

**Statement on behalf of the European Union
delivered by Pieter van Donkersgoed, Acting Permanent Representative
of the Netherlands to the Organisation for the Prohibition of Chemical
Weapons, at the 81st session of the Executive Council
(The Hague, 15 March 2016)**

Mr. Chairperson,

I have the honour to speak on behalf of the European Union.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Serbia* and Albania*¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia align themselves with this statement. Andorra, Monaco and San Marino also associate themselves with this statement.

Mr. Chairperson,

I would like to thank the Director-General for his comprehensive statement, which as always provides useful guidance for our work. I also wish to reiterate our appreciation to him and to the OPCW staff for their commitment to the work of the organisation and to their efforts regarding the ongoing Syrian CW operation in particular. We look forward to participating actively in the deliberations during this week.

Mr. Chairperson,

On 4 January this year, the OPCW announced the completion of the destruction process of all chemical weapons declared by the Syrian Arab Republic. Commenting on this development, the Director-General said: "This process closes an important chapter in the elimination of Syria's chemical weapon programme as we continue efforts to clarify Syria's declaration and address ongoing use of toxic chemicals as weapons in that country."

One of the principal steps for the irreversible dismantlement of the Syrian CW programme has finally been reached, but it is regrettable that we are still confronted with so many

* The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilization and Association Process.

uncertainties regarding this process, notably the gaps and contradictions contained in the Syrian CW declarations.

Mr. Chairperson,

Once again, the EU is obliged to express its concern about the insufficient information provided by the Syrian Government regarding questions arising from the discrepancies and inconsistencies in its initial declaration and the subsequent explanations to the Technical Secretariat.

Regrettably, the list has been increasing during the last two years and is still growing: the lack of original documentation, undeclared R&D facilities, the fate of the 2000 aerial bombs that Syria claims to have converted, various questions concerning a ricin programme, the actual role of the SSRC in the Syrian chemical programme, the lack of information about small calibre munitions, samples taken by the DAT showing traces of chemicals directly linked to the production of sarin, VX and soman and last but certainly not least the recent findings by the Declaration Assessment Team of undeclared warfare and production equipment in Al-Sukkar.

It is in our view not acceptable that the Syrian Arab Republic is rejecting the analysis results provided by designated laboratories of the OPCW. After two years of consultations, we reiterate our call on the Syrian Arab Republic to take without delay all necessary measures to provide sufficient and verifiable evidence that it does not retain chemical capabilities and that its chemical weapons programme is fully declared and completely and irreversibly dismantled. The Executive Council needs to continue monitoring the situation in Syria closely and must remain seized of the matter. While the report of EC-80 invited this Council to expedite the DAT-related issues as soon as possible, it is regrettable to observe that even more –and serious- issues have come to the fore, that gaps and inconsistencies have increased, which leads to question the real will of the Syrian government to cooperate with the Technical Secretariat.

Regarding the draft decision on the report by the Director-General on the declaration and related submissions by the Syrian Arab Republic circulated by the US delegation, the EU expresses the hope to have it adopted at this session.

Mr. Chairperson,

The EU strongly condemns the recorded use of chemical weapons against innocent civilians. We reiterate that the use of chemical weapons by anyone, anywhere and under any circumstances is abhorrent and must be wholly condemned.

The international community cannot remain silent when challenged by the use of chemical weapons. The EU strongly supports UN Security Council resolution 2209 (2015) which decided that those responsible for such acts must be held accountable, and that any future use will trigger Chapter VII measures under the UN Charter. In the same vein, the EU has contributed an additional €4.6 million to support UNSC Resolution 2235 (2015) setting up a Joint Investigative Mechanism (JIM) to identify perpetrators of chemicals attacks in Syria with the assistance of the OPCW Fact Finding Mission. These funds are equally divided between OPCW and JIM. In addition, several EU Member States have also made similar significant contributions.

The EU fully supports the decision of the Director-General to continue the work of the FFM. It is also important that the DG continue to brief the UN Security Council on the findings of the FFM in coordination with the UN Secretary General as necessary and in line with the Council's decision of February 2015. At this point, we would like to commend the professionalism and commitment of the staff working within the FFM and we call on all parties in the Syrian Arab Republic to extend to them their full cooperation to ensure that they can carry out their tasks in a safe, independent and effective manner.

Regarding the alleged incident in Darayya on 15 February 2015, we took note of the latest additional FFM report, according to which "no additional information was received that could corroborate the narrative and no further hard evidence was provided to the FFM [by the Syrian Government] during its recent deployment."

The EU reiterates its proposal that Syria use its "frozen assets" to fully meet all its obligations as specified in Article IV paragraph 16 of the Convention regarding the costs arising in connection with the elimination of its chemical weapons programme and the verification thereof. It is disappointing that Syria has to date rejected that option. Syria must fully meet its obligations under the Convention.

Mr Chairperson,

Regarding another point of concern, we appreciate that Iraq keeps this Council informed about the allegations of use of chemical weapons by non-state actors on its territory. We welcome the cooperation between Iraq and the Technical Secretariat in order to address this serious issue. This cooperation illustrates the value for States Parties to cooperate with the OPCW when facing the threat or the use of chemical weapons.

Mr. Chairperson,

Turning to the other points of the agenda, we underscore that universality remains one of our principal challenges. In this respect we express our appreciation for the recent accession of Angola. We call upon DPRK, Egypt, Israel and South Sudan to join the Convention without delay. The EU, through its latest voluntary financial contribution, continues its active support to the Technical Secretariat's efforts in reaching this common objective 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 call on the possessor States to complete the destruction in the shortest time possible in accordance with the provisions of relevant decisions of the Conference of the States Parties, a task that the EU, EU-Member States and many other States Parties have supported with financial assistance.

On the issue of destruction, the European Union has been following with great concern developments regarding the remaining Libyan chemical stockpiles stored at the Ruwagha site. The presence of terrorist armed groups in the vicinity and the potential that these chemicals fall into their hands are of particular concern and warrant a swift decision process in order to address this issue. Libya as the possessor state has the primary responsibility to proceed with the destruction of its remaining chemical stockpile. Nevertheless, and taking into account the request from the Libyan National Authority, the EU will look to provide timely assistance for any agreed action based upon a thorough assessment of relevant security, environmental, technical and political risks, that will lead to the swift achievement of this goal.

In this context, the EU welcomes the decision taken at EC-M-51 on 24 February mandating the Director General to have the Technical Secretariat work with Libya and relevant States Parties in order to resolve this issue. The EU looks forward to the Director General's report during this session. The Executive Council must remain seized of this question until a solution is found and agreed.

Mr. Chairperson,

As further progress on destruction is made, we progressively move from disarmament of chemical weapons to preventing their re-emergence. The EU wants a successful security and disarmament organisation that will remain relevant in the face of the new challenges. In its future role, the OPCW will need to retain or enhance several of its capabilities and primarily ensure an adequate verification regime, including investigations of alleged use and challenge inspections. We look forward to a constructive discussion with all interested parties on this important issue, for which the note by the TS on the future role of the Organisation and the conclusions of the retreat organised by the DG last October have provided us with ample food for thought. In this regard, we welcome the upcoming creation of a facilitation mechanism on the future priorities of the OPCW, as decided by the CSP-20.

It goes without saying that the effective implementation of the Article VI verification regime is key in preventing the re-emergence of chemical weapons. In this sense the need for the organisation to continue to ensure that staff has the necessary skills and expertise to meet its operational requirements, is a sine qua non. The EU encourages further discussion on SAB recommendations aiming at strengthening the CWC verification regime that States Parties should work on together, in order to find ways to implement those that will enjoy consensus.

National implementation of the Convention in accordance with Article VII remains a core obligation and the EU urges all States Parties to put in place and enforce all necessary legislative and administrative measures. We support the work of the facilitator on Article VII and look forward to his recommendations, based on the outcome of his extensive interaction with all regional groups. The European Union acknowledges the often very serious challenges and competing priorities States Parties may face. We continue to assist in this field, not only through the new voluntary contribution, but also through extensive outreach. We also support the Technical Secretariat's efforts to explore new ways of achieving progress in this area through tailor-made solutions.

The European Union attaches great importance to the work carried out under Article X, which constitutes one of the pillars of the Convention. The EU encourages all States Parties to submit adequate and timely declarations under Article X and to increase offers of assistance. It is of the highest importance that the OPCW continues to focus on the capacity of the Technical Secretariat to support States Parties to prevent, respond to and mitigate incidents or attacks involving toxic chemicals. The Technical Secretariat should broaden its cooperation with other relevant international organisations on emergency response to the use or threat of use of chemical weapons. In this respect, cooperation with the regional EU Centres of Excellence can be of particular importance.

The EU actively supports the OPCW activities regarding assistance, protection and international cooperation directed to States Parties from all regional groups with particular emphasis placed on support to the OPCW's Programme for Africa. It is recalled that the most recent EU Council Decision for the years 2015-17 contains many projects designed to

advance work in this area. We encourage States Parties to take advantage of the assistance provided through these funds, by participating in the activities according to their own needs.

The European Union stands ready to discuss concrete proposals put forward under Article XI, in accordance with the relevant Decision taken by the Third Review Conference in April 2013. In the light of recent developments in different parts of the world, we acknowledge the importance of action to promote chemical safety and security.

Unfortunately the global security environment is changing, as we also have very recently witnessed, and the OPCW needs to adapt its work accordingly. We expect the Open-Ended Working Group on Terrorism and the Sub-Working Group on non-state actors under their able Chairs to look into some of these new challenges and to make useful relevant recommendations. We express appreciation to the TS for organising frequent relevant consultations with the participation of external stakeholders who bring their valuable experience to our discussions and we look forward to further interaction with other regional and global actors in this area.

The EU stresses the significance of OPCW's close work with other stakeholders and in particular with relevant international organisations including the BTWC-ISU, the CTBTO and the IAEA. The close cooperation between the UN and the OPCW in the Syrian operation produced many valuable lessons to be learned. These should be evaluated and the results shared and followed up within the organisation. The mutual benefits of regular engagement and cooperation with other stakeholders, including chemical industry, academia and civil society, ought to be fully explored. In this respect, we take good note of the reports of the SAB which provide valuable guidance regarding developments in science and technology and we welcome the creation of the Advisory Board on Education and Outreach that will be a useful tool in order to address these issues.

Finally, we reiterate our call on those States Parties that are in serious arrear of payment of their annual contribution or reimbursement of their verification related costs to take immediate action to redress this and to discharge of their obligations under the Convention. By not paying their dues they take on a heavy responsibility in disturbing the financial balance of the Organisation. The Member States of the EU are following with concern the financial imbalances resulting from these developments as highlighted in the recent report of the TS on the financial situation.

Thank you Mr. Chairperson