

CHECK AGAINST DELIVERY



STATEMENT BY

**United States Delegation to the Executive Council
Organization for the Prohibition of Chemical Weapons
The Fiftieth Meeting of the Executive Council
EC-M-50**

November 23, 2015

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Mr. Chairman,

Today, again we gather as a Council to address chemical weapons use on the territory of a State Party to the Convention. There is no greater threat at this time to the Convention and the international norm against chemical weapons than the continuing use of such weapons to harm and kill the Syrian people. The sad reality is that chemical weapons use is becoming routine in the Syrian civil war. Today, we must raise our voice collectively and emphatically to condemn such use and to defend the most fundamental objective of the Convention and the OPCW.

In 2014, through a trilogy of reports, the Fact-Finding Mission, established by the Director-General, informed this Council that chlorine had been used as a weapon repeatedly and systematically during April and May 2014 in three opposition-controlled villages in northwest Syria. In February of this year, the Executive Council expressed serious concern regarding the findings of the Fact-Finding Mission. The Council also took decisive action to address this deplorable situation by insisting that those individuals responsible for the use of chemical weapons be held accountable. This near unanimous action by the Council directly set into motion an intense diplomatic effort at the UN Security Council, which culminated in the establishment, through resolution 2235, of the Joint Investigative Mechanism for Syria. This OPCW-UN Joint Investigative Mechanism is charged with identifying, to the greatest extent feasible, individuals, entities, groups, or governments that were perpetrators, organizers, sponsors or otherwise involved in the use of chemical weapons in Syria.

We have reached an inflection point today in this crisis – but fortunately we have also developed together the needed tools to help stem the use of chemical weapons in Syria and eventually bring to justice those who have used such heinous weapons, as established by the Fact-Finding Mission. It is the United States' fervent hope that the Joint Investigative Mechanism will soon identify those involved in the chemical weapons attacks in Syria, providing a way forward for the international community to ultimately hold them accountable for their actions. When that day comes, it will be because of the unwavering conviction of almost every member of this Council last February that such use can never be tolerated or ignored. The Joint Investigative Mechanism's attribution mandate will serve as an important deterrent to future chemical weapons use.

Today, the Council has before it three more reports from the OPCW Fact-Finding Mission on its investigations into allegations that chemical weapons have been used in Syria. And, disturbingly, two of the three reports confirm the use, or likely use of, chemical weapons. Pursuant to UN Security Council resolution 2235, these two reports will be taken up by the Joint Investigative Mechanism as part of its mandate. Before turning to the reports themselves, I first want to commend the Director-General and the members of the Technical Secretariat for the professional and steadfast way that they have systematically sought, from the very beginning of the effort in May 2014, to determine the facts about the alleged use of chemical weapons. Their task has been difficult and sometimes dangerous. They have resourcefully developed techniques for the evaluation of these incidents in an ongoing civil war where there have been challenges with access and collection of evidence. We all owe them a debt of gratitude.

Mr. Chairman,

One report before us today (S/3119/2015) deals with some alleged incidents in the Idlib Governorate between 16 March and 20 May 2015. Based on a detailed analysis of interviews, physical evidence, and open-source information, the Fact-Finding Mission concluded that those incidents "likely involved the use of one or more toxic chemicals--probably containing the element chlorine--as a weapon" with an outcome of exposure that was fatal in six cases in Sarmin, including those of three children in the same family. Notably, the interviewees often reported hearing helicopters overhead at the time the chemical munitions exploded.

A second report (S/1320/2015) deals with alleged incidents in August 2015, in Marea, a town in the Aleppo Governorate situated close to the Turkish border. At the time of the incident, the area was the front-line of fighting between opposition forces and ISIL. The report confirms that at least two people were exposed to sulfur mustard, and that it is very likely that the effects of this chemical weapon resulted in the death of an infant. The third report (S/1318/2015) is an interim report regarding the investigation into incidents raised officially by the Syrian authorities that allegedly occurred between 15 December 2014 and 15 June 2015. This interim report contains specific findings with respect to only one particular incident, which allegedly involved an attack on Syrian government forces in the Jober area of Damascus on 29 August 2014. The interim report

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indicated that the Fact-Finding Mission team was unable to obtain hard evidence related to this incident and stated that “the FFM cannot confidently determine whether or not a chemical was used as a weapon.” We note that the Fact-Finding Mission interim report indicated that the Syrian government’s other alleged incidents are pending final analysis and will be included in the final report.

The report on the Idlib incidents is alarmingly reminiscent of the Fact-Finding Mission report issued last December that confirmed the use of chlorine gas against opposition-held areas in northwest Syria during April and May 2014. It makes abundantly clear, once again, that chemical weapons have been used in the conflict in Syria. And, once again, those interviewed associated the attacks with the presence of helicopters, which are only available to Syrian government forces. Only one conclusion can be drawn from such facts: the Syrian regime has continued to use chemical weapons on its own people despite its obligations under the Chemical Weapons Convention, as well as provisions of UN Security Council resolutions 2118 (2013) and 2209 (2015) and despite universal condemnation by the international community, including this very Executive Council.

Mr. Chairman,

Today, more than two-and-one-half years after the first reports of the use of chemicals as weapons in Syria, we should all recall the fundamental goal of the Convention--to exclude completely the possibility of the use of chemical weapons--and ask ourselves what the Council and States Parties can do to prevent further chemical weapons attacks. In our view, the Council and individual States Parties must, as we did this past February, act decisively to clearly and loudly express grave concern regarding these most recent findings of the Fact-Finding Mission and condemn the use of chemical weapons – by anyone. Those with relevant influence in Syria must use that influence to make clear that use of chemical weapons will not be tolerated. The Council must stress its continued support for the prompt and impartial investigation of all credible allegations of the use of chemical weapons and ensure that sufficient resources are made available for this effort. And the Council must stress its support for the international effort to identify and hold accountable those who are responsible for the use of chemical weapons. My delegation will work closely with the Chair and all other delegations to enable the Council to take such a decision at this special meeting.

Early next year, the Joint Investigative Mechanism established by the UN Security Council to determine responsibility for confirmed chemical weapons attacks will issue its initial report. Although the Security Council will be the primary venue for considering the report, clearly its findings will be directly relevant to this Council’s mandate to uphold the object and purpose of the Chemical Weapons Convention.

Mr. Chairman,

Concerns about continued use by Syria of chlorine as a chemical weapon are compounded by the Secretariat’s recent report on discrepancies and omissions in Syria’s declaration and related information submissions. The lack of progress in resolving the gaps and discrepancies in Syria’s declaration raises the specter that Syria is maintaining covert stocks of chemical agents as part of a program that it is obligated both to declare and to destroy. The only possible reason for doing so is to keep the option open of using chemical agents in the future to devastating effect against the people of Syria. The regime’s recent use of chemical weapons against their own people makes abundantly clear that they will not hesitate to resort to such tactics as it suits their cynical purposes.

In sum, ominously hanging over the entire discussion in the Council is the fundamental question of whether Syria is prepared truly to renounce chemical weapons and to commit itself to complying fully with the Convention and UN Security Council resolutions. For the sake of the people of Syria and the peace and security of the region, this Council, and indeed the broader international community, must remain vigilant and resolute in our commitment to a Syria free of chemical weapons. For the sake of the Convention and the international norm against the use of chemical weapons, this Council must take a strong decision today to condemn again the continuing use of these weapons by anyone in Syria.

Mr. Chairman,

I request that this statement be considered as an official document of the Fiftieth special meeting of the Council and posted on the external server and the public website.