



66th Meeting of the Executive Council

Statement by the Director-General of the OPCW, Ambassador Fernando Arias

12 December 2024

Mr Chair,

Excellencies,

Distinguished Delegates,

I welcome all delegations to the 66th meeting of the Executive Council.

This meeting was convened upon my request.

I thank the Chairperson of the Council, Ambassador Andrés Terán Parral, Permanent Representative of Ecuador to the OPCW, for accommodating my request for convening the meeting.

The goal is to comment on the current situation in the Syrian Arab Republic and highlight some significant points in relation to the Syrian chemical weapons programme. Namely, we all know that Syria did not declare its full chemical weapons programme.

Our reports over the past few years, have reached very clear conclusions and we hope that the new circumstances in Syria will allow this chapter to be closed soon.

Also, chemical weapons have been used in Syria on multiple occasions and victims deserve that perpetrators that we identified be brought to justice and held accountable for what they did and that investigations continue.

In the past days, the Secretariat has been closely monitoring the situation in Syria, with special attention to the status of its chemical weapons-related sites. We have heard positive signals from within Syria on the need to rid the country of any chemical weapons that

would still be left there after the fall of the previous Government. To date, we have not received any official request from any Syrian authorities. At the same time, I have been in contact with high-ranking officials of the United Nations.

The political and security situation in the country remains volatile. It may have an impact on the status of chemical weapons related sites and pose proliferation risks.

We have also been following closely reports concerning airstrikes targeting military facilities. We do not know yet whether these strikes have affected chemical weapons related sites. Such airstrikes could create a risk of contamination.

Another real risk would be the destruction of valuable evidence for investigations by different independent international bodies related to past use of chemical weapons. Additionally, we also have to consider the risk of any dangerous chemicals or equipment being lost, without any control.

At the same time, the evolving political landscape in Syria may present an opportunity for the Organisation to obtain clarifications on the full extent and scope of the Syrian chemical weapons programme. This is a task that we have not been able to complete with the former government over the past 11 years and on which I have reported to all of you on multiple occasions, both formal and informal.

You will recall that, up until April 2013, Syria had always denied the existence of any chemical weapons programme, which once declared, appeared to have been very important and developed over the course of more than 40 years. Prior to joining the Chemical Weapons Convention, the Syrian Arab Republic had declared to the 1540 Committee of the United Nations Security Council that it had no chemical weapons. As you know, on 14 September 2013, the Syrian Arab Republic acceded to the Convention, which subsequently entered into force for on 14 October 2013.

Therefore, like every other State Party to the Convention, Syria has been subject to the following obligations:

- Never under any circumstances to develop, produce, acquire, stockpile, retain, transfer or use chemical weapons (Article I of the Convention);
- Submit timely, accurate, complete declarations related to chemical weapons and chemical weapons facilities on its territory (Article III of the Convention);
- Cooperate with the OPCW in the exercise of all its functions and provide assistance to the Technical Secretariat (Article VII of the Convention).

These, as well as all other legal obligations binding upon the Syrian Arab Republic as a State Party to the Convention remain valid, regardless of any change in government. Commitments undertaken by a State, under international law, remain binding on successive governments as per the principle of continuity. In addition, the relevant policy-making organs of the OPCW and the United Nations have adopted specific decisions to account for the particular circumstances under which Syria acceded to the Convention. The OPCW Executive Council decision EC-M-33/DEC.1, and United Nations Security Council Resolution 2118(2013), both dated 27 September 2013, continue to provide the legal framework for our efforts aimed at eliminating Syria's chemical weapons programme, all under the Convention. These decisions provide, inter alia, the OPCW personnel with immediate and unfettered access to any place on the territory of the Syrian Arab Republic.

I recall that, within 30 days of the entry into force of the Convention for Syria, the Syrian Arab Republic submitted the initial declaration on its chemical weapons programme. As a result of a joint OPCW-UN mission, that lasted from October 2013 to September 2014, all chemical weapons initially declared by Syria were removed and destroyed outside of its territory, under strict verification by the OPCW Secretariat.

Despite this achievement, serious concerns remained about the completeness of Syria's initial declaration. These concerns relate to significant amounts of chemical weapons potentially undeclared, and those declared without any possibility for the Secretariat to verify their fate.

For the past 11 years, through the OPCW Declaration Assessment Team –the DAT–, the Secretariat has worked to clarify gaps, discrepancies, and inconsistencies in this initial declaration. To date, the 19 outstanding declaration-related issues, together with other unfulfilled obligations arising from the decisions of the Conference of the States Parties and of this Executive Council, have resulted in the Secretariat's assessment that the Syrian declaration of its chemical weapons programme still cannot be considered as accurate and complete. It is not only the number of outstanding issues, but the very nature and substance of each issue that has caused serious concerns.

During the same period, use of toxic chemicals as weapons in Syria has been investigated by the Secretariat, as well as other independent international investigative bodies. Through the work of the OPCW Fact-Finding Mission (FFM) and the Investigation and Identification Team (IIT), the Secretariat has been investigating the allegations of use of chemical weapons in Syria, and identifying the perpetrators of their use. Investigations were also carried out by the OPCW-United Nations Joint Investigative Mechanism –the JIM– between 2015 and 2017. So far, the Syrian Arab Republic Armed Forces have been identified by the IIT and the JIM as the perpetrators of the use of chemical weapons in 9 instances.

Chemical weapons can only be used if they are possessed. Such use of chemical weapons, together with the findings of the DAT, imply that the Syrian Arab Republic failed to declare and destroy the entirety its chemical weapons programme and has been in non-compliance since its accession to the Convention.

Against this backdrop, the Executive Council adopted the decision EC-94/DEC.2 on 9 July 2020, requesting the Syrian Arab Republic to declare the following sites and activities, namely:

- declare to the Secretariat the facilities where the chemical weapons, including precursors, munitions, and devices, used in the 24, 25, and 30 March 2017 attacks in Ltamenah were developed, produced, stockpiled, and operationally stored for delivery;

- declare to the Secretariat all of the chemical weapons it currently possesses, including sarin, sarin precursors, and chlorine that is not intended for purposes not prohibited under the Convention, as well as chemical weapons production facilities and other related facilities; and

- resolve all of the outstanding issues regarding its initial declaration of its chemical weapons stockpile and programme;

To date, the Syrian Arab Republic has not fulfilled any of these requests.

Moreover, due to a dismissive approach by the former Syrian authorities, the Secretariat has not been in a position to properly address these concerns. Such concerns include not only residual elements, but also potential new components of a chemical weapons programme, and also the chlorine programme. Accordingly, the Secretariat has not been able to confirm that the Syrian Arab Republic did not possess or did not further develop any chemical weapons programme or similar capacities.

In addition, both the JIM and the IIT have identified the terrorist group ISIL as having used sulfur mustard in Syria in three instances.

Therefore, the Organisation's priority from now on will be to engage with the new Syrian authorities as soon as possible, and work with them to finally determine the full extent of the Syrian chemical weapons programme to ensure that the risk of proliferation or use of chemical weapons is contained. It could allow us to finally define the full extent and scope of the Syrian chemical weapons programme, commit and support the new Syrian authorities to destroy it, and have the Secretariat verify its destruction.

In the current situation, there are two important missions to be achieved.

The first one is to prevent proliferation and any further use of chemical weapons. To do so, the Secretariat will need to identify, visit, and verify the chemical weapons related locations and facilities that will be unveiled as soon as possible. The second mission is to protect and maintain documents, evidence, and witnesses related to the Syrian chemical weapons programme. The ultimate goal is to achieve the complete elimination of Syria's chemical weapons programme, and to take part in the process of the international accountability of the former Syrian government and any other identified perpetrators. To this extent, the first step for the Organisation is to establish official contact, through diplomatic channels with a new government, once it is formed.

For that purpose, on Monday 9 December 2024, the Secretariat sent a Note Verbale to the Permanent Representation of the Syrian Arab Republic to the OPCW to remind it of its continued obligations under the Convention. Receipt of this Note was acknowledged by email the same day, with the embassy personnel informing us that the current situation in Syria did not permit them to forward this Note at that time, and that they would forward it as soon as it is possible. The Note Verbale has been shared with all States Parties, and made an official document of this Meeting of the Council.

In this Note, the Syrian Arab Republic was requested to provide the Secretariat with updated information regarding:

- The security and integrity of declared chemical weapons research, development, production, storage and testing sites/locations;
- Any movements, changes, or incidents involving materials and/or documentation from these sites/locations;
- Measures being implemented to ensure compliance with the Convention under the present conditions.

Once the communication with new interlocutors is established, the next step will be to send a team of experts from the Secretariat to the Syrian Arab Republic, as soon as the security situation allows it. The aim of this first mission will be to collect all relevant information on

the current situation regarding chemical weapons related sites and to assess the work necessary as we move forward. This may involve visits to at least 27 locations of chemical weapons related facilities destroyed and declared by Syria to clarify the full spectrum of activities that have taken place there. It may also entail visits to any other locations that might be relevant to the chemical weapons programme.

In this respect, I call upon all parties that may have relevant information related to Syria's chemical weapons programme to make this information available to the Secretariat. This call echoes what has already been requested by the Conference and by this Council, through their relevant decisions, namely EC-M-50/DEC.1, EC-83/DEC.5, and most recently C-28/DEC.12.

Pursuant to Articles IV and V of the Convention, in case any additional undeclared chemical weapon stockpiles or facilities are found in the future, these will have to be declared and a plan for their destruction will need to be agreed by the Executive Council. In that sense, we may consider that the challenge we face is similar in nature to the one in 2013, when the Syrian Arab Republic acceded to the Convention. The main difference is that, today, we are much better prepared to face such a challenge. This is thanks to the knowledge, experience, and expertise that we have built up over the past 11 years. Today, we know much more. We are also better equipped. Yet, we do not know what we will find and how much time will be needed to address it.

At the same time, we must take into account that the Secretariat needs to conduct all its mandated and budgeted activities, such as international cooperation and assistance programmes and chemical industry inspections around the world. As was the case in 2013, in all likelihood, the Secretariat will need more resources to conduct additional non-routine missions. To carry out any future mission in Syria, the Secretariat will need to rely on the support from States Parties for additional financial and human resources. Continued and timely additional financial contributions will be important to ensure

that the Secretariat can continue to deploy its teams when and where necessary.

In connection with the human resources, you are all aware that many top experts have left the Organisation, due to the strict tenure policy.

This matter has been on the table of the Conference for the past 6 years, through 3 facilitations, chaired by 6 different ambassadors. Most recently, the Conference agreed two weeks ago to task the Executive Council to decide on flexibility of the tenure policy at its next regular session in March 2025.

Notwithstanding this, in view of the situation in Syria, considering the potential size and time span of future missions, and to ensure that the Secretariat delivers, I wish to recall provisions contained in paragraph 2-e of the 2013 Council's decision EC-M-33/DEC.1 that I already mentioned. That decision still governs the legal framework applicable to the full elimination of the Syrian chemical weapons programme. In it, the Council decided to provide, I quote: "authority to the Secretariat to hire, on a short-term basis, qualified inspectors and other technical experts and to rehire, on a short-term basis, inspectors, other technical experts, and such other personnel as may be required whose term of service has recently expired, in order to ensure efficient and effective implementation of this decision in accordance with paragraph 44 of Article VIII of the Convention."

Taking into account how the situation continues to evolve, the Secretariat will, as soon as possible, provide States Parties with a plan ahead, with estimates on resources needed. On that basis, we will inform you of the needs identified and the recruitments made accordingly.

In 2013, when Syria was not yet member of the OPCW, the Secretariat responded to the call of the international community to support the United Nations in dealing with an incoming possessor state. Today, after 11 years at the OPCW, this Member State now needs to come into full compliance and, at last, fulfil all its obligations under the Chemical Weapons Convention, relinquishing what is left of its chemical weapons programme.

It is up to the international community to seize this opportunity to support the OPCW to eradicate this criminal programme once and for all, participating in working towards peace, international security, accountability, global disarmament, and non-proliferation. The OPCW will ensure that it continues to adapt its presence in Syria depending on its expected activities, as it has done since 2013. Between 2018 and 2023, the Secretariat reduced its footprint in Syria and associated expenses by more than 80% in a policy of reducing costs and the presence of personnel, as access to Syria had become increasingly limited due to the former Syrian government's refusal to grant access to the IIT and to one of the lead experts of the DAT. There has been no permanent OPCW staff in the office of the OPCW in Syria since 2022. This will obviously need to be reviewed.

Since 2013, the OPCW has worked with the United Nations and the Syrian Arab Republic under a tripartite legal framework. The existing one, between the Secretariat, United Nations Office for Project Services (UNOPS), and Syria will come to an end on 31 December 2024, in a few days' time. We need to continue with a legal framework to conduct all the activities I have mentioned. It will be imperative for the new Government of Syria to sign on such an agreement and allow the Secretariat to access and use its offices, equipment, and vehicles that are still in Damascus.

We will also request that the new government provide the IIT with the access to the territory of the Syrian Arab Republic, and cooperate fully with this team to continue to identify the perpetrators of chemical weapons use in the Syrian Arab Republic.

New reports have begun to surface in Syria on the atrocities committed by the former Syrian government. Torture, arbitrary detention, forced displacements, and killings. The use of internationally banned chemical weapons against innocent populations also stands in this museum of horror. Already, people have come out to further witness these atrocities. Report of the Secretariat, all these years, have evidenced it and informed you, and you have taken action accordingly.

No one knows what the future holds for Syria, for the region, and for the world. Under such circumstances, it seems only logical that this Council decides to remain seized of this matter.

You can rest assured that the DAT, the FFM, and the IIT will continue to provide you with all the necessary information for this Council and the Conference to adopt appropriate decisions. I wish to seize this opportunity to thank all its members and to acknowledge the outstanding work they have been carrying out to date. We will continue our work, with your support. I thank you for your attention.
