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UNITED STATES OF AMERICA

**STATEMENT BY H.E. AMBASSADOR ROBERT P. MIKULAK, PERMANENT
REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OPCW AT THE
SEVENTY-SEVENTH SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairman,

We meet under the shadow of the first confirmed use of chemical weapons by a State Party to the Convention, the Syrian Arab Republic. Our first test in confronting that reality was the Council's discussion on 26 September, sixteen days after the second report of the Fact-Finding Mission, confirming use of chemicals as weapons, was issued. The clear reference in the report to forces with helicopters using the chemical weapons unequivocally indicates that the Syrian Government was behind the attacks. Many on this Council were prepared to hold the Assad regime accountable for its use of chlorine as a weapon. It was most unfortunate that this Council was clearly unable to unanimously adopt a report on this issue. Purely political considerations prevented us from carrying out our solemn duty to uphold the Convention and hold accountable those responsible for breaching it.

The United States of America is ready today, as it has always been, to work on the basis of the Convention to agree on measures to deter further use of chemical weapons in Syria. We fully agree with the Director-General's statement on 26 September that "[i]t is a tragic irony that a hundred years after chlorine was first used on the battlefield, its misuse to kill and terrorise unarmed civilians has again raised its ugly head" and also that "the OPCW must show zero tolerance for any actions that threaten the norm against the use of any chemical as a weapon."

Regrettable as it is, the United States recognises that this Council will not speak with one voice in putting the responsibility for the chlorine attacks where it belongs. There is clear evidence on public websites and social media entries, which is corroborated by eyewitness accounts from the victims. In Syria, only government forces could drop chlorine-filled barrel bombs from helicopters. We are nevertheless determined to work with all delegations to do everything we can to deter the use of chlorine as a chemical weapon and protect innocent civilians. We are encouraged that virtually every delegation agrees that the Fact-Finding Mission must continue. I take this opportunity to reaffirm my country's appreciation for the Fact-Finding Mission team's demonstrated bravery, expertise, professionalism and commitment to seek the truth and establish the facts.

The work of the Fact-Finding Mission must continue, above all else, to deter further use. It is our collective vigilance, as well as the knowledge that one day they will be held to



account, that may deter Syrian government officials from continuing to use chlorine as a chemical weapon. This will require the concerted pressure of the international community.

As my delegation stated on 26 September, the evidence and conclusions presented in the second report of the Fact-Finding Mission raise serious questions about the willingness of Syria to comply with its fundamental treaty obligations not to possess or use chemical weapons. Now as ever, we must remain ever watchful and skeptical about Syria's words and deeds. Failure of this Council to hold Syria accountable for past use, and to take necessary steps to prevent any further use, could imply that we are weak in our resolve to eliminate the use of chemicals as chemical weapons.

This Council should be fundamentally concerned with the status report recently issued by the Declaration Assessment Team. The report provides a detailed examination of what the team characterises as "Current Issues and Concerns" which covers all of the key aspects of the Syrian chemical weapons programme – chemical weapons agents and precursors, chemical weapons munitions and chemical weapons-related facilities. The United States of America intends to address this report and our concerns with Syria's declaration in detail during the closed-session briefing by the head of the Declaration Assessment Team.

We look forward to Syria fulfilling its obligation to complete the destruction of the remaining twelve chemical weapons production facilities it originally declared; these facilities should have been destroyed long ago. The meager one-page report from Syria on progress towards their destruction is disappointing, and yet characteristic of Syria's attitude towards its legal obligations under the Convention and United Nations Security Council resolution 2118 (2013). Furthermore, the excessive cost estimates for the destruction of these facilities, and Syria's assertion that it will not pay for associated verification costs, only confirms that Syria is not just like any other State Party to the Convention; others pay such costs as a matter of course. To treat Syria as a normal State Party would amount to professional negligence on the part of the Council.

Last 26 September we heard from many delegations how important it is to hold accountable those responsible for the chlorine attacks. To help do that, we support the Director-General's suggestion that the Technical Secretariat retain Syrian chemical weapons samples, taken under an appropriate chain of custody and properly sealed, until this Council has full confidence that Syria has truly and permanently ceased its use of chemical weapons. This will help us to deter further use and hold accountable those who have used them.

Let me now highlight my country's position on some of the other important issues before the Council. At this session, the Council has an opportunity to adopt a recommendation on the OPCW Programme and Budget. We congratulate the co-facilitators of the budget consultations, Ambassador Eduardo Rodriguez Veltzé of Bolivia and Mr Domingos Melo e Alvim of Portugal, for their productive work coordinating the discussions among delegations. We also appreciate the responsiveness of the Technical Secretariat to the questions we raised about various aspects of this proposal. The Council now has a Programme and Budget for 2015 that it can recommend for approval to the Conference of the States Parties in December.

With respect to future planning, we encourage the Technical Secretariat to further develop its medium- and long-term vision for the OPCW and to present a better-defined medium-term plan to help member states better support the Organisation. This is necessary at a time when

the remaining stocks of chemical weapons worldwide are a small and rapidly declining fraction of what they used to be, and in light of new challenges to which the OPCW must respond.

We continue to be concerned about the continued erosion of the OPCW's expertise for contingency operations, particularly the investigation of alleged use of chemical weapons. We strongly urge the Technical Secretariat to retain and further develop the expertise it has recently acquired in addressing new challenges and demands, like operating in security-unstable environments and leading or contributing to fact-finding missions. We also urge the Technical Secretariat to formalise the informal working relationships it has developed with the World Health Organization, the International Atomic Energy Agency, and key United Nations agencies. It is imperative that the Organisation enhance its contingency response capabilities. We do not see how it can do so if a large fraction of its remaining experienced personnel leave abruptly in 2015, as will happen if we do not take measures to empower the Director-General to re-employ some of his best inspectors.

Three decisions before us will allow the Technical Secretariat to acquire a new Enterprise Resource Planning (ERP) system, which is expected to help rationalise and enhance efficiency in the management of the OPCW. We support these decisions and the ERP project. We urge the Director-General to ensure that this eight-million-euro effort moves forward on solid ground by ensuring that there are key performance objectives, as well as monitoring and reporting mechanisms in place to closely oversee the execution of the project from its very beginning. We also urge the members of the Council to exercise their oversight responsibilities.

In closing, I request that the full text of this statement be considered as an official document of the Seventy-Seventh Session of the Council. I also request that it be posted on the public website and on the external server.

Thank you, Mr Chairman.

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