



U.S. DELEGATION TO THE ORGANIZATION FOR THE PROHIBITION OF  
CHEMICAL WEAPONS

*The Hague, the Netherlands*

UNITED STATES OF AMERICA

NATIONAL STATEMENT

TO THE

FIRST REVIEW CONFERENCE

OF THE

CHEMICAL WEAPONS CONVENTION

BY

ASSISTANT SECRETARY OF STATE FOR ARMS CONTROL

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AS DELIVERED

Mr. Chairman, Mr. Director-General, Excellencies:

It is with great pleasure that I address this first Special Conference of the States Parties to review the implementation of the Chemical Weapons Convention. I would like to thank you, Mr. Chairman, and the other officers of the Conference, for undertaking the difficult task of guiding us. I pledge my delegation's full support and cooperation in your efforts. Let me also thank Ambassador Daverede of Argentina for the efforts he has led over the last year to prepare this Conference.

I am pleased also to inform the Conference that my government has appointed Ambassador Eric M. Javits as its representative to the OPCW, upgrading United States representation to permanent resident status. Ambassador Javits served previously with distinction as our ambassador to the Conference on Disarmament in Geneva, and we are confident that both our government and the OPCW will be well-served by him here in The Hague.

Ladies and Gentlemen, it is worth considering why we are here.

We share a common goal to exclude completely the possible use of chemical weapons, without crippling our ability to attain economic and technological advances in legitimate fields of chemistry. No country that prepares to use chemical weapons can claim to be part of the community of nations in good standing. Furthermore, the community of nations cannot tolerate any individual or group that seeks to develop and use chemical weapons no matter where such individual or group is located.

The Chemical Weapons Convention, first and foremost, aims to prevent governments and other entities from using chemical weapons. Regrettably, this goal is not an anachronism. We confront a number of countries around the world that have or actively are seeking chemical weapons. These countries must be persuaded to forego these activities, join the CWC, and fulfill its provisions and intent.

The Convention also requires each State Party to prohibit persons on its territory or under its jurisdiction from participating in actions that the state itself has foresworn under the Convention and to enact appropriate legislation to enforce those prohibitions. This creates a web of obligations that, if enforced and implemented effectively, will ensure that there is never a safe haven for chemical terrorists in any State Party to the Convention. And terrorists are an ever-present global threat to the objective and purpose of this Convention.

Make no mistake .implementation matters. Words on the page, or even the norms embedded in the Convention itself, mean little unless we take the necessary steps to not only breathe life into them, but also to sustain them.

## UNIVERSALITY

One step we must collectively take is to provide powerful incentives both positive and negative to those states remaining outside the Chemical Weapons Convention to join. The threat of chemical weapons remains, not least because some countries still pursue chemical weapons programs. Many who do so can claim a legal, though certainly not a moral, right to do so because they are not represented here as parties to the Convention. We must demonstrate consistently and forcefully to such countries, that such a choice is unacceptable and will be counterproductive to achieving other key national objectives.

Syria is a prime example of a State not party to the Chemical Weapons Convention that has sought CW-related precursors and expertise from foreign sources. As my government has publicly reported to the U.S. Congress, we believe Syria has a stockpile of the nerve agent sarin, and is trying to develop more toxic and persistent nerve agents. We therefore urge Syria to forego these weapons, join the Chemical Weapons Convention, and then work with the OPCW to destroy its stockpile and ability to make these weapons.

We have also reported to our Congress that Libya is another State not party to the CWC that appears to be working toward an offensive CW capability, and eventual indigenous production. Following the suspension of UN sanctions relating to the destruction of Pan Am flight 103, Libya resumed its pursuit of expertise, parts, and precursor chemicals. According to statements by Libyan officials over the last several years, their government plans to join the CWC. We believe the time to do so has come, and indeed is overdue. As with Syria, we urge Libya to join the Convention, declare its capabilities and stockpiles, and then work with the OPCW to destroy them.

Finally, North Korea is another State not party to the CWC that we have identified in public reports to our Congress as having acquired dual-use chemicals that could potentially be used to support its long-standing chemical warfare program. We believe North Korea's chemical warfare capabilities include the ability to produce bulk quantities of nerve, blister, choking and blood agent. We also believe North Korea possesses a variety of delivery means for these chemical weapons. We strongly urge North Korea to join the Convention and declare its stockpile and capability. Then, working with the Technical Secretariat and other member states, it should destroy those weapons once and for all.

Mr. Chairman, all of these countries must be encouraged strongly to accede to the CWC.

## COMPLIANCE

But, I submit, Mr. Chairman, that we must move beyond a simple quantitative approach to universality. If universality is to matter, it must also have a qualitative element strict compliance with the provisions of the Convention and effective national implementation.

The central obligation of the CWC is simple: no possession, no development, no production, and no use of chemical weapons. The very meaning of the Convention flows from this central premise. The overwhelming majority of States Parties abide by this obligation. However, the United States believes that over a dozen countries currently possess or are actively pursuing chemical weapons. While some, such as Syria, Libya and North Korea are not Parties to the Chemical Weapons Convention, others have representatives here in this room. Again, U.S. concerns are a matter of public record, having been the subject of regular reports to the U.S. Congress. We owe it to you in this room to be candid about what those concerns are.

We are most troubled by the activities of Iran, which we believe continues to seek chemicals, production technology, training, and expertise from abroad. The United States believes Iran already has stockpiled blister, blood, and choking agents. We also believe it has made some nerve agents. We have discussed our concerns with Iran, but those concerns have not been dispelled. Those concerns need to be resolved rapidly and in the most transparent and cooperative manner possible.

In addition, we are working with Sudan to reconcile concerns we have voiced in the past about their attempts to seek capabilities from abroad to produce chemical weapons.

The United States believes it is dangerous to acquiesce quietly in violations of the fundamental obligations arising under this Convention. Accordingly, we have taken, and will continue to take, concrete measures to disrupt illicit programs and deny proliferators the materials they require for such programs. We call upon all nations to do the same.

We have also made extensive use of the provisions of the CWC to raise concerns directly with individual States Parties. We will vigorously continue these efforts, and we call upon other States Parties to join us. Paragraph 1 (d) of Article I is an undertaking never to "assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention." Passive acceptance of illegitimate CW programs is not compatible with this obligation. My government believes in compliance, not complacency.

If this Organization is to fulfill its promise, it must not shrink from the task of confronting those States Parties that are violating the Convention. Certainly this organization cannot -it must not - undermine actions by states and groups of states that complement and reinforce the proscriptions of the CWC by directly diminishing the CW threat.

Verification is an integral part of the Chemical Weapons Convention. The past five years have been a learning experience for member states and the Technical Secretariat alike, marked by gradual improvement in the processes of the Technical Secretariat's contribution to verification. As we move ahead, we encourage more States Parties to become actively engaged in verification and compliance: this is not the sole province of the Technical Secretariat, but a shared responsibility among States Parties and the Technical Secretariat. My government has utilized the consultative provisions of Article IX on numerous occasions to address our compliance concerns, often with great success. Beyond the work of the Technical Secretariat, nations should draw upon their own sources of information in seeking to reach compliance judgements --and to act to deny violators access to CW technology.

Due to limited resources and increasing workload, especially at an increasing number of destruction facilities, the OPCW will need to reassess current inspection methodologies with an eye to establishing more efficient, appropriate, and cost-effective approaches. There is also a need to ensure a wide global distribution of industrial inspection and to maintain adequate inspection intensity for each category of facility that falls under Article VI. It is vital to ensure that the Convention's regime evolves over time in response to changes in both the industry and the chemical weapons threat.

Inspection and declaration reporting to States Parties has improved greatly since 1997. However, it often remains insufficient to give States Parties confidence in compliance. Greater openness, consistent with the need to protect sensitive information, should continue to be a top priority for the OPCW. After five full years of implementation, the OPCW still does not have many of the basic tools that would allow effective use of information technology in the verification process. A system to permit electronic submission of industry declarations, and a secure, flexible database of declaration data to support verification-related analysis and inspection planning, should be put in place as soon as possible.

Inspections are an important means of ensuring member states that the Convention is operating to enhance their security, and for this reason we support them. But we must never lose sight of the fundamental truth of all arms control inspections: the absence of evidence is not necessarily evidence of absence. Time and again, determined cheaters have proven capable of evading arms inspectors. We should never forget the verdict pronounced on one such inspection effort:

Every form of deception and every obstacle baffled...the...Commission... The work of evasion became thoroughly organized...Under a civilian camouflage an organization was set up to safeguard weapons and equipment...Even more ingenuity was used to create machinery for future production of war material.

These words sound like an apt description of the experience of United Nations inspectors in Iraq over the past twelve years. In fact, however, this was Winston Churchill's description of what happened when Weimar Germany set out to evade arms inspections mandated under the Treaty of Versailles. Those inspections helped give rise to false complacency in Europe, with ultimately disastrous consequences.

The United States supports the inspection and declaration provisions of the CWC, but we have no illusions about the effectiveness of such measures against determined cheaters. None of us should ever become complacent about this risk.

## NATIONAL IMPLEMENTATION

A basic obligation of membership in the OPCW is for each State Party to take the steps necessary to implement the Convention on its own territory...and yet only 55 percent of the membership have notified the Technical Secretariat of the implementing measures they have taken, as required by the Convention. This raises the troubling possibility that nearly half of all States Parties may not yet have taken such measures. Further, the Technical Secretariat's analysis of the information that has been provided indicates that the measures taken by many States Parties do not adequately cover all key areas. While intolerable under any circumstances, this becomes even more troubling in light of the efforts of Al Qaeda and other terrorist organizations to acquire chemical weapons. In terms of concrete steps, the Review Conference should call upon all member states to report on their implementing measures by the 8<sup>th</sup> Regular Session of the Conference of the States Parties in October 2003. The Conference should also establish a timetable and action plan to address the situation. The United States stands ready to provide assistance on request, either bilaterally or in coordination with the Technical Secretariat, to States Parties that do not have the means to adopt national implementation measures.

## DISARMAMENT

Mr. Chairman, only five States Parties have declared stockpiles of chemical weapons. A few more have declared chemical weapons production facilities. Nevertheless, the verified destruction of these stockpiles and destruction or conversion of former production facilities is important to every State Party.

Destruction of chemical weapons, on the whole, is not proceeding at the rate foreseen in the Convention, and this lack of progress must concern us all. These stockpiles must be eliminated, and in the interim, they must be secured.

I should note that the safe dismantlement and disposal of a CW arsenal is no easy matter. While the total costs of this undertaking in the United States are currently estimated at 24 billion dollars, we remain steadfastly committed to the safe, environmentally sound, and verifiable destruction of our stockpile. Since entry into force, we have met every treaty milestone, and to date have destroyed over 22 percent of our stockpile.

While we welcome the recent beginning of destruction operations at Gorniy in the Russian Federation, destruction of the Russian stockpile remains a significant challenge. The United States recently agreed to provide \$1 60.9 million this year for construction of the destruction facility at Shchuch'ye, and others have also made important contributions --including the G-8 Global Partnership. Ultimately, destruction of the Russian stockpile remains a Russian responsibility. Nevertheless, it is important that those in a position to do so provide whatever support they can.

## FUNCTIONING OF THE ORGANIZATION

Finally, Mr. Chairman, a word, if I may, about the functioning of the Organization. The OPCW has, as we all know, seen some troubled times. Yet, we are optimistic. This organization has talented, dedicated staff members, who deserve our appreciation. The once-strained relationship between the member states on one hand and the Technical Secretariat on the other is steadily improving. Our talented Director-General possesses not only the political acumen but also the willingness to consult widely on difficult issues. He is steering this organization on the right course, and he has the full support of the United States government.

Mr. Chairman, I have limited my comments to some of the issues we believe must engage the long-term thinking of this organization. As you confront the challenges before you, rest assured that the United States will work to keep the Organization focused on its primary mission of eliminating chemical weapons. The issues I raised are not only for the Organization, but also for the states represented in this hall: we must do what is necessary to demonstrate to those pursuing chemical weapons, whether States Parties or not, that the world will not tolerate such behavior and will make it costly for them to choose such a path.

Thank you, Mr. Chairman and fellow delegates.