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MALTA

**STATEMENT ON BEHALF OF THE EUROPEAN UNION
DELIVERED BY H.E. AMBASSADOR JOSEPH COLE
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF MALTA TO THE OPCW
AT THE EIGHTY-FOURTH SESSION OF THE EXECUTIVE COUNCIL**

Mrs Chairperson,
Mr Director-General,
Distinguished delegates,
Ladies and gentlemen,

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

Candidate countries Albania and the Former Yugoslav Republic of Macedonia, as well as Iceland, Ukraine, Norway and Georgia align themselves with this statement. Andorra, Monaco and San Marino also associate themselves with this statement

I take this opportunity to thank the Director-General for his statement and to reiterate our appreciation to him and to the OPCW staff for their commitment to the goals and work of the Organisation often in particularly challenging circumstances.

The EU welcomes the opportunity to address the Executive Council today as we prepare for the celebration this spring of the 20th anniversary of the Chemical Weapons Convention (hereinafter “the Convention”). The EU wishes to highlight a number of issues of vital importance to the implementation of the Convention and our shared determination to build a world free from chemical weapons. Bearing in mind the action that this Council took in November to address confirmed chemical weapons use in the Syrian Arab Republic, by both the Syrian Arab Republic’s Armed Forces and the “Islamic State of Iraq and the Levant” (ISIL/Da’esh), the EU deplores the fact that allegations of the use of chemical weapons both by SAR Armed Forces, as well as non-State actors, continued even in recent months. Given the above, the EU welcomed the adoption by consensus of United Nations Security Council resolution 2319 (2016) renewing the OPCW-United Nations Joint Investigative Mechanism’s (JIM) mandate for one more year to continue to identify perpetrators of chemical attacks in the Syrian Arab Republic. We look forward to having JIM finalise its re-organisation and becoming once again operational at the earliest possible date. The EU also fully supports the OPCW’s Fact-Finding Mission (FFM) in their efforts to investigate allegations of use of chemical weapons, and looks forward to the publication of further FFM conclusions. We call on all parties in the Syrian Arab Republic to extend their full cooperation to the FFM staff and to ensure that it can carry out its work in a safe, independent and effective manner. In



parallel, the Director-General should continue to brief the United Nations Security Council, within the framework of Security Council Resolution 2118 (2013), on the findings of the FFM in coordination with the United Nations Secretary-General as necessary.

The European Union has already expressed its grave concern with the findings of the third and fourth reports of the JIM that the Syrian Arab Armed Forces have been involved in the use of toxic chemicals as weapons in three cases and that the so-called ISIL/Da'esh has been involved in the use of sulfur mustard in one case.

These four cases constitute clear violations of the provisions of the Convention and warrant appropriate action in accordance with the Convention and as envisaged in the relevant United Nations Security Council resolutions. The EU reiterates its strong belief that the use of chemical weapons by anyone, including non-State actors, anywhere and under any circumstances is abhorrent and must be rigorously condemned and that those responsible for such acts must be held accountable.

The EU strongly supports EC-83/DEC.5 the decision the Council took on 11 November as a response to the JIM findings. We commend the Technical Secretariat for its attempts to implement this decision. However, we have to note that due to insufficient cooperation of Syrian authorities the decision has hardly been executed. We strongly call on Syrian authorities to comply with their obligations.

Last month the Syrian authorities postponed a scheduled visit to the Syrian Arab Republic on the basis of vague and unsubstantiated references to the security situation. The EU notes the fact that OPCW inspectors have now been given access to the SSRC Barzah to conduct their work in compliance with EC-83/DEC.5 decision and urges the Syrian competent authorities to continue to take further steps in order to fully implement this decision. The EU recalls that the Director-General stated in his report to the Eighty-Second Session of the Executive Council that due to the Syrian response the OPCW cannot confirm that the Syrian declaration is "accurate and complete". The EU strongly supports the work of the Declaration Assessment Team (DAT), but must condemn the fact that even today, three and a half years after Syria's accession to the Convention, the list of outstanding unresolved issues, questions and ambiguities remains long. In the past months, no progress has been achieved at all. To date, the Syrian Arab Republic has failed to provide scientifically or technically plausible explanations on a number of important and substantial issues, including the presence of several undeclared chemical warfare agents which are still to be clarified. Thus, the Syrian Arab Republic has manifestly failed to declare its full chemical weapons programme and activities, in compliance with the Convention, and failed to provide clear evidence that it has irreversibly dismantled its chemical weapons programme and put its chemical weapons beyond use. Indeed, the JIM reports make clear that the Syrian Arab Republic has continued to use chemical weapons. The EU is deeply concerned that the Syrian Arab Republic's chemical weapons still exist and could be used in the Syrian Arab Republic or might fall in the hands of terrorist groups.

The Syrian Arab Republic must implement the decision of the Eighty-Third Session of the Executive Council in its entirety as well as Executive Council decision EC-M-33/DEC.1 (dated 27 September 2013) and United Nations Security Council resolution 2118 (2013) and intensify its efforts of cooperation with the Technical Secretariat of the OPCW to resolve all outstanding issues, including by fully declaring all relevant toxic chemicals and associated facilities. While the Eighty-Third Executive Council decision now grants the Technical

Secretariat full access to SSRC Jamraya and Barzah sites, it is not acceptable that the Syrian Arab Republic keeps on refusing to declare relevant parts of these sites as parts of its chemical weapons programme, as concluded by the Technical Secretariat in the Director-General's July report.

Regarding the costs arising in connection with the elimination of its chemical weapons programme and the verification thereof, the EU regrets the fact that the Syrian Arab Republic has to date rejected its proposal on the use of the "frozen assets" and considers it unacceptable for the OPCW to let a State Party seek any excuse to avoid facing its financial responsibilities as specified in Article IV paragraph 16 of the Convention.

Universal adherence to the Convention remains a top priority for the EU. We once again call upon the United Nations members not yet Party to the Convention, namely, the Democratic People's Republic of Korea, Egypt, Israel and South Sudan, to ratify or accede to the Convention without delay, and without conditions, thus contributing to the goal of a world free of chemical weapons. The EU, through its voluntary financial contributions and relevant action, will continue 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.

We call on the possessor States to continue their efforts to complete the destruction of declared stockpiles and verification thereof in the shortest time possible in accordance with the provisions of relevant decisions of the Conference of the States Parties on the final extended deadlines. Furthermore, we support the continuation of visits by Executive Council representatives to facilities in the possessor States Parties in the interest of transparency. It is recalled that the EU and EU Member States support this action with financial assistance.

The EU expresses satisfaction with the progress of destruction of the remaining Libyan Category 2 chemicals at the GEKA mbH facility in Germany. The EU and its Member States confirm their readiness to continue to support the full implementation of the destruction plan and in particular the decontamination of the former storage site at Al-Ruwagha.

The EU is deeply concerned by recent reports alleging the use of chemical weapons in Mosul, Iraq and welcomes the OPCW's offer of assistance to the Iraqi authorities and is looking forward to the information that they are invited to provide. We appreciate that Iraq has continued to keep the Executive Council informed about its investigations of previous allegations of use of chemical weapons by non-State actors on its territory and welcome the support of the Technical Secretariat in this case, as well as regarding the destruction of the remaining chemicals at Al Muthana.

The EU also expresses its deep concern regarding the alleged use of the nerve agent VX in connection with a terrible incident at an airport in Malaysia on 13 February and welcomes the Director-General's offer of support to the Malaysian authorities with their investigation. The EU condemns all use of chemical weapons and invites Malaysia to keep the Executive Council informed of its investigations into this matter.

Regarding the future priorities of the Organisation, the EU believes that the OPCW must remain a successful security and disarmament organisation and relevant in the face of new challenges. We intend to contribute constructively to the relevant discussions of the dedicated open-ended working group.

It is imperative that the Organisation continues to have staff with 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. We would 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 submission system, are expected to assist States Parties in this direction and we encourage them to make full use of this system's capabilities.

In order to respond effectively to advances in science and technology, including the convergence of chemistry and biology, the EU supports the work carried out by the members of the Scientific Advisory Board (SAB) and encourages continued substantive discussion on the implementation of the SAB Technical Working Group's recommendations for strengthening the Convention's verification regime. The EU also welcomes the recommendations made so far by the Advisory Board on Education and Outreach (ABEO) at its First and Second Sessions and also the steps taken by the Technical Secretariat to respond to them. The recommendations will make an important contribution to understanding and raising awareness of the Convention among scientists and the wider public.

The close cooperation between the United Nations, WHO and the OPCW in the Syrian operation has produced many valuable lessons learned that should guide our work in the future. Cooperation with other relevant international organisations, such as the BTWC ISU, the CTBTO and the IAEA, has also proved fruitful. In addition, regular engagement and cooperation with all stakeholders, including the chemical industry, academia and civil society, ought to be further and fully utilised.

The European Union considers that full and effective national implementation of the Convention in accordance with Article VII is an important way for States Parties to help prevent the use of chemical weapons by non-State actors. We acknowledge the often very serious challenges and competing priorities some States Parties face regarding national implementation of the Convention and therefore support the broad range of assistance measures available to help with this important task. The EU will continue assisting in this area through the new voluntary contribution.

The EU encourages all States Parties to submit adequate and timely declarations under Article X, and to increase offers of assistance. The European Union will continue to support activities related to national implementation, assistance and protection, international cooperation and in particular the Africa Programme. We believe that cooperation with the regional EU Centres of Excellence can be of particular importance in this direction. 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 context of the current international security situation we believe that the OPCW must take action to promote chemical safety and security, aimed at addressing these challenges including in cooperation with other regional and global actors. The European Union is gravely concerned about the risk of non-State actors acquiring and using toxic chemicals, which has already become a dark reality in the Syrian Arab Republic and Iraq. The implementation of all Articles of the Convention constitutes a tangible contribution to the global security and to the effort to prevent and respond to acts of chemical terrorism by non-State actors. The EU believes that the Executive Council should not remain silent on

threats posed by non-State actors and calls for the swift adoption of the relevant draft decision.

With this in mind, we support the work of the Open-Ended Working Group on Terrorism and that of the Sub-Working Group on Non-State Actors and we look forward to States Parties and the Technical Secretariat working together to help those groups produce useful relevant and practical recommendations.

Finally, we call on States Parties that are in serious arrears of payment of their annual contribution to pay what they owe to the OPCW immediately. By not paying what they owe to the OPCW, they are hampering the effective functioning of the Organisation and are reducing the resources available to support States Parties in need of assistance.

Mrs Chairperson,

As this is the last regular session of the Executive Council chaired by you, the EU would like to express its gratitude for your able leadership. During your chairmanship, the OPCW was confronted with particular challenges. We would like to commend you for the outstanding way in which you dealt with these challenges as the Chairperson of this Executive Council.

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