



Fifty-Sixth Meeting
9 November 2017

EC-M-56/NAT.3
9 November 2017
ENGLISH and SPANISH only

GUATEMALA

**STATEMENT BY THE DELEGATION OF THE REPUBLIC OF GUATEMALA TO THE
OPCW AT THE FIFTY-SIXTH MEETING OF THE EXECUTIVE COUNCIL***

Thank you dear Chairperson for allowing my delegation the use of the floor.

I would like to start by thanking you Mr Chair, for convening this meeting of the Executive Council, with the purpose of discussing the seventh report of the UN-OPCW Joint Investigative Mechanism, published the past 26th of October.

Chair, Guatemala reiterates its most energetic condemn to the use of chemicals as weapons, irrespective of the place, circumstances or parties involved, but especially when its use has been aimed against civil population. Humanity has proscribed the use of such weapons and in a year that so much progress has been attained in the field of destruction of declared arsenals, we must be faced with its use against civilians, even in acts authored by non-state actors.

Guatemala thanks the UN-OPCW Joint Investigative Mechanism – JIM – for the release of the said report, one that we have read with much consideration and attention. A mention must be made to the risks that the personnel of both the Fact Finding Mission – FFM – and that of the JIM assumed and faced, in order to fulfil the task we assigned to them. I ask Chairperson that our gratitude to their bravery is recorded in our logs. At the same time, it is important to mention the JIM Leadership wise guidance of the Mechanism’s work within the most difficult and complex of situations. To the Leadership, all our admiration and respect.

Chairperson, I ought to bring some of the report’s elements to the discussion as they should be pointed out. I allow myself to begin with a positive note: The fact that the JIM itself has made express mention of the full collaboration of the Syrian Government and that because of such disposition, the JIM had unfettered access to places, individuals and information. The benchmark for responsible conduct of State Parties is total collaboration and we believe that in that aspect the Syrian Arab Republic fulfilled its role.

Dear Chairperson, another aspect I wish to highlight is that, apparently, the JIM has managed to perform a more exhaustive work than the FFM – or so it appears from what the JIM report indicates – due to the mention in several parts of the report whereby additional elements were collected, more witnesses were examined, and more sites were visited, etc. We would like to believe that such situation could have risen due to the constant evolution of the situation in Syria, or that elements previously unknown have been brought to light because of the passage

* Issued as submitted by the Delegation.



of time or more conducive circumstances. In any case, we believe that best practices and empirical experience collected by the JIM should be subject to analysis and transfer to the OPCW for any future activity under Parts X and XI of the CWC Annex on Verification.

Furthermore Mr Chair, we consider as a regrettable precedent the absence of in situ investigation at the events' sites. We believe that here is no valid substitute to investigations in-situ in order to verify the events. It is a very dangerous precedent to deposit our trust on third parties, especially when it comes to the integrity of evidence, its traceability and trustworthiness. Of course we are aware that both the FFM and the JIM served themselves of several and distinct methods in order to inform themselves of what occurred, as well as for the collection of biomedical and environmental samples. However, we kindly encourage them that for the future, every effort is made – within reasonable measures of the missions' safety and security – in order to carry out the investigative work without any intermediaries or outsourcing.

It has also called our attention that the JIM decided not to collect samples at the Al-Shayrat base, despite the quite powerful statement made by some of the members of this Council regarding the allegations that the chemical substance later used at Khan Shaykhun was stored and afterwards launched from an aircraft that took off from such base, on the basis of what according to the Mechanism happened last April 4th in Khan Shaykhun.

Regarding the conclusions of the report, it cannot be ignored by anyone that this is not the first time that responsibility for the use of chemicals as weapons is assigned to a State Party of this Organisation. The former requires an exhaustive discussion and determinations to be made according to the CWC and the relevant international legal framework.

The report also assigns responsibility for the use of chemicals as weapons to non-state actors, a fact that we find particularly alarming, even when it may strengthen our conviction that the effort and time spent in the Working Group on Terrorism and the Sub Working Group on Non-State Actors were timely and sensible investments.

As State Parties to the CWC we must all redouble our efforts to frustrate any attempt made by groups operating outside the law, to access, possess or utilize chemicals as weapons. Such effort has to start by the final and total destruction of chemical weapons by possessor states in order to negate access to any party, as well as the full implementation and adherence to the verification regime. In parallel, we shall guarantee the full respect to the regime of the Convention, without any erosions to its general and cuasi universal observance.

Guatemala reinstates its full support to the Organisation and the work it carries out, that of the FFM and of the JIM, we express our wish that the UN Security Council renews the mandate of the Joint Mechanism, and at the same time we trust that all the stakeholders of the situation under analysis will find a path towards a constructive and fruitful solution.

I thank you for your attention.

- - - 0 - - -