

# VERIFICATION RESEARCH, TRAINING AND INFORMATION CENTRE

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## STATEMENT BY VERTIC TO THE NINETEENTH CONFERENCE OF THE STATES PARTIES TO THE CHEMICAL WEAPONS CONVENTION

The Hague, the Netherlands

1-5 December 2014

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Mr Chair, Director-General, Excellencies, Ladies and Gentlemen,

### *Accountability*

Since the last Conference of the States Parties, remarkable progress has been made on the elimination of Syria's chemical weapons stockpile. We congratulate all parties involved in this achievement. However, much remains to be done, particularly in terms of preventing further use of chemical weapons in Syria and establishing accountability for these crimes.

After last August's preliminary report, the UN Secretary-General's Mechanism for the investigation of alleged use of chemical weapons presented its final report on 13 December, concluding that chemical weapons were used in Syria between March and August 2013. Sadly, allegations of chlorine use were raised in 2014. The Fact-Finding Mission established by the OPCW stated in its preliminary report that there is "credence to the view that toxic chemicals [...] have been used in a systematic manner in a number of attacks". Its second report from September this year included information constituting "compelling confirmation" that a toxic chemical was used "systematically and repeatedly" as a weapon.

During the Executive Council meeting on 26 September, States condemned the use of chemical weapons and many mentioned the need to establish accountability. However, despite the compelling conclusion that chemical weapons were used again in 2014, the international community has not succeeded in agreeing on the next logical step, namely ensuring that the perpetrators of these crimes are held accountable. In May this year, the UN Security Council failed to refer the situation in Syria to the International Criminal Court (ICC), whose investigation powers cover any crime in its Statute, whether the suspected perpetrators are governmental or non-state actors.

The use of chemical weapons is a horrendous crime that threatens the very essence of the Convention. We therefore call on all States Parties to increase their efforts within the OPCW and other forums to agree on the start of a criminal investigation. Referral of the situation in Syria to the ICC by the UN Security Council should remain the objective.

### *National implementation*

Mr Chair, we welcome the development of two new legislative drafting tools by the Technical Secretariat, namely the 'Initial Measures' National Legislation Implementation Kit and the Legislative Assistance Support Tool. We encourage States Parties to make full use of these tools during their legislative drafting process. VERTIC for its part has also continued to provide legal services to interested States. Since the last Conference of the States Parties, we



have reviewed and commented on draft CWC legislation of States in the Middle East and Africa. We have also discussed the CWC laws and bills of four States in Southeast Asia as part of our project under the EU CBRN Centres of Excellence. Finally, we have provided surveys to two States in Asia of their current legislation relevant to the CWC.

We urge all States Parties to review and update their legal frameworks to fully meet their obligations under the Convention.

#### *Universality*

Mr Chair, VERTIC is pleased to inform you of our participation in a roundtable on the CWC in Israel, organised by Green Cross International and the Israeli Disarmament Movement in November. During this roundtable, we spoke on national implementation of the Convention and its verification mechanism. Similarly, VERTIC is participating this week in the second meeting of the so-called Non-proliferation Dialogue among Myanmar, the United Kingdom and the United States, organised in Yangon by the Pacific Forum of the Center for Strategic and International Studies. We will be focusing on the implementation of both the CWC and the Biological Weapons Convention during our presentations.

We will continue to reach out to the remaining non-States Parties in order to achieve universality of the Convention. We hope all States Parties will continue doing the same in both their multilateral and bilateral relations with these States.

Thank you Mr Chair.

Implementation Documents for the CWC and UN Security Council Resolution 1540 on VERTIC's NIM CD (available on the table outside the plenary room):

National Implementation:

- National Legislation Implementation Kit for the Chemical Weapons Convention 2010 (*in Arabic, Chinese, English, French, Portuguese, Russian and Spanish*)
- National Legislation Implementation Kit for the Chemical Weapons Convention 2012: 'Initial Measures' (*in English*)

Background information:

- Fact Sheet 8: National Implementation Measures for the CWC (*in Arabic, English, French, Portuguese, Russian, Spanish*)
- UNSCR 1540 text (*in Arabic, Chinese, English, French, Russian, Spanish*)
- Fact Sheet 6: National Implementation Measures for UNSCR 1540 (*in Arabic, English, French, Portuguese, Russian, Spanish*)
- Legislative Guide to National Implementation of UNSCR 1540 (*in Arabic, Chinese, English, French, Portuguese, Russian, Spanish*)