



Fiftieth Meeting  
23 November 2015

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23 November 2015  
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### DECISION

#### FURTHER REPORTS OF THE OPCW FACT-FINDING MISSION IN SYRIA

**The Executive Council,**

**Underlining** that the use of any chemical weapons by anyone under any circumstances is reprehensible and completely contrary to the legal norms and standards of the international community;

**Recalling** the determination of the States Parties to the Chemical Weapons Convention (hereinafter “the Convention”) “for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons, through the implementation of the provisions of this Convention”;

**Recalling also** the decision of the Executive Council (hereinafter “the Council”) regarding reports of the OPCW Fact-Finding Mission in Syria (EC-M-48/DEC.1, dated 4 February 2015), which expressed serious concern regarding the findings of the Fact-Finding Mission, made with a high degree of confidence, that chlorine had been used as a weapon in the Syrian Arab Republic in the villages of Talmenes, Al Tamanah, and Kafr Zita from April to August 2014;

**Cognizant** of the most recent reports of the OPCW Fact-Finding Mission in Syria (S/1318/2015, S/1319/2015, and S/1320/2015, all dated 29 October 2015), set up by the Director-General to establish the facts surrounding the allegations of the use of toxic chemicals for prohibited purposes in the Syrian Arab Republic, and of the fact that the Director-General intends to transmit the reports to the United Nations Secretary-General, as requested by United Nations Security Council resolution 2209 (2015), dated 6 March 2015; **while noting** that in the Executive Council diverse views were expressed with regard to these reports;

**Mindful** of the Director-General’s correspondence transmitting United Nations Security Council resolution 2118 (2013), dated 27 September 2013, and United Nations Security Council resolution 2209 (2015), dated 6 March 2015;

**Mindful also** that the task of the Fact-Finding Mission does not include the question of attributing responsibility for alleged use;

**Cognizant** of the Note by the Director-General dated 11 August 2015 (S/1302/2015) transmitting United Nations Security Council resolution 2235 (2015), dated 7 August 2015, establishing an OPCW-United Nations Joint Investigative Mechanism to identify to the



greatest extent feasible individuals, entities, groups or governments that were perpetrators, organisers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic, where the OPCW Fact-Finding Mission determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, including chlorine or any other toxic chemical;

**Further cognizant** of the aforementioned Note by the Director-General dated 11 August 2015 (S/1302/2015) transmitting United Nations Security Council resolution 2235, dated 7 August 2015, which requests the Fact-Finding Mission to collaborate with the OPCW-United Nations Joint Investigative Mechanism to provide full access to all of the information and evidence obtained or prepared by the Fact-Finding Mission, including but not limited to, medical records, interview tapes and transcripts, and documentary material;

**Expressing appreciation** to the Fact-Finding Mission personnel for their courage, dedication, and the professional manner in which they have carried out their assignment; and

**Expressing support** for the continuation of the work of the Fact-Finding Mission, in particular studying all available information relating to the allegations of use of chemical weapons in the Syrian Arab Republic, including that provided by the Syrian Arab Republic as well as by others;

**Hereby:**

1. **Expresses grave concern** regarding the findings of the Fact-Finding Mission that chemical weapons have once again been used in the Syrian Arab Republic, and in this regard:
  - (a) **underscores** that, with respect to the incident in Marea, Syrian Arab Republic, on 21 August 2015, the report of the Fact-Finding Mission confirmed “with the utmost confidence that at least two people were exposed to sulfur mustard” and that it is “very likely that the effects of sulfur mustard resulted in the death of a baby” (S/1320/2015); and
  - (b) **further underscores** that, with respect to several incidents in the Idlib Governorate of the Syrian Arab Republic between 16 March 2015 and 20 May 2015, the report of the Fact-Finding Mission concluded that they “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 (S/1319/2015);
2. **Notes** that, with respect to allegations submitted by the Syrian Arab Republic that its soldiers were attacked with chemical weapons in Jober on 29 August 2014, the Fact-Finding Mission reported that it “cannot confidently determine whether or not a chemical was used as a weapon” (S/1318/2015), and **further notes** that its report is an interim report and that other incidents under investigation are pending final analysis and will be included in the final report;

3. **Reaffirms its condemnation**, in the strongest possible terms, of the use of chemical weapons by anyone under any circumstances;
4. **Emphasises again** that any use of chemical weapons anywhere, at any time, by anyone, under any circumstances is unacceptable and would violate international law;
5. **Expresses again its strong conviction** that those individuals responsible for the use of chemical weapons should be held accountable;
6. **Requests** the Director-General to provide the Council at its next regularly scheduled session with information on the progress of the Fact-Finding Mission as well as on specific plans, schedules, and implementation; and
7. **Calls upon** all relevant parties to extend their full cooperation to the Fact-Finding Mission to ensure that it completes its work safely and effectively.

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