## **Executive Council**



# OPCW

Seventy-Sixth Session 8 – 11 July 2014 EC-76/DG.16 4 July 2014 Original: ENGLISH

### NOTE BY THE DIRECTOR-GENERAL

#### OVERALL REPORT ON THE ELIMINATION OF THE SYRIAN CHEMICAL WEAPONS PROGRAMME

- 1. In accordance with decision EC-M-42/DEC.1 (dated 17 June 2014), the Technical Secretariat (hereinafter "the Secretariat") hereby submits to the Executive Council (hereinafter "the Council") an overall report on the elimination of the Syrian chemical weapons programme.
- 2. As requested in the decision, this report specifies, as appropriate, which requirements of the decisions of the Council (EC-M-33/DEC.1, dated 27 September 2013; EC-M-34/DEC.1, dated 15 November 2013; EC-M-35/DEC.2, dated 29 November 2013; and EC-M-36/DEC.1 and EC-M-36/DEC.2, both dated 17 December 2013) and the Chemical Weapons Convention (hereinafter "the Convention"), remain to be implemented by the Syrian Arab Republic.
- 3. For ease of reference, this report presents the information requested in EC-M-42/DEC.1 by organising it into various categories consistent with the decisions previously adopted by the Council regarding the elimination of the Syrian Arab Republic's chemical weapons programme.

#### **Declaration and reporting requirements for the Syrian Arab Republic**

- 4. In subparagraph 1(a) of EC-M-33/DEC.1, the Council requested the Syrian Arab Republic to submit to the Secretariat further information, supplementing that provided on 19 September 2013, on the chemical weapons that it owns or possesses, or has under its jurisdiction or control. The information was submitted on 4 October 2013. In accordance with subparagraph 2(a) of the same decision, the Secretariat made the information available to all States Parties within five days of its receipt.
- 5. In accordance with subparagraph 1(b) of EC-M-33/DEC.1, the Syrian Arab Republic was requested to submit the initial declaration required by Article III of the Convention to the Secretariat not later than 30 days after the adoption of the decision. The initial declaration was received by the Secretariat on 23 October 2013. On the same day, the Syrian Arab Republic also submitted its initial declaration of chemical industry activities as required by paragraph 7 of Article VI of the Convention. Since the submission of the initial declaration under Article III of the Convention, the Syrian authorities have submitted a number of amendments to it. The Secretariat and the Syrian authorities are currently undertaking technical discussions on any outstanding issues, with a view to, inter alia, seeking clarifications with regard to the declaration. The Director-General has established a team of OPCW experts to

address these issues with the Syrian authorities. The team has conducted three missions to the Syrian Arab Republic and has briefed the Council on its activities.

- 6. Pursuant to subparagraph 1(f) of EC-M-33/DEC.1, the Syrian Arab Republic was requested to designate an official as the main point of contact for the Secretariat and provide him or her with the authority necessary to ensure that this decision was fully implemented. The Syrian authorities accordingly informed the Secretariat that Vice Foreign Minister Mr Faisal Mekdad was so designated.
- 7. In accordance with paragraph 19 of EC-M-34/DEC.1, the Syrian Arab Republic was requested to provide a monthly report to the Council regarding activities on its territory related to the destruction of chemical weapons and chemical weapons production facilities (CWPFs). To date, the Syrian Arab Republic has provided seven such reports to the Council.
- 8. In accordance with paragraph 20 of EC-M-34/DEC.1, the Syrian Arab Republic shall certify when the destruction of all of its CWPFs has been completed and when all of its chemical weapons have either been destroyed inside or removed from its territory. With respect to the former, 12 CWPFs are still awaiting destruction, with consultations continuing on the combined plans for destruction and verification submitted to the Council.

#### Inspection, verification, and reporting requirements for the Secretariat

- 9. In accordance with subparagraph 2(b) of EC-M-33/DEC.1, the Secretariat was to initiate inspections in the Syrian Arab Republic not later than 1 October 2013. Accordingly, a team of OPCW personnel arrived in Damascus on 1 October 2013 to begin inspection activities.
- 10. In accordance with subparagraph 2(c) of EC-M-33/DEC.1, the Secretariat was requested to inspect, not later than 30 days after the adoption of the decision, all declared facilities. By the target date, the Secretariat had been able to conduct on-site inspections at 21 of 23 declared sites, with two sites being inaccessible due to safety and security concerns. The Secretariat was subsequently able to verify one of the remaining two facilities through the use of remote verification methods, namely, the use of sealed GPS<sup>1</sup> cameras used by Syrian personnel, in accordance with the guidance of the inspection team. The exact geographical location and the time the footage/images were captured were then fully authenticated. The final site, which is not under the control of the Government of the Syrian Arab Republic, has not been inspected.
- 11. Subparagraph 2(f) of EC-M-33/DEC.1 and paragraph 22 of EC-M-34/DEC.1 require the Secretariat to report to the Council on the implementation of these decisions on a monthly basis. The Secretariat has to date submitted nine such monthly reports. In addition, in accordance with paragraph 25 of EC-M-34/DEC.1, the Director-General was requested to report to the Council not later than 2 December 2013 on the implementation of the decision and on any problem relating to its implementation. The Director-General submitted the requested report on 2 December 2013

GPS = Global Positioning System.

(EC-M-36/DG.1, dated 2 December 2013). As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), in addition to the monthly reports, Secretariat staff, on behalf of the Director-General, have briefed delegations each week on progress in the Syrian Arab Republic, based on the independent information from the OPCW-UN Joint Mission.

12. In accordance with paragraph 21 of EC-M-34/DEC.1, the Secretariat is requested to confirm through a report to the Council the completion of each stage of the plan specified in paragraphs 2 and 8 of the decision. The Secretariat has made use of the monthly reports mentioned in paragraph 7 above to report on progress. In paragraph 8 of EC-M-37/DG.1 (dated 23 December 2013), the Secretariat confirmed the completion of the destruction of Category 3 chemical weapons; in paragraph 8 of EC-M-40/DG.4 (dated 25 April 2014), the Secretariat confirmed the destruction of residual mustard agent; in subparagraph 4(a) of EC-M-42/DG.1 (dated 23 May 2014), the Secretariat confirmed the destruction of isopropanol; and in subparagraph 4(a) of EC-76/DG.14, (dated 25 June 2014), the Secretariat confirmed the completion of the declared Priority 1 and 2 chemicals from the territory of the Syrian Arab Republic.

#### **Removal of chemical weapons**

- In the general plan for destruction submitted by the Syrian Arab Republic on 13. 23 October 2013 as part of its initial declaration under Article III of the Convention, the Syrian authorities informed the Secretariat of the practical challenges of carrying out destruction activities in the midst of an armed conflict and also highlighted resource limitations in implementing such a programme. The Director-General therefore concluded that the proposal by the Syrian Arab Republic that destruction of chemical weapons be carried out outside its territory constituted the most viable option available to fulfil the requirements established under decision EC-M-33/DEC.1 and United Nations Security Council resolution 2118 (2013) for the safe and expeditious elimination of Syrian chemical weapons. In accordance with paragraph 8 of EC-M-34/DEC.1, the Director-General submitted a plan for the destruction of Syrian chemical weapons outside the territory of the Syrian Arab Republic (EC-M-36/DG.3, dated 15 December 2013), which the Council considered at its Thirty-Sixth Meeting.
- 14. In its decision on the plan for the destruction of Syrian chemical weapons outside the Syrian Arab Republic (EC-M-36/DEC.2), the Council welcomed the assistance offered for specific stages of the removal aspects of the plan, as follows: by the Russian Federation, China, and the United States of America for equipment and materials needed for the removal of the chemicals from the Syrian Arab Republic; by Denmark and Norway for maritime transport of chemicals from the Syrian Arab Republic, including naval protection; by the Russian Federation for additional naval security; by China for naval escorts; by Finland for chemical weapons emergency-response capabilities during maritime transport; and by Italy for making available a port for transloading of chemicals. The Council also welcomed the voluntary financial contributions made by a number of States Parties. Subsequently, Belarus provided equipment and materials to support the removal of the chemicals from the Syrian Arab Republic and the United Kingdom of Great Britain and Northern Ireland made available a naval escort ship.

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- 15. In accordance with subparagraph 2(a)(ii) of EC-M-34/DEC.1, the Syrian Arab Republic was required to remove all Priority 1 chemicals from its territory not later than 31 December 2013. Priority 2 chemicals were required to be removed not later than 5 February 2014, in accordance with subparagraph 2(a)(iii) of EC-M-34/DEC.1. The Syrian Arab Republic has borne the primary responsibility for the conduct of the activities to be undertaken on its territory, including the safe and secure transportation of chemicals from the chemical weapons storage facilities to the port of embarkation at Latakia. From Latakia, the chemicals have been collected by Danish and Norwegian cargo ships for onward transportation to selected facilities for eventual destruction. As reported regularly in the monthly reports by the Director-General, as well as in the weekly briefings for States Parties, the target dates, according to a schedule provided by the Syrian Arab Republic, for the removal of Priority 1 and 2 chemicals established in EC-M-34/DEC.1, were not met. The first movement of chemicals to Latakia took place on 7 January 2014, with the twentieth and final movement taking place on 23 June 2014.
- 16. The Norwegian cargo ship, Taiko, left the area of operations on 8 June 2014 and offloaded its first consignment of chemicals in Finland on 20 June 2014. The ship is now en route to the United States of America to deliver its second and final consignment of chemicals. The MV Cape Ray arrived at the Italian port of Gioia Tauro on 1 July 2014 and the Danish cargo ship, Ark Futura, arrived on 2 July 2014. The transloading of Priority 1 chemicals onto the MV Cape Ray began on the same day. With the transloading operation complete, the Ark Futura is sailing to the United Kingdom of Great Britain and Northern Ireland to offload additional declared chemicals for destruction. It will then continue its journey to Finland to offload Priority 2 chemicals. The MV Cape Ray is sailing to an area of the Mediterranean, where it will begin to neutralise the two Priority 1 chemicals.

#### **Destruction of chemical weapons**

- In accordance with subparagraph 1(c) of EC-M-33/DEC.1, the Syrian Arab Republic 17. was to complete the elimination of all chemical weapons material and equipment in the first half of 2014, subject to detailed requirements, including intermediate destruction milestones, to be decided by the Council. At its Thirty-Fourth Meeting, the Council adopted detailed requirements, including a timeline, for the destruction of Syrian chemical weapons and CWPFs (paragraphs 2 and 3 of EC-M-34/DEC.1). As mentioned elsewhere in this report, significant progress has been achieved since the Syrian Arab Republic acceded to the Convention. However, with the complete removal having taken place just days prior to 30 June 2014, as reported in paragraph 15 above, the complete destruction of the removed chemicals did not occur by 30 June 2014. With reference to subparagraph (b) of EC-M-42/DEC.1, the requirements in subparagraph 1(c) of EC-M-33/DEC.1 and paragraphs 2 and 3 of EC-M-34/DEC.1 therefore remain pending. The following paragraphs provide further information in this regard.
- 18. In accordance with subparagraph 2(a)(i) of EC-M-34/DEC.1, the Syrian Arab Republic was requested to destroy its Category 3 chemical weapons not later than 31 January 2014. In EC-M-37/DG.1, the Director-General reported to the Council that the Secretariat had verified the destruction of the entire stockpile of Category 3 chemical weapons.

- 19. In accordance with subparagraph 2(a)(iii) of EC-M-34/DEC.1, the Syrian Arab Republic was requested to destroy its declared isopropanol on its territory not later than 1 March 2014. The Syrian Arab Republic submitted a plan for the destruction of isopropanol to the Secretariat (EC-M-38/P/NAT.1, dated 14 January 2014), and the Council took note of the plan at its Thirty-Eighth Meeting. The Council approved verification measures for the destruction of isopropanol by the Syrian Arab Republic territory at its Thirty-Eighth Meeting (EC-M-38/DEC.2, on its dated 30 January 2014). The target date of 1 March 2014 was not met, but the Secretariat subsequently verified the destruction of all such agent and reported accordingly to the Council in EC-M-42/DG.1.
- 20. In accordance with subparagraph 2(a)(iv) of EC-M-34/DEC.1, the Syrian Arab Republic was requested to destroy on its territory residual mustard agent in containers not later than 1 March 2014. The plan mentioned in paragraph 19 above for the destruction of isopropanol (EC-M-38/P/NAT.1) also addressed the destruction of these containers. The target date of 1 March 2014 was not met, but the Secretariat subsequently verified the destruction of all such agent and reported accordingly to the Council in EC-M-40/DG.4.
- 21. In accordance with paragraph 3 of EC-M-34/DEC.1, 31 March 2014 was established as the deadline for the destruction of Priority 1 chemicals and 30 June 2014 was established as the deadline for the destruction of Priority 2 chemicals. As mentioned in paragraph 15 above, since the removal of declared chemicals was delayed, the destruction of both Priority 1 and Priority 2 chemicals did not commence in accordance with the original schedule. With reference to subparagraph (b) of EC-M-42/DEC.1, the requirement of paragraph 3 of EC-M-34/DEC.1 therefore remains to be implemented by the Syrian Arab Republic.
- 22. In November 2013, the United States of America informed the Director-General that it would make available a destruction technology and full operational support to neutralise priority chemicals, including a ship on which neutralisation operations would be conducted. This ship, the MV Cape Ray, is fitted with two field deployable hydrolysis systems which would neutralise chemicals to be transloaded from the Danish cargo ship, Ark Futura, at the Italian port of Gioia Tauro. At its Thirty-Seventh Meeting, the Council considered and approved an agreed detailed plan and a facility agreement for verification of the destruction of chemical weapons at the chemical weapons destruction facility aboard the MV Cape Ray (EC-M-37/DEC.1 and EC-M-37/DEC.2, both dated 8 January 2014).
- 23. As required by paragraph 24 of EC-M-34/DEC.1, the Director-General explored options for destruction in commercial chemical disposal facilities of the chemicals referred to in subparagraphs 3(a) and (b) of that decision. Following a rigorous solicitation process, on 14 February 2014 the Director-General announced that contracts for the transport, treatment, and disposal of hazardous and non-hazardous organic and inorganic chemicals, effluents, and related materials with respect to the destruction of Syrian chemical weapons had been awarded to Ekokem Oy Ab from Finland and Veolia Environmental Services Technical Solutions, LLC from the United States of America.

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- 24. Furthermore, in response to the call in paragraph 7 of decision EC-M-36/DEC.2 for States Parties to consider making in-kind contributions by directly sponsoring commercial entities to undertake the treatment and disposal of chemicals and effluent, both Germany and the United Kingdom of Great Britain and Northern Ireland made such in-kind contributions. GEKA in Germany will dispose of the effluent from the neutralisation of mustard agent and Veolia in the United Kingdom of Great Britain and Northern Ireland will dispose of certain Priority 1 chemicals.
- 25. As at 26 June 2014, a total of 11 metric tonnes of declared Priority 1 chemicals had been destroyed at Ekokem in Finland. The remaining Priority 1 chemicals delivered to Ekokem should be destroyed within approximately 60 days, while the Priority 2 chemicals should be destroyed within approximately 150 days. The destruction of the Priority 1 chemicals to be delivered to Veolia in the United Kingdom of Great Britain and Northern Ireland should be completed in 40 to 60 days. The destruction of Priority 1 chemicals aboard the MV Cape Ray is expected to be completed in 60 to 90 days, depending, inter alia, on weather and sea conditions. It is expected that the disposal of the Priority 2 inorganic chemicals at Veolia Environmental Services Technical Solutions, LLC in the United States of America will be completed in around 150 days from delivery. The effluent generated during the neutralisation of the DF aboard the MV Cape Ray will be transported to Finland for destruction at Ekokem within 300 days. The effluent generated during neutralisation of the mustard agent will be transported to Germany for destruction at GEKA. Destruction of the effluent is expected to be completed within 90 to 120 days.
- 26. Verification of destruction of the declared chemicals will be conducted in accordance with facility agreements which the Secretariat has negotiated with several States Parties hosting destruction activities or providing assistance with destruction. In accordance with paragraph 15 of EC-M-34/DEC.1, the Secretariat developed, together with the relevant States Parties, a model agreement specifying the arrangements governing on-site inspections at those facilities described in paragraphs 23 and 24 above. The model agreement was approved by the Council at its Thirty-Eighth Meeting (EC-M-38/DEC.1, dated 30 January 2014). Subsequently, facility agreements and arrangements were concluded and approved by the Council for disposal facilities in Finland, Germany, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. OPCW inspectors have conducted pre-operational visits to the disposal facilities in Finland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and will also conduct a similar visit to the facility in Germany. OPCW inspectors have also conducted a final engineering review of the MV Cape Ray.
- 27. In its initial declaration submitted in accordance with Article III of the Convention, the Syrian Arab Republic declared the existence of two items suspected of being chemical weapons, but not belonging to the Government of the Syrian Arab Republic. The Government of the Syrian Arab Republic declared the items as abandoned chemical weapons (ACWs). In June 2014, the Secretariat conducted an inspection of the two items. Samples were taken from the items and their subsequent analysis identified the agent contained in them as sarin. The Secretariat is assisting the Syrian authorities in preparing a destruction plan for the two items in accordance with paragraph 14 of Part IV(B) of the Verification Annex to the Convention (hereinafter

"the Verification Annex"); the plan will be submitted to the Council once it is finalised.

#### **Destruction of CWPFs**

- 28. In accordance with subparagraph 1(d) of EC-M-33/DEC.1, the Syrian Arab Republic was required to complete as soon as possible, and in any case not later than 1 November 2013, the functional destruction of chemical weapons production and mixing/filling equipment. This objective was achieved by the target date.
- 29. Declared CWPFs in the Syrian Arab Republic were to be destroyed not later than certain dates specified in subparagraph 2(b) of EC-M-34/DEC.1. In decision EC-M-35/DEC.2, the Council requested the Director-General to review, and revise as appropriate, the priorities assigned to 12 CWPFs and to reflect the results of the review in the destruction and verification plans to be submitted to the Council. The Council also requested the Secretariat to provide practical recommendations to the Syrian Arab Republic on methods for the destruction for all of its CWPFs that would meet Convention standards and be efficient in terms of resources required. At its Thirty-Sixth Meeting, the Council adopted combined plans for the destruction and verification of 14 CWPFs in the Syrian Arab Republic (EC-M-36/DEC.1). The Secretariat has verified the destruction of 13 of these CWPFs; one site remains inaccessible for safety and security reasons.
- 30. At its Thirty-Sixth Meeting, the Council requested the Secretariat to continue technical consultations with a view to arriving at practical recommendations regarding methods for destruction of the remaining 12 CWPFs (EC-M-36/DEC.1). The Secretariat accordingly facilitated such technical consultations in January and February 2014. At its Seventy-Fifth Session, the Council requested that the Syrian Arab Republic, in close consultation with the Secretariat and making every effort to develop a common approach, submit to the Secretariat a revised detailed plan for destruction of the 12 CWPFs in order to allow the Secretariat to submit the combined plans for destruction and verification to the Council (paragraph 7.13 of EC-75/2, dated 7 March 2014). To facilitate the preparation of the plans, the Council requested the Director-General to dispatch a team of experts to the Syrian Arab Republic. Following the visit by the team, the Secretariat submitted combined plans for destruction and verification to the Council (EC-M-40/DG.2, dated 27 March 2014). Technical consultations have continued in The Hague and also in Beirut and Moscow. At its Forty-Second Meeting, the Council adopted a decision on the destruction of the 12 CWPFs that, inter alia, encouraged all parties concerned to continue their consultations with a view to arriving at an agreement on the combined plans for destruction and verification, and requested that the Director-General start preparatory work for the conclusion of a contract without calling for tenders, quotations, or proposals with a commercial company for the provision of expertise and equipment, as appropriate (EC-M-42/DEC.3, dated 17 June 2014).
- 31. With reference to subparagraph (b) of EC-M-42/DEC.1, the requirement to destroy all declared CWPFs therefore remains outstanding.

#### **Supplementary resources**

- 32. Under the authority granted to the Secretariat under subparagraph 2(e) of EC-M-33/DEC.1, a total of 13 qualified inspectors, technical experts, and other such personnel have been hired or rehired on a short-term basis in order to ensure efficient and effective implementation of the decisions of the Council.
- 33. In subparagraph 3(a) of its decision EC-M-33/DEC.1, the Council called upon all States Parties in a position to do so to provide voluntary contributions for activities carried out in meeting the requirements of this decision or the Convention. The Director-General accordingly established a trust fund in support of the verification of the destruction of Syrian chemical weapons (S/1132/2013, dated 16 October 2013). Subsequently, following the decision by the Council in EC-M-34/DEC.1 that Syrian chemical weapons would be destroyed outside the territory of the Syrian Arab Republic, and in accordance with paragraph 6 of that decision, the Director-General established a second trust fund specifically to support such destruction (S/1141/2013, dated 19 November 2013).
- 34. As at the cut-off date of this report, the balance in the second trust fund stood at EUR 50.3 million, with the recent receipt of a contribution of EUR 2 million from Italy. Contributions have been received from Argentina, Australia, Bulgaria, Canada, Chile, the Czech Republic, the European Union, Finland, Germany, India, Ireland, Italy, Japan, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, the Republic of Korea, Slovakia, Sweden, Switzerland, Turkey, and the United Kingdom of Great Britain and Northern Ireland. This includes the contributions that were originally made to the first trust fund and which have, at the request of the donor, subsequently been transferred, in part or in whole, to the second trust fund. A number of States Parties have also made in-kind contributions to activities relating to the elimination of the Syrian chemical weapons programme.

#### **Conclusions and recommendations**

- 35. Despite the delays recounted in this report, the Director-General welcomes the significant progress achieved since September 2013 towards the elimination of the Syrian Arab Republic's chemical weapons programme and wishes to express his appreciation to all the States Parties that have provided assistance to this unprecedented undertaking, as well as for the important work of the OPCW-UN Joint Mission.
- 36. While progress has been made, the elimination of all Syrian chemical weapons material and equipment was unable to be completed in the first half of 2014. The Council is already aware of the reasons, which are set out above. Achievements include the complete removal of declared Priority 1 and 2 chemicals and the commencement of their destruction, the verified destruction of: 13 CWPFs and chemical weapons production and mixing/filling equipment; all declared Category 3 chemical weapons; the declared quantity of isopropanol; and residual mustard agent in containers. Still to be completed is the verified destruction of a further 13 CWPFs and of the declared Priority 1 and 2 chemicals. However, destruction activities have now begun and, according to the indicative timelines provided in paragraph 25 above,

all of the declared chemicals should be destroyed before the end of the year, while disposal of the effluent from the neutralisation operation will take somewhat longer.

37. The Director-General encourages the Council to adopt a decision at the earliest opportunity on the destruction of the 12 remaining CWPFs. He also encourages the Syrian Arab Republic to continue its cooperation with regard to the ongoing discussions on declarations related matters, as well as to submit to the Council a destruction plan for the two items declared as ACWs.

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