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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-NINTH SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairman,

Let me start by congratulating you on assuming the chairmanship of the Council, and to wish you every success in managing this responsibility. You can count on the full cooperation of my delegation in pursuing, and no doubt attaining, success in leading our proceedings.

Our Executive Council gathers today in regular session for the seventy-ninth time since the entry into force of Chemical Weapons Convention. The Convention is one of the most successful and consequential disarmament treaties ever developed by the community of nations. We all can be proud of the significant contributions that the Convention and the OPCW have made to international security.

However, lest pride obscure our vision, none of us should be satisfied with our collective achievements as long as chemical weapons use continues in Syria. Events on the ground have required the Director-General once again to activate the Technical Secretariat's Fact-Finding Mission to investigate allegations of use of chlorine as a chemical weapon in Idlib Province, Syria in March of 2015 and later. These tragic events, which occurred shortly after the OPCW found that in 2014 chlorine was systematically and repeatedly used against three opposition-controlled villages in Syria, are sad and shameful. The chlorine was released, as victims invariably reported, from helicopters. Let the shame, and personal accountability, fall upon those responsible for such use. But shame on us if we fail to cooperate in efforts to determine who is responsible for the continued use of chemical weapons one hundred years after the first massive use of chemical weapons in battle. Let our voices be undiminished in calling for those responsible to be held accountable. Doing so may require the OPCW to once again make available its expertise to an international mechanism established under the aegis of the United Nations Security Council.

A separate Fact-Finding Mission investigation has been launched to look into alleged use of chemical weapons by non-State actors in and around Damascus. As we have stated on many occasions, we condemn any use of chemical weapons, anywhere and by anyone. We do want to underline that the value of the Fact-Finding Mission investigations resides, in particular, in the capacity to potentially confirm the use of chemical weapons. If confirmed, allegations about use of chemical weapons by non-State actors against Syrian soldiers in and around Damascus are a serious matter. But at the same time, the investigation of the Syrian government's claims should not influence the investigation of the allegations that the Syrian



regime itself has repeatedly used chlorine as a chemical weapon against civilians in northern Syria.

The work of the Fact-Finding Mission, as well as that of the Declaration Assessment Team (DAT) which is looking into gaps and inconsistencies in the Syrian chemical weapons declaration, epitomizes the kinds of challenges that the OPCW will need to confront in the future. In other words: the future is now. The way in which the Council responds to the new Fact-Finding Mission reports, that we hope will be made available in September, will speak volumes about the readiness of this Organisation to ensure that international obligations against the use of chemical weapons are complied with.

The Technical Secretariat has done an excellent job, under very difficult and often dangerous conditions, to continue the process of eliminating the Syrian chemical weapons programme, as mandated by the Convention and the decisions of this Council and the United Nations Security Council. The job is not yet finished, in part because of operational safety and security concerns and unforeseen technical challenges. But most of all, the work before us is not yet finished because of the position taken by Syria on a full range of issues, particularly its continued refusal to come clean, once and for all, on the true extent of its chemical weapons programme and stockpiles. We certainly share the concerns about Syria's declaration that were outlined in the statement made on behalf of the European Union this morning. And surely our job is not done until we have done everything we can to hold accountable those responsible for the use of chlorine as a chemical weapon in Syria.

We look forward to the long-delayed destruction of the remaining declared chemical weapons production facilities in Syria. We note that four of the five tunnels have been verified as destroyed, and the verification of destruction of the fifth may take place soon. The cost of the destruction of the tunnels and the pending destruction of the seven hangars has been borne by donors, but the cost of verification continues to be the responsibility of Syria—a cost that Syria has refused to pay.

Independent of the accounting practice that the Technical Secretariat may need to apply in order to register the actual funds available to it, it is important to underline that Syria's obligation to pay for all verifications subsists and the costs continue to accrue. It is disappointing and inexcusable that Syria will not avail itself of the opportunity it has been offered to use frozen assets to pay for its verification costs.

Unfortunately, Syria is not the only State Party that owes verification costs or assessed contributions to the OPCW. I take this opportunity to call upon the other States that owe substantial amounts of money—millions of euros—to the OPCW to correct this situation without delay. Without these funds, there is a risk that the OPCW might not be able to carry out its approved programme.

We share with the Director-General and many OPCW Member States the conviction that the OPCW must continue to enhance its capacity to investigate alleged use of chemical weapons or conduct other contingency operations. An adequate number of proficient inspectors able to participate on short notice in an investigation of alleged use must be maintained at all times. At the same time, the forensic skills of the Secretariat and designated laboratories must also be enhanced. My delegation believes the success of the Organisation in preventing the re-emergence of chemical weapons rests to a considerable extent on the linkage between

the capacity of the OPCW to investigate use and the ability of the international community to hold accountable those responsible for use.

Let me now turn to other important issues before us. The U.S. delegation welcomes the level of interest among delegations in the future of the Organisation and commends the efforts and leadership of the Director-General and the Secretariat in offering a vision towards ensuring that the OPCW remains a bulwark against chemical weapons. Preparing for the future is certainly not a new challenge for the OPCW. What's new is the severity with which the capacity and resolve of the Organisation are being tested today, and how our response to these challenges will define our effectiveness today and in the years to come.

The collective goal of the OPCW is to increase international security, an endeavour that will continue beyond the destruction of the currently declared stockpiles by 2023. The way in which it does will need to be adapted to the current and future challenges. The security context in which the OPCW works has changed markedly since the Convention came into force and can be expected to continue to change in the next 10 years. Verification of compliance with the Convention, through industry inspections, possible investigations of alleged use, and support for the complementary and mutually-reinforcing implementation of all of the articles in the Convention will continue to require the expertise of the Technical Secretariat and the political guidance of the OPCW's policy-making organs. The OPCW certainly is needed beyond 2023 and is indeed an organisation of unlimited duration.

The U.S. delegation also foresees the OPCW serving as a platform for dialogue on any issue pertaining to chemical weapons, for example, so-called incapacitating chemical agents (ICAs). We commend the efforts of the Australian and Swiss delegations in promoting dialogue on this important issue, and in this respect, we encourage all delegations to consider and subscribe to the notion that the development of so-called incapacitation agents for law enforcement purposes is incompatible with the Chemical Weapons Convention and to put their views on the record in the Executive Council. My own delegation has clearly done so, stating that "the U.S. is not developing, producing, stockpiling or using incapacitating chemical agents." We restate our position here and now.

The U.S. delegation has recently received a copy of the draft Programme and Budget for the OPCW in 2016, and we are reviewing it carefully. While it is not part of the agenda for this session of the Council, we appeal to the Organisation and its Member States to view the Programme and Budget as a tool to present well-established priorities, properly documented and adequately supported, rather than a means to come up with activities to replace others that no longer command a large share of the OPCW's budget. In other words, let us agree on priorities and work together to fund them, rather than seek funding for vaguely defined replacement activities. We also think that, if an OPCW activity and its operational costs and staff decrease, so should, proportionally, the administrative support costs and staff of the Organisation.

I would like to take this opportunity to congratulate the delegations of China and Japan on their collaborative efforts to continue to destroy abandoned chemical weapons as soon as possible. By all accounts, the recent visit of the Executive Council delegation to Haerbaling, China, which you led, was very successful in further educating this Council about the importance and magnitude of this endeavour.

I would also like to take the opportunity to thank Ambassador Grace Asirwatham for her contributions, both as representative of Sri Lanka and then as Deputy Director-General. The U.S. delegation wishes her well in her new assignment.

In closing, I request that the full text of this statement be considered as an official document of the Seventy-Ninth 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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