated. The EU regrets in this regard the inability to renew JIM's mandate which undermines attempts to ensure accountability for the use of chemical weapons in Syria. We must continue to collectively condemn in the strongest possible terms the use of chemical weapons by any State or non-State actor and hold all those responsible for the use of such weapons accountable to exclude completely the possibility of the use of chemical weapons in the future. 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.