



# Security Council

Seventy-fifth year

Provisional

**8764**th meeting

Monday, 5 October 2020, 3 p.m.

New York

---

*President:* Mr. Nebenzia/Mr. Polyanskiy ..... (Russian Federation)

<i>Members:</i>	Belgium .....	Mrs. Van Vlierberge
	China.....	Mr. Geng Shuang
	Dominican Republic .....	Mr. Singer Weisinger
	Estonia.....	Mr. Auväärt
	France .....	Mr. De Rivière
	Germany .....	Mr. Heusgen
	Indonesia.....	Mr. Syihab
	Niger .....	Mr. Abarry
	Saint Vincent and the Grenadines .....	Ms. DeShong
	South Africa .....	Mr. Van Shalkwyk
	Tunisia.....	Mr. Ben Lagha
	United Kingdom of Great Britain and Northern Ireland .. .	Mr. Allen
	United States of America.....	Mrs. Craft
	Viet Nam .....	Mr. Phan

## Agenda

The situation in the Middle East

Letter dated 29 September 2020 from the Secretary-General addressed to the President of the Security Council (S/2020/961)

---

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).



*The meeting was called to order at 3.10 p.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation in the Middle East**

#### **Letter dated 29 September 2020 from the Secretary-General addressed to the President of the Security Council (S/2020/961)**

**The President** (*speak in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of the Islamic Republic of Iran, the Syrian Arab Republic and Turkey to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mrs. Izumi Nakamitsu, High Representative for Disarmament Affairs; and Mr. José Bustani, former Director General of the Organization for the Prohibition of Chemical Weapons.

The representative of the United Kingdom has asked for the floor.

**Mr. Allen** (United Kingdom): The United Kingdom, together with Belgium, Estonia, France, Germany and the United States of America, would like to raise an objection to the briefer proposed under rule 39 of the Council's provisional rules of procedure. The purpose of our meeting today is for the Security Council to review the implementation of resolution 2118 (2013) and the decision of 27 September 2013 by the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW). Our discussion should focus on those issues.

While we agree that the presidency of the Security Council should have the space to propose briefers, they must be relevant to and knowledgeable of the topic under discussion. Unfortunately, that is not the case for one of today's briefers. Mr. Bustani is a distinguished diplomat, but given his departure from the OPCW many years before it considered the Syria chemical weapons file, he is not in a position to provide relevant knowledge or information on the implementation of resolution 2118 (2013), unlike, for example, the current Director General of the Organization for the Prohibition of Chemical Weapons.

We would therefore request that the presidency put the issue of its proposed briefer to a procedural vote.

**The President** (*speak in Russian*): The representative of China has asked for the floor.

**Mr. Geng Shuang** (China) (*speak in Chinese*): I note my failure to understand the proposal raised by the representative of the United Kingdom, on behalf of some members of the Council, concerning Mr. Bustani, former Director General of the Organization for the Prohibition of Chemical Weapons (OPCW), who has rich experience, unique insights and knowledge of the working methods and procedures of the OPCW. Mr. Bustani is very knowledgeable about the chemical weapon issue and is well suited to be a briefer. His briefing would bring unique value to this meeting.

If I am not mistaken, at previous Council meetings where speakers have been invited to give briefings in accordance with rule 39 of the Council's provisional rules of procedure, some have not been nearly as professional or representative as Mr. Bustani. However, at those meetings, other members did not try to block such briefers or raise objections to their being invited in accordance with rule 39 of the Council's provisional rules of procedure. I would therefore like to express my regret over the practice of the United Kingdom representative and other Council members.

I propose that we take a procedural vote on the proposal put forward by the representative of the United Kingdom so that we know how many members really oppose the invitation extended to Mr. Bustani as a briefer.

**The President** (*speak in Russian*): The representative of the United Kingdom has asked for the floor to make a further statement.

**Mr. Allen** (United Kingdom): I thank my Chinese colleague. Just to clarify, I asked for a vote, Mr. President, on your proposal to invite this briefer. It is your proposal that should be put to the vote.

**The President** (*speak in Russian*): I would like to ask the representative of the United Kingdom to clarify what wording he wants to use as the proposal for the vote.

**Mr. Allen** (United Kingdom): You, Mr. President, asked for a briefer under rule 39. A number of us have objected. I think that it is for you, Sir, either to withdraw your proposal to invite that briefer or to put

your proposal for that briefer to the vote. I would not presume to tell you what language you should use.

**The President** (*speak in Russian*): In that case, I would propose that the following text be put to the vote: "Who is opposed to Mr. José Bustani briefing today's meeting?" Would Council members be ready to vote on that question?

The representative of the United Kingdom has asked for the floor to make a further statement.

**Mr. Allen** (United Kingdom): It seems unnecessarily complex. Why do we not simply use the following wording: "The Russian Federation wishes to propose this briefer. Who supports it?"

**The President** (*speak in Russian*): The representative of China has asked for the floor to make a further statement.

**Mr. Geng Shuang** (China) (*speak in Chinese*): The Chinese delegation fully supports the proposal of the Russian presidency regarding the briefer, in accordance with rule 39. If the representative of the United Kingdom and other representatives are opposed to that and wish to challenge the invitation issued by the President, first and foremost we should vote on the objection put forward by the United Kingdom representative.

**The President** (*speak in Russian*): The representative of France has asked for the floor.

**Mr. De Rivière** (France) (*speak in French*): We have a monthly meeting on the issue of Syrian chemical weapons with Mrs. Nakamitsu. There is an agreed standard format, which is that Mrs. Nakamitsu briefs us every month. Everyone is very happy with that. It is a little repetitive, but it is the standard format.

At the same time, Mr. President, in your national capacity, you have organized Arria Formula meetings with invitees whom you chose. There was such a meeting again a few days ago, and it took place in accordance with your wishes.

My proposal would be that we maintain the agreed format of briefings by Mrs. Nakamitsu. In the event that it is you, in your national capacity and as President of the Security Council, who wishes to change a standard format, let us vote on your proposal. We should therefore vote on the following: "Do you agree that Mr. Bustani should brief the Council?" If not, we can perfectly well listen to Mr. Bustani at an upcoming Arria Formula meeting that you will no doubt organize very soon.

**The President** (*speak in Russian*): The representative of Germany has asked for the floor.

**Mr. Heusgen** (Germany): I fully support what my British and French colleagues have just said. Since your proposal, Mr. President, was to say that there must be a majority voting against, may I remind you of the year 2018. At the time, the Netherlands presidency wanted to invite Mr. Zeid Ra'ad Al Hussein, the United Nations High Commissioner for Human Rights at that time, to brief the Council at a meeting on Syria (see S/PV.8209). At the time, our Netherlands colleagues were required to have nine votes in favour of that, and the provisional agenda did not receive the nine votes in favour. That was a case where the appointed High Commissioner for Human Rights in office was certainly able to brief the Council about the situation in Syria and the dire human rights situation, which had consequences for the political situation. The failure to allow such a briefing to take place was a scandal. Now you are trying to turn that around. I think we should proceed as in 2018.

**The President** (*speak in Russian*): I thank the representative of Germany. However, I would like to draw the Council's attention to the fact that I have two proposals on the table and we have to decide which of those proposals we are going to vote on. The representative of China clearly stated his preference regarding what wording we should vote on. Therefore, before we vote on the substance, we should understand what we are voting on. Therefore, to begin with, we should understand whether we are voting, because it was proposed first, on the wording as proposed by the United Kingdom, which was then supported by other members. What is the purpose of this vote? The purpose is that we have a question. Are the members of the Council ready to vote on the wording proposed by the representative of the United Kingdom?

To vote on wording proposed by the United Kingdom, there must be nine votes in support of that proposal. Should that pass, then we will vote on the wording proposed by the United Kingdom. Should it not pass, we shall of course proceed to the second option. I cannot take the second option off the table.

The representative of the United Kingdom has asked to make a further statement.

**Mr. Allen** (United Kingdom): I really fail to understand why these games are being played by such an expert delegation as the Russian delegation. You have been here, as we have, for 75 years. You know that

if a briefer is proposed under rule 39, the Council can either accept that, as happens in the majority of cases, without any vote at all, or a Council member can raise an objection, as Christoph has reminded us, as your colleague Gennady did in 2018, when I was present in the Security Council Chamber (see S/PV.8209).

You are proposing a briefer. You have been told that the Council does not unanimously accept that briefer. You therefore need to get nine votes in favour of the briefer. There is no debate or discussion about that. That is simply how the rules of procedure work, Mr. President.

**The President:** First of all, I have to say for the record that I have not been here for 75 years. That is a bit excessive.

Secondly, sitting here in the chair as President, it is difficult for me to state clear rulings on who is playing games here. I think that I should better reserve that for my statement in my national capacity.

Thirdly, I too recall the situation referred to from 2018, in relation to which the name of Ambassador Kuzmin has been invoked (see S/PV.8209). The difference was that there were no alternative proposals. There was one proposal. That was all. Today we have two. So what shall we do in these circumstances? This is clearly a procedural question that we have to decide before voting.

The representative of China has asked to make a further statement.

**Mr. Geng Shuang (China) (*speak in Chinese*):** With regard to the explanations offered by the representative of the United Kingdom and others, I must say that I still fail to understand. As we said earlier, in accordance with rule 39, we have invited other civil society representatives, non-governmental organizations and experts to brief Security Council members whose professionalism and representativeness were absolutely no match for Mr. Bustani. However, in those instances no objections have been raised so that the work of the Council might proceed.

I fail to understand why the representatives of the United Kingdom and other members have such difficulty in accepting the invitation issued to Mr. Bustani as a briefer. I wish to point out that this simply exposes a double standard. Why should it be possible that some people can be invited as briefers but

not Mr. Bustani? His expertise and representativeness are totally beyond dispute.

I would hope that our colleague from the United Kingdom and others can, with regard to the issues on the Council's agenda, listen to different views and keep an open mind on the issues under discussion. What I think is that they simply do not want to listen to differing views. They say that they are objective and fair, but that is simply not the case.

I therefore still insist that we should first put to the vote the challenge to the presidency of the Council raised by the representative of the United Kingdom.

**The President (*speak in Russian*):** The representative of France has asked to make a further statement.

**Mr. De Rivière (France) (*speak in French*):** I hope that we are going to be able to move on from procedural matters to a substantive discussion on the chemical issues before us.

Our Chinese colleague has just raised a timely question worthy of discussion. Why do we invite such and such a person and not another? That is a good question.

But for the moment I think we need to focus on what is a rather simple matter — the rules of procedure of the Council. With respect to the case before us today, the relevant rule is rule 39, and its reads very clearly. I will read it out in English to avoid any misunderstanding.

(*speak in English*)

"The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

(*speak in French*)

Mr. President, you wish to invite an additional briefer. You need the support of the Council to do so. You therefore need nine votes. I do not think there is any reason to prevaricate here. It is quite clear. To claim otherwise is what we would call a specious argument or, in philosophy, sophistry.

Rule 39 is absolutely crystal clear. If you wish to invite an additional briefer but there is no agreement, we vote on your proposal and, for it to be accepted, you need nine votes. It is a procedural vote. Rule 39 is as

simple as that, and I recall that all permanent members were in agreement on this.

**The President:** Before making a ruling, to which we will come a bit later, I would like to quote rule 39 of the provisional rules of procedure. It reads:

“The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.”

This rule says nothing about the procedure as to whom we invite or how, or on which of the questions before us now should be dealt with first and which second.

Secondly, I would like to say that it is very rarely in the history of the Council — if at all, practically — that I have seen a briefer rejected, in particular one proposed by the presidency. If it is even possible to find such a precedent, such cases would be very rare and very few. We too have had many issues with certain briefers who have been proposed by our colleagues when they preside over the Security Council, but, as they might have noticed, we have not made it a habit to challenge any of them, however questionable, in our view, the competence of this or that briefer for a particular occasion may have been.

I am speaking in English now just to be clearly understood and not to be lost in translation. I will not draw this discussion out now, although, let us be frank, I have the authority as the President of the Council to read the rules of procedure and lead the proceedings in such a way as I deem necessary. Members have the right to challenge me on that. However, I will not do that; I will cede to the wishes of certain delegations. I would be glad to see them vote on this question. I will not insist, unless other delegations should, on deciding as to which proposal shall be put to the vote first.

I will put to the vote the question whether the Council agrees to invite Mr. José Bustani to brief it today. Those who are in favour should vote in favour; those who are against should vote against; those who wish to abstain should abstain.

*A vote was taken by show of hands.*

*In favour:*

China, Russian Federation, South Africa

*Against:*

Belgium, Estonia, France, Germany, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Dominican Republic, Indonesia, Niger, Saint Vincent and the Grenadines, Tunisia and Viet Nam

**The President:** The decision received 3 votes in favour, 6 votes against and 6 abstentions. The decision has not been adopted, having failed to obtain the required number of votes.

*(spoke in Russian)*

The Security Council will now begin its consideration of the item on its agenda.

I should like to draw the attention of Council members to document S/2020/961, which contains the text of a letter dated 29 September 2020 from the Secretary-General addressed to the President of the Security Council.

I now give the floor to Mrs. Nakamitsu.

**Mrs. Nakamitsu:** I thank you, Mr. President, for this opportunity to brief the Security Council on the implementation of resolution 2118 (2013), on the elimination of the chemical-weapons programme of the Syrian Arab Republic.

Since my most recent briefing, on 10 September (see S/2020/902), the Office for Disarmament Affairs has continued to maintain regular contacts with its counterparts at the Organization for the Prohibition of Chemical Weapons (OPCW) on its activities related to this matter. To date, the Office for Disarmament Affairs has not received any further information from the Permanent Mission of the Syrian Arab Republic concerning issues related to resolution 2118 (2013) for this period.

As I have previously informed the Council, the coronavirus disease (COVID-19) pandemic continues to impact the OPCW’s ability to deploy to the Syrian Arab Republic. Nonetheless, the Technical Secretariat has continued with its mandated activities related to the elimination of the Syrian chemical-weapons programme and its engagement with the Syrian Arab Republic in that regard, including a new deployment of the Declaration Assessment Team to Damascus, which just concluded on 3 October. The OPCW Declaration Assessment Team is continuing its efforts to clarify all

outstanding issues regarding the Syrian Arab Republic's initial declaration to the OPCW. In response to the letter sent by the OPCW Director General on 21 April 2020, the Syrian National Authority provided information concerning eight of the 22 outstanding issues, including two amendments to its initial declaration, through a letter dated 25 August 2020.

I have been advised that during its deployment in October 2019, the Declaration Assessment Team collected samples with a view to resolving one of the 22 outstanding issues related to the Syrian Arab Republic's initial declaration. However, a deterioration of the samples was observed at the OPCW laboratory. The OPCW Director General informed the Syrian National Authority and provided information on the measures taken by the OPCW Technical Secretariat to document and preserve the integrity of the seals applied to the samples. Furthermore, a representative of the Syrian Arab Republic visited the OPCW laboratory, where he observed the integrity of the seals and received related documentation. A technical meeting was subsequently convened with experts of the Syrian National Authority to agree on next steps.

During the deployment to the Syrian Arab Republic concluded on 3 October 2020, the Declaration Assessment Team continued to address the outstanding issues related to Syria's initial declaration as well as the information provided by the Syrian National Authority to the OPCW Technical Secretariat. The outcome of that deployment will be shared with the OPCW Executive Council in due course.

I have been advised that the OPCW Technical Secretariat still plans to conduct two rounds of inspections of the Barzah and Jamrayah facilities of the Syrian Scientific Studies and Research Centre (SSRC) in 2020. However, the undertaking of those inspections will be subject to the evolution of the COVID-19 pandemic and its impact on OPCW activities.

I understand that the Syrian Arab Republic has not yet provided sufficient technical information or explanations that would enable the OPCW Technical Secretariat to close the issue related to the findings of a Schedule 2 chemical detected at the Barzah facilities of the SSRC. The OPCW Technical Secretariat will continue to engage with the Syrian authorities and will inform the OPCW Executive Council of any progress in due course.

I note that the OPCW fact-finding mission in the Syrian Arab Republic is still in the process of studying all available information related to allegations of the use of chemical weapons in the Syrian Arab Republic and continues its engagement with the Syrian Government and other State parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) with regard to a variety of incidents.

I was just informed by the OPCW Technical Secretariat that the fact-finding mission issued, on 2 October 2020, two reports on its investigation regarding separate incidents of the alleged use of toxic chemicals as a weapon in Aleppo on 24 November 2018 and in Saraqib on 1 August 2016.

As I have previously informed Council members, further deployments of the fact-finding mission will be subject to the evolution of the COVID-19 pandemic and its impact on OPCW activities. The Investigation and Identification Team continues its investigations into incidents in which the fact-finding mission has determined that chemical weapons were used or likely used in the Syrian Arab Republic and will issue further reports in due course.

I have been advised that the OPCW Technical Secretariat has yet to receive a response from the Syrian Arab Republic to the letter sent to the Deputy Minister for Foreign Affairs and Expatriates of the Syrian Arab Republic by the OPCW Director General on 20 July 2020 outlining the obligations of the Syrian Arab Republic under OPCW Executive Council decision EC-94/DEC.2 and indicating the readiness of the OPCW Technical Secretariat to assist the Syrian Arab Republic in the fulfilment of those obligations within the required period of 90 days. The OPCW Director General will report to the Executive Council and all States parties to the CWC within 100 days of that decision on whether the Syrian Arab Republic has completed all of the measures contained in the aforementioned decision.

As I have said many times before the Council, there is an urgent need to not only identify but also hold accountable all those who have used chemical weapons, in violation of international law. Without such an action, we are allowing the use of chemical weapons to take place with impunity. It is imperative that the Council show leadership in demonstrating that impunity in the

use of such weapons will not be tolerated. The Office for Disarmament Affairs stands ready to provide whatever support and assistance it can.

Before concluding, I wish to echo the Secretary-General's appeal for a global ceasefire and for an end to hostilities across the Syrian Arab Republic.

**The President** (*spoke in Russian*): I thank Mrs. Nakamitsu for her briefing.

I shall now make a statement in my national capacity, as co-penholder on the Syrian chemical dossier. This will take some time.

Unfortunately, what has happened today is more sad evidence of how Western delegations are scared to listen to an inconvenient truth. They want to ignore the objective facts that might destroy the picture of the evil Syrian regime that they have drawn and the infallibility of the Organization for the Prohibition of Chemical Weapons. However, it is already clear to everybody that this view is far removed from reality.

I wonder whether those delegations understand how unfavourably this reflects upon them in the eyes of the international community. What happened today is a shame and a disgrace. Today they have gone down in the history of the Security Council, and they have dragged the Council down with them.

The Security Council has never voted on the presence or absence of a briefer invited by the presidency. I remind Mr. Heusgen that when we last spoke about this we were dealing only with an agenda item. I challenge anyone to find a historical precedent for what has happened today. Given that the statement by Mr. Bustani was blocked, I will read out his statement as part of my national statement.

(*spoke in English*)

"My name is José Bustani. I am honoured to have been invited to present a statement for this meeting of the Security Council to discuss the Syrian chemical dossier and the Organization for the Prohibition of Chemical Weapons (OPCW). As the OPCW's first Director General, a position I held from 1997 to 2002, I naturally retain a keen interest in the evolution and fortunes of the organization. I have been particularly interested in recent developments regarding the organization's work in Syria.

"For those who are not aware, I was removed from office, following a United States-orchestrated campaign in 2002, for — ironically — trying to uphold the Chemical Weapons Convention (CWC). My removal was subsequently ruled to be illegal by the Administrative Tribunal of the International Labour Organization (ILO), but despite that unpleasant experience, the OPCW remains close to my heart. It is a special organization with an important mandate.

"I accepted the position of Director General precisely because the Chemical Weapons Convention was non-discriminatory. I took immense pride in the independence, impartiality and professionalism of its inspectors and wider staff in implementing the Chemical Weapons Convention. No State party was to be considered above the rest, and the hallmark of the organization's work was the even-handedness with which all member States were treated, regardless of size, political might or economic clout.

"Although no longer at the helm then, I felt great joy when the OPCW was awarded the Nobel Peace Prize in 2013 for its extensive efforts to eliminate chemical weapons. It was a mandate towards which I and countless other former staff members had worked tirelessly. In the nascent years of the OPCW, we faced a number of challenges, but we overcame them to earn the organization a well-deserved reputation for effectiveness and efficiency, not to mention autonomy, impartiality and a refusal to be politicized. The ILO's decision on my removal was an official and public reassertion of the importance of those principles.

"More recently, the OPCW's investigations of alleged uses of chemical weapons have no doubt created even greater challenges for the organization. It is precisely for that kind of eventuality that we had developed operating procedures, analytical methods and extensive training programmes, in strict accordance with the provisions of the Chemical Weapons Convention. Allegations of the use of chemical weapons were a prospect for which we hoped our preparations would never be required. Unfortunately, they were, and today allegations of chemical-weapon use are a sad reality.

"It is against that backdrop that serious questions are now being raised about whether the

independence, impartiality and professionalism of some of the organization's work is being severely compromised, possibly under pressure from some member States. Of particular concern are the circumstances surrounding the OPCW's investigation of the alleged chemical attack in Douma, Syria, on 7 April 2018. Those concerns are emanating from the heart of the OPCW, from the very scientists and engineers involved in the Douma investigation.

"In October 2019, I was invited by the Courage Foundation, an international organization that supports those who risk life or liberty to make significant contributions to the historical record, to participate in a panel, along with a number of eminent international figures from the fields of international law, disarmament, military operations, medicine and intelligence. The panel was convened to hear the concerns of an OPCW official over the conduct of the organization's investigation into the Douma incident. The expert provided compelling and documentary evidence of highly questionable and potentially fraudulent conduct in the investigative process. In a joint public statement, the panel was 'unanimous in expressing [its] alarm over unacceptable practices in the investigation of the alleged chemical attack in Douma'.

"The panel further called on the OPCW

'to permit all inspectors who took part in the Douma investigation to come forward and report their differing observations in an appropriate forum of the States Parties to the Chemical Weapons Convention, in fulfilment of the spirit of the Convention'.

"I was personally so disturbed by the testimony and evidence presented to the panel that I was compelled to make a public statement. I said then,

'I have always expected the OPCW to be a true paradigm of multilateralism. My hope is that the concerns expressed publicly by the panel in its joint consensus statement will catalyse a process by which the organization can be resurrected to become the independent and non-discriminatory body it used to be'.

"The call for greater transparency from the OPCW further intensified in November 2019,

when an open letter of support for the Courage Foundation declaration was sent to the Permanent Representatives to the OPCW to

'ask for their support in taking action at the forthcoming Conference of States Parties aimed at restoring the integrity of the OPCW and regaining public trust'.

"The signatories of that petition included such eminent figures as Noam Chomsky, Institute Professor Emeritus at the Massachusetts Institute of Technology; Marcello Ferrada de Noli, Chair of Swedish Doctors for Human Rights; Coleen Rowley, whistle-blower and 2002 *Time Magazine* Person of the Year; Hans-Christof von Sponeck, former United Nations Assistant Secretary-General, and film director Oliver Stone, to mention a few.

"Almost one year later, the OPCW has still not responded to that request, or to the ever-growing controversy surrounding the Douma investigation. Rather, it has hidden behind an impenetrable wall of silence and opacity, making any meaningful dialogue impossible. On the one occasion when it did address the inspectors' concerns in public, it was only to accuse them of breaching confidentiality. Of course, inspectors, and indeed all OPCW staff members, have responsibilities to respect confidentiality rules, but the OPCW has the primary responsibility to faithfully ensure the implementation of the provisions of the Chemical Weapons Convention as set forth in article VIII, paragraph 1.

"The work of the Organization must be transparent, for without transparency there is no trust, and trust is what binds the OPCW together. If member States do not have trust in the fairness and objectivity of the work of the OPCW, then its effectiveness as a global watchdog for chemical weapons is severely compromised.

"Transparency and confidentiality are not mutually exclusive, but confidentiality cannot be invoked as a smokescreen for irregular behaviour. The organization needs to restore the public trust it once had, and which no one denies is now waning, which is why we are here today. It would be inappropriate for me to advise you, or even suggest, how the OPCW should go about regaining public trust.

"Still, as someone who has experienced both rewarding and tumultuous times with the OPCW, I would like to make a personal plea to you, Mr. Fernando Arias, as Director General of the OPCW: the inspectors are among the organization's most valuable assets. As scientists and engineers, their specialist knowledge and inputs are essential for good decision-making. Most importantly, their views are untainted by politics or national interests. They rely only on the science.

"The inspectors in the Douma investigation have a simple request: that they be given the opportunity to meet with you to express their concerns to you in person, in a manner that is both transparent and accountable. This is surely the minimum that they can expect — and at great risk to themselves. They have dared to speak out against possible irregular behaviour in the organization, and it is undoubtedly in your, the Organization's and the world's interests that you hear them out.

"The Convention itself showed great foresight in allowing inspectors to offer differing observations, even during investigations of alleged uses of chemical weapons, pursuant to paragraph 62 of Part II of the Verification Annex to the CWC. This right is "a constitutive element supporting the independence and objectivity of inspections". This language comes from *The Chemical Weapons Convention: A Commentary*, edited by Walter Krutzsch, Ralf Trapp et al., on verification practices under the CWC, which was published by the OPCW itself during my time as Director General.

"Regardless of whether or not there is substance to the concerns raised about the OPCW's behaviour in the Douma investigation, hearing what your own inspectors have to say would be an important first step in mending the organization's damaged reputation. The dissenting inspectors are not claiming to be right, but they do want to be given a fair hearing.

"As one Director General to another, I respectfully request that you grant them this opportunity. If the OPCW is confident in the robustness of its scientific work in Douma and in the integrity of the investigation, then it has little to fear in hearing out its inspectors. If, however, the claims of suppression of evidence, selective use of data and exclusion of key investigators, among

other allegations, are not unfounded, then it is even more imperative that the issue be dealt with openly and urgently.

"The OPCW has already achieved greatness. It if has slipped, it nevertheless retains the opportunity to repair itself and to grow to become even greater. The world needs a credible chemical weapons watchdog. We had one, and I am confident, Mr. Arias, that you will see to it that we have one again."

(spoke in Russian)

Moving on, I would like to thank Mrs. Izumi Nakamitsu for introducing the Director General of the OPCW's eighty-fourth monthly report (S/2020/961, annex) on the implementation of resolution 2118 (2013). I hope that the Under-Secretary-General understands what is happening as a result of Western delegations exerting their will on this subject and from where it has grown legs when it comes to the anti-Syrian decisions that were taken by the OPCW Executive Council in July.

We have already had two meetings in the Security Council to show what is behind these approaches and to give an objective picture of what is happening with the OPCW. Unfortunately, the organization is becoming a conduit for the selfish interests of certain countries. We cannot allow this to happen to the Syrian issue within the United Nations.

The United Nations should not indulge unfairness and aggression. We ask that it not act blindly and mechanically on this initiative, and we would like to draw the Secretary-General's attention to this point. What is at stake is the authority of the United Nations, the Security Council and the Secretary-General himself.

Today, on the initiative of the Russian Federation, the Council is holding its second open meeting on the Syrian chemical dossier. Our objective as President of the Council is to have a discussion on this very complicated and extremely politicized subject and bring it out of the impasse that it has been in for some time. We advocate a maximally open and honest conversation that will allow us to formulate an objective picture of what is happening in this context.

Before this meeting, on 28 September we held an Arria Formula meeting with members of the Security Council on the Syrian chemical dossier involving authoritative independent experts Ian Henderson, Theodore Postol and Aaron Maté. As it turned out,

that meeting drew a great deal of interest from those who are following the subject. Since then, we have continued to receive positive messages and thanks for the interesting briefings, from which those listening were able to receive much new information. We are planning to publish the statements of the participants and disseminate the material. We therefore encourage all of the participants in the discussion to send us the texts of their statements by the end of the day on 6 October.

Thanks to the briefers in the Arria Formula meeting on 28 September, we had an open conversation on the basis of facts and real evidence, and not on bare slogans. Unfortunately, not all members of the Security Council were ready for this. Some of them, evidently not finding any counterarguments, tried simply to suppress our experts, accusing them of bias or a lack of competence. However, they did not have any basis for doing that. Each of the experts we invited were ready to defend their positions, argue the facts and their interpretation of those facts, but our Western colleagues were not even ready for that. Their arguments were not new and came back once again to the dubious “highly likely”, “everybody knows this is how it is” or “there is no other rational explanation”, and so on.

The time when we could afford to have this technical discussion of the latest report of the Director General on the implementation of resolution 2118 (2013) is over. Today there is a critical mass of questions for the Technical Secretariat of the OPCW and evidence of machinations and skulduggery in its reports. They are ignoring our protest about the report of the OPCW Fact-Finding Mission in Syria on Khan Shaykhun in April 2017, despite the fact that there is much evidence that it was staged.

We are also still waiting for the Technical Secretariat to provide clarification on the machinations around the Fact-Finding Mission’s report on the events in Douma in April 2018, as well as an answer from the Director General on how he plans to combat the violations that have come to light. There is evidence also from Ian Henderson, who was an eyewitness, that what we are talking about was a direct forgery. The initial report, which said that the incident was not connected with the use of chemical weapons, was replaced with one that makes the West more comfortable, and the authors of the first, objective version were persecuted by the leadership of the OPCW.

New examples are coming to light virtually every month. Since spring we have had to discuss the report of the Investigation and Identification Team on the incidents in Ltamenah in March 2017. This is a politically biased, unreliable and technically unconvincing report. The detailed criticism and arguments we voiced previously on this report were published in an official document of the Security Council in June (S/2020/565, annex). However, what this report sets forth in terms of analysis of the military situation in Ltamenah and Hama in March and April 2017 shows that there was hypothetically no need for any chemical weapons to be used by the Syrian Government’s forces. During that period, the Syrian army had successfully moved into the Hama province and brought up to 70 per cent of the territory back under its control. There would have been no reason for the Syrian Government to use chemical weapons and draw fire upon itself.

Nonetheless this dubious report was the basis for the incriminatory decision of the OPCW Executive Council, which, in its July session, received an impossible number of votes. The conditions required of the Syrian Arab Republic simply could not be fulfilled. It would have meant declaring the existence of chemical weapons and facilities connected with them, when they simply do not exist, because all weapons had already been removed and destroyed, and no inspection since 2013 has been able to establish the contrary.

With regard to the most recent reports of the Fact-Finding Mission on the incidents in Aleppo in November 2018 and in Saraqib, Idlib in August 2016, which the Technical Secretariat prepared only after our many insistent calls for them over more than a year, we and the Syrian authorities have been bombarded with requests for new information. There always appears to be something that is lacking, some unsurmountable issue for the Technical Secretariat, samples that have gone missing, and so on. At some point, we grew tired of trying to prove that we had turned over all the material. Why was the investigation of these incidents so difficult and why did it take so long? Was it not because there were allegations that it was the opposition, not the Syrian army, who were using chemical weapons? Against that backdrop, the findings of the Fact-Finding Mission were not a revelation. The Mission could not of course determine the fact that chemical weapons had been used by opposition groups. The Technical Secretariat could have spared efforts pretending that an investigation was under way. Instead, it could have

made known that finding right away and, for that matter, admitted that it would not even consider that the Syrian opposition could have been responsible for the use of chemical weapons.

The most recent report of the Director General builds on those practices. For example, members should look at the paragraphs that dwell on outstanding issues with regard to the initial declaration. As we learned from former OPCW inspector Mr. Henderson during the Arria Formula video-teleconference meeting, the guidance of the Technical Secretariat instructs the Declaration Assessment Team to keep those issues open. With such an approach, no matter how the Syrians justify themselves, that part of the file will not be closed. I would also like to recall that, according to the same expert, at the initial stage of joining the CWC, many possessor States encountered similar problems when submitting their declarations, but, in their cases, those were interpreted as minor drawbacks that did not undermine the integrity of the declaration. All that indicates the Technical Secretariat's biased stance towards Damascus.

We cannot but note that, in his letter transmitting the report, the Secretary-General used the language of the aforementioned biased and unrealistic decision of the OPCW Executive Council that it is imperative "to hold accountable all those who have used chemical weapons" and that it allegedly requires the unity of the Council to uphold this "urgent obligation" (S/2020/961).

It is not easy to surprise us anymore. Unfortunately, everything that is marked "done by the OPCW" is immediately associated with some sort of falsification and manipulation. Let us be frank: the Technical Secretariat is increasingly becoming a tool that the West uses to put information and political pressure on undesirable countries. The Technical Secretariat's involvement in anti-Russian campaigns also supports such a conclusion. We have seen that before in the case of the Skripal incident, where unanswered questions still hang in the air. We see that happening again today with regard to the supposed poisoning of Mr. Navalny, which allegedly took place in Russia. For some reason, at Western countries' first call for technical assistance, the OPCW Technical Secretariat readily hurries to "investigate" along the lines of political conclusions drawn made about the existence of some "irrefutable evidence".

Nevertheless, we invited OPCW inspectors to Russia to establish the details of what had happened, since we really have nothing to hide. Allegations that Russia is trying to undermine the authority of the OPCW are absolutely unsubstantiated. As Mr. Bustani pointed out in his statement, that organization has already achieved greatness. If it has slipped, it nevertheless still has the opportunity to repair itself.

Like all responsible members of the OPCW, we want to restore its good name so that it can continue to fulfil its mandate under the CWC.

We know very well what our colleagues are going to say. We have heard all that on many occasions. I will speak frankly: all this looks bleak and unconvincing. Russia remains interested in impartial investigations, but we will oppose disinformation and blatant lies.

In conclusion, let me make one more point. When Western representatives disputed today, and previously, the appropriateness of Mr. Bustani's participation in this meeting, they stated that it would have been more logical to invite the current Director General, Mr. Arias. We have never objected to such a scenario. We insisted only on the open format of the briefing. Now the time has clearly come to speak openly. There must be no more delays. We propose that we agree today to invite Mr. Arias to the next meeting on the Syrian chemical file. We look forward to hearing his comprehensive answers to all the issues raised earlier by Mr. Henderson, Mr. Maté and Mr. Postol and today by Mr. Bustani and member States.

I now resume my functions as President of the Council.

**Mrs. Craft** (United States of America): I thank Mrs. Nakamitsu for her briefing.

Let me start by saying that the United States is committed to forthright and transparent discussions in the Security Council. We have no interest in allowing the Council to be used for propaganda. Regardless what the representative of Russia has said, the additional briefer who was proposed, at the last minute, for this afternoon's discussion was removed from the Organization for the Prohibition of Chemical Weapons (OPCW) in 2002, more than a decade before the issue of chemical weapons in Syria came before the Council. We would be happy to work with our colleagues on a sincere and deliberate basis to find appropriate briefers

to most effectively inform the Security Council in future discussions on this matter.

Several weeks ago, at Russia's request, the Security Council's monthly consultations on Syrian chemical weapons took place in an open format. Russia then sponsored an Arria Formula meeting on 28 September, ostensibly on implementing resolution 2118 (2013) and upholding the authority of the OPCW. As I said at the time, that meeting was nothing more than a stunt — a desperate but failed attempt by Russia to further spread disinformation, attack the professional work of the OPCW and distract from an ongoing effort by responsible nations to hold the Al-Assad regime accountable for its use of chemical weapons.

We will always welcome the opportunity to discuss this matter openly and expose to the world Russia's blatant attempts to shield the Al-Assad regime from accountability for its chemical weapon attacks. The sad reality is that, despite international condemnation, the regime has continued to use chemical weapons against the Syrian people and has refused to cooperate with the OPCW.

The Russian-sponsored Arria Formula meeting last week was particularly appalling. Russia's aim was simple: to sow confusion and distract from the truth. However, Russia failed in its baldly deceitful attempt to discredit the OPCW, a well-respected organization with a long history of impartiality, transparency and professionalism.

The Al-Assad regime's use of chemical weapons is well documented and confirmed by the former OPCW-United Nations Joint Investigative Mechanism and, most recently, the OPCW's Investigation and Identification Team. The OPCW itself reports that the regime has declined to cooperate, refused to address numerous discrepancies and failed to fully disclose and eliminate its chemical weapons programme. Taken together, such reports are further evidence of Syria's non-compliance with the Chemical Weapons Convention (CWC) and resolution 2118 (2013). They clearly illustrate the regime's utter disregard for human life and Syria's international obligations.

On 9 July, the OPCW Executive Council decided that the Al-Assad regime must, within 90 days, declare facilities where the chemical weapons used in the Ltamenah attacks were developed, produced, stockpiled and stored for delivery, as well as declaring its remaining chemical weapons stockpile and

production facilities. The 90-day timeline established by the Executive Council will expire in two days. We expect the Al-Assad regime to adhere to the timeline, and we look forward to the OPCW Director General's report on the regime's response. We also look forward to the outcomes of the October meeting of the OPCW's Executive Council and the November meeting of the CWC's Conference of the States Parties.

The United States condemns in the strongest possible terms the use of chemical weapons by the Al-Assad regime, which has caused tremendous suffering for the Syrian people. The use of chemical weapons presents an unacceptable security threat to all States, and the members of the Council must not stay silent. We reiterate our commitment to ensuring that those responsible face serious consequences. We call on the Al-Assad regime to come into compliance with the Chemical Weapons Convention without delay.

**Mr. Abarry (Niger)** (*speak in French*): At the outset, let me thank Mrs. Izumi Nakamitsu, Under-Secretary-General and High Representative for Disarmament Affairs, for her regular briefing.

Since 2013, the United Nations has continued to make great efforts to establish responsibility for the many cases of chemical-weapons use in Syria, which led to the adoption of resolution 2118 (2013). It is regrettable to note that those efforts did not succeed, in such a way acceptable to all, to assign responsibility for the atrocities committed. It is equally regrettable to note the lack of consensus on how to deal with the questions of how such weapons were used or by whom. This hampers accountability for those who are truly guilty and leaves victims with no recourse.

The occurrence of a procedural vote this afternoon was a pathetic illustration of these disagreements. The use of chemical weapons, as of all other non-conventional weapons is unacceptable, and my delegation strongly condemns such acts. I therefore wish to make the following several remarks.

First, regarding the ongoing politicization of the conflict, I would like to reiterate that any use of the experts' report and its conclusions for purposes other than to assist the Security Council in fully implementing resolution 2118 (2013) must be avoided. This document should serve as a basis for attributing responsibilities, thereby laying the groundwork for eventually trying those responsible in the appropriate jurisdiction. Differences of opinion among Council members must

give way to a calm and technical analysis of the findings of the investigations, so as to guarantee the integrity of the Organization for the Prohibition of Chemical Weapons (OPCW) itself. Moreover, the composition of all teams investigating any of the incidents reported must be inclusive and participatory to ensure their conclusions are not contested.

Secondly, cooperation between Syria and the OPCW Technical Secretariat must continue in good faith to resolve all outstanding questions concerning Syria's initial declaration, so as to ensure progress in the work of the Declaration Assessment Team. On this matter, too, doubts and disagreements must be overcome. All incidents of the use of chemical weapons in Syria must receive the same attention and be dealt with with the same diligence in order to reach an ultimate conclusion and assign responsibility.

Thirdly, and finally, allegations that armed terrorist groups in Syria possess chemical substances and are threatening to use them during chemical-weapons attacks under a false flag must not be overlooked. My delegation reiterates, in that regard, its call on the United Nations and the OPCW Technical Secretariat to pay the greatest of attention to such allegations, which, if they turn out to be well-founded, will be extremely dangerous, not only for the region but for the entire world, as those weapons can be transferred to other non-State actors or other terrorist groups acting in other regions.

My delegation believes that, whether with regard to humanitarian, political or chemical-weapon matters, respect for the sovereignty and territorial integrity of Syria remains fundamental in the context of seeking any lasting resolution to the crisis in that country.

**Mr. Allen** (United Kingdom): Let me begin by thanking High Representative Nakamitsu for her briefing.

Let me say, Mr. President, that I believe you have today shown contempt for members of the Security Council. You, Mr. President, put a briefer to the vote. You received two votes in favour alongside your own. Members of the Council did not support your briefer, but you chose to ignore the decision of the Council. I am reminded of the time when Russia demanded a meeting on Ukraine (see S/PV.8529), which Russia insisted must be timed to coincide with the inauguration of the President of Ukraine. When you failed to get the votes in favour of that meeting taking place, you also read

out your intervention as if the meeting were happening. Again, you showed contempt for the decision of the members of the Council. But it is perhaps not a surprise that Russia chooses to ignore the rules by which it wants others to abide.

Resolution 2118 (2013) is clear on the purpose of our monthly meetings. It is for the Security Council to review the implementation of resolution 2118 (2013) and the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW). Our discussion should focus on these issues. Any briefers should be relevant to these issues and be able to brief us on them. And I would say to you, Mr. President, that when you propose briefers that we were not particularly enthusiastic about during your presidency last year, we accepted them. That was in a discreet counter-terrorism event, on an issue not usually discussed in the Council. But this meeting is a monthly meeting on a particularly sensitive issue on which Russia is directly engaged on the ground. So, please, do not pretend that it is some sort of presidential right to propose briefers.

Russia is a party to the issue of chemical-weapons use in Syria, as we all know. We should be particularly cautious about agreeing to briefers whose only purpose can be to undermine and call into question the integrity of the OPCW. Such briefers well serve only to politicize our discussion and distract us from the real issues.

With regard to Mr. Bustani, as I said before, he has had a distinguished diplomatic career, and we have full respect for him. But he left his role as Director General of the OPCW in 2002, and it was clear from your words today, Mr. President, that this casts a long shadow over him and his views. It was long before resolution 2118 (2013) was adopted, long before Syria even acceded to the Chemical Weapons Convention and long before the OPCW had carried out any investigations in Syria. I am afraid, with respect to him, he is irrelevant to our discussion of the implementation of resolution 2118 (2013).

I therefore call on all those who continually seek to undermine the OPCW in order to protect the Syrian regime — and perhaps to protect themselves — from accountability to stop doing so.

I want to express my full agreement with what my colleague from the United States said about the Aria Format meeting on 28 September. I would say that, were the Russian Federation at all interested in

a genuine discussion of evidence, they would have attended the meeting during the Estonian presidency with the Director General of the OPCW and the head of the Investigation and Identification Team, Mr. Santiago Oñate Laborde. But the Russian delegation refused to permit the Head of the Team to brief in a formal Council meeting. It then left empty chairs and an informal meeting attended by all other Council members.

So, given that the Russian delegation has spoken so passionately in favour of transparency today, and given it as willing to propose a briefer last involved with the OPCW 18 years ago, I have no doubt that the Russian delegation will be supporting an invitation to Mr. Oñate Laborde to brief the Council so that we may debate the evidence.

Let me now turn to the real purpose of this meeting. I want to thank the Director General of the OPCW for his eighty-fourth monthly report (S/2020/961, annex). Regarding the work of the Declaration Assessment Team, we note that the Syrian regime has provided some further information to the Team, including two amendments to its initial declaration. That is why, by the way, we need the answers to the questions that have been raised continuously by the Declaration Assessment Team. Syria's declaration is not a complete declaration. These further amendments are, as I say, further evidence that the initial declaration was inaccurate. I hope very much that this further information assists in clarifying some of the many outstanding issues. I urge Syria to cooperate fully with the OPCW to make progress on all of the outstanding issues.

As we said last month (see S/2020/902), the outstanding issues on Syria's declaration are significant and go to the heart of Syria's compliance with the Chemical Weapons Convention. Until all outstanding issues are resolved, we cannot be sure of the complete elimination of Syria's chemical-weapons programme. These concerns are not hypothetical, particularly in the light of the findings by the OPCW-United Nations Joint Investigative Mechanism, and now the OPCW Investigation and Identification Team, that the Syrian regime has used chemical weapons on at least seven occasions since 2013.

After six years of outstanding compliance issues and further confirmation of the Syrian regime's use of chemical weapons by the Investigation and Identification Team in April this year, we welcome the robust, proportionate and reasonable action taken by

the OPCW Executive Council in its decision of 9 July. In that decision, the Executive Council gave Syria 90 days to come into compliance with the Chemical Weapons Convention. The deadline for this action is tomorrow, and we call on Syria to make a final effort to respect the decision to redress the issues in its declaration and to come into compliance with the Chemical Weapons Convention.

Should the Director General find that Syria has not completed the stipulated measures in full, it will be for the Conference of the States Parties to decide on appropriate action to take. The confirmed use of chemical weapons by the Syrian regime represents a breach of resolution 2118 (2013), as does its ongoing failure to comply with the Convention and to cooperate fully with the OPCW. The Council should address non-compliance with its resolutions and the clear threats to international peace and security that they represent.

Finally, we note that last Friday, 2 October, the OPCW Fact-Finding Mission published its reports on the alleged chemical weapons attacks in Saraqib in 2016 and Aleppo in 2018. We continue to consider the details of the report. In the case of the alleged Aleppo attack, in 2018, the findings of the Fact-Finding Mission appear consistent with our assessment at the time that it was highly unlikely that chlorine was used as alleged or that the opposition was responsible for the incident. I think it would have been helpful if Russia or Syria had provided evidence with the Fact-Finding Mission, had they had it, of any attack.

In the case of the Saraqib report, there is evidence suggesting the possibility of a Syrian regime chlorine attack. There is evidence of the presence of a helicopter, a barrel bomb that was not filled with conventional explosives and exposure of victims to an irritant consistent with chlorine. These are all familiar characteristics of regime chlorine attacks, such as those on Qmenas and Sarmin in 2015, for which the Joint Investigative Mechanism identified the regime as responsible. In this case, however, the result of the Fact-Finding Mission's analysis of all available data did not allow the Mission to establish whether or not chemicals were used as a weapon. We are content to accept the Fact-Finding Mission's conclusion in the absence of further evidence that would clearly show whether or not a chemical attack took place.

We welcome the fact that the Fact-Finding Mission, as in its investigation of the chemical-weapons attack

in Duma, did not jump to hasty conclusions but took its time to carry out a thorough investigation and reach conclusions on the basis of all available evidence. We would encourage all parties to continue to do their utmost and in good faith to assist the Fact-Finding Mission with its investigations.

**The President** (*speak in Russian*): Since the representative of the United Kingdom addressed some of his comments not to Russia but to me personally as the President of the Security Council, I feel compelled to comment on them, as follows.

I was not the person who proposed that we vote on the briefer. It was the United Kingdom that proposed that we put this question to a vote, which, as President of the Security Council, I did. In his position, I would have thanked the presidency for putting this question to the vote using the wording that he proposed, even though I am absolutely convinced that the argument about what form the question should be put to the vote in was absolutely legitimate. He knows very well that if we had put it to the vote in a different form, he would not have won the vote.

On the invitation to Director General Arias, which we talked about today — and now I am speaking in my national capacity — it was we who put up that proposal. I hope that when it is proposed that he deliver a briefing at our next regular open meeting on the Syrian chemical issue, the representative of the United Kingdom will not put that question to a vote.

**Ms. DeShong** (Saint Vincent and the Grenadines): I thank the High Representative for Disarmament Affairs, Mrs. Nakamitsu, for her briefing.

I would like to begin by reiterating Saint Vincent and the Grenadines' position that the use of chemical weapons anywhere, by anyone and under any circumstances constitutes an abominable violation of international law. Chemical weapons do not distinguish between combatants and civilians, and they cause unnecessary human suffering. Impunity for their use must not be encouraged through inaction, and the perpetrators of chemical-weapons atrocities must be held accountable.

Accordingly, allegations of the use of chemical weapons should never be dismissed. Furthermore, investigations must be conducted thoroughly and in accordance with best practices to ensure that all findings are capable of withstanding rigorous scrutiny.

In that regard, the Organization for the Prohibition of Chemical Weapons (OPCW) bears a tremendous responsibility and must therefore take measures to make certain that its facets and activities are impartial, independent and free from politicization. Indeed, that is the only way to enable States parties to the Chemical Weapons Convention to have full confidence in the organization's capacity and for the organization to remain an effective multilateral body.

There is no question that there are many diverging views on this issue; however, for progress to be made and for there to be full implementation of resolution 2118 (2013), it is imperative that there be trust, unity and cooperation. Those elements must therefore be cultivated through a commitment to constructive and inclusive dialogue and the pursuit of consensus-based decisions to prevent further polarization and divisiveness.

We are pleased to note that positive engagement on this file continues despite the impediments created by the coronavirus disease pandemic, and we look forward to the full resumption of all previously scheduled deployments. Until then, we commend the determination to conduct the important work as efficiently and effectively as is possible in the present circumstances.

The clarification of all outstanding issues regarding the initial declaration remains essential, and we recognize the continued efforts of both Syria and the Technical Secretariat towards achieving a final resolution.

We welcome the agreement on a six-month extension of the tripartite agreement between the OPCW, the United Nations Office for Project Services and Syria. The agreement remains relevant and demonstrates the spirit of cooperation that is needed in every aspect of this file.

As previously stated, we have taken note of the 9 July Executive Council decision regarding Syria. We will continue to follow this matter closely, and we await the impending reports. We further look forward to a substantive discussion on the issue at the Conference of the States Parties in November.

Our commitment to ensuring that applied science is used only for peace, progress and the prosperity of all humankind must never waver. The development, stockpiling, transfer or use of chemical weapons must

be prevented, and the norm against this reprehensible form of warfare must be preserved.

**Mr. Heusgen** (Germany): In your national capacity, Mr. President, in the introduction to your long citation, you said that those who questioned the presence of Mr. Bustani here were bringing shame and disgrace to the Council. So let me ask you: who was it who brought shame and disgrace to the Council? Was it the 12 countries in the Council that did not vote with you and that tried to prevent a former official of the Organization for the Prohibition of Chemical Weapons (OPCW), who is not in a position to provide relevant information today, from speaking? Or was it Russia and China?

You will recall that in 2018 (see S/PV.8209) your delegation blocked the Dutch presidency when it tried to bring in Zeid Ra'ad Al Hussein, the High Commissioner for Human Rights — an official who was actually in office — to brief the Council about the massive human rights violations in Syria, the mass murders, the disappearances, the rapes. You prevented that. Russia and China prevented Zeid Ra'ad Al Hussein from briefing the Council. That brought shame and disgrace to the Council.

Who brought shame and disgrace to the Council? Was it the 13 countries around the table that in July (see S/2020/661) were in favour of opening three crossing points in northern Syria to allow humanitarian aid into Syria, or was it China and Russia, which vetoed that draft resolution, thereby, according to UNICEF, endangering the lives of 500,000 children?

So who is it who brings shame and disgrace to the Council? Is it the members here, those who adhere to the Chemical Weapons Convention, or is it Russia, which in 2018 in The Hague launched a cyberattack on the OPCW?

Who brings shame or disgrace on the Council? Is it the members of the international community that try to prevent the use of chemical weapons and protect people or is it Russia, which uses chemical weapons even on its own citizens, such as Mr. Navalny, Mr. Litvinenko and Mr. Skripal and his daughter?

When will we hear from you, Mr. President, in your national capacity as representative of the Russian Federation, a single word of mourning for the victims of the chemical attacks on the Syrian population, which have resulted in the deaths of more than 1,000 people?

When will we hear your words of mourning for the victims of the Al-Assad regime, as described in the Koblenz trial by witnesses who attest to the thousands upon thousands of people killed in the prisons of Al-Assad and then buried in mass graves? When will we hear your words of mourning about this? When will you finally support accountability for these crimes committed by the Syrian regime so as to allow for reconciliation in that country, which we urgently need?

**The President** (*speak in Russian*): Before I give the floor to the representative of Viet Nam, I would like to once again recall that the question that the representative of Germany referred to was not about the person who held the post of United Nations High Commissioner for Human Rights, Mr. Zeid Ra'ad Al Hussein, but rather about the item being considered by the Security Council. That item did not go through because it did not receive enough votes. He therefore cannot tell us that we blocked a briefer who was supposed to speak to the Council. It was an agenda item, not a speaker. Those are two different things. The question is whether someone tried to block the agenda item today, concerning the implementation of resolution 2118 (2013).

Does the representative of Germany wish to speak on a point of order?

**Mr. Heusgen** (Germany): You responded to me, Sir, in your capacity as President of the Security Council, so I am now responding to you, in your capacity as President. I want to stress that the result is the same — you prevented the United Nations High Commissioner for Human Rights from speaking here in the Council.

**The President** (*speak in Russian*): I did not randomly ask whether the representative of Germany wished to speak on a point of order. If he would like to make an additional statement then I can give him the floor at the end of the meeting, but if he wishes to speak on a point of order, I am obliged to give him the floor immediately. For next time, I inform the German representative that if he wishes to say something or make a comment on what I have to say, then I can give him the floor and he is free to do so, but it must be done in accordance with the proper procedures.

**Mr. Phan** (Viet Nam): At the outset, I would like to thank Under-Secretary-General Nakamitsu for her briefing.

Let me first start by reiterating my delegation's categorical condemnation of the use of chemical weapons in any form, by anyone, anywhere, under any circumstance or for any reason. The use of such weapons is undoubtedly a flagrant violation of international law and an unacceptable threat to the life and living environment of innocent civilians.

Viet Nam believes that, as State parties to the Chemical Weapons Convention (CWC), we all share the same goal and bear the same responsibility to fully implement the Convention. We would therefore like to reiterate our support for the work of the Organization for the Prohibition of Chemical Weapons (OPCW) in assisting State parties to fully implement the Convention. In doing so, the OPCW and all of its relevant mechanisms must strictly abide by the Convention. Investigations into any possible use of chemical weapons are to establish facts, determine possible violations and deter future ones. To achieve those goals, investigations need to be comprehensive, objective, impartial and non-politicized so that conclusive and incontestable facts can be established.

With regard to the issue of chemical weapons in Syria, we would like to stress the following points.

First and foremost, further cooperation between the OPCW and Syria should be a matter of priority. While there has been continued cooperation between the OPCW Technical Secretariat and the relevant Syrian authorities since 2013, substantial progress is still needed to solve all outstanding issues.

Viet Nam takes note that, during the last reporting period, there was continued engagement between the OPCW Technical Secretariat and Syria. We also note the further steps taken by the Syrian Government in addressing the outstanding issues relating to its initial declaration. Those include further information regarding 8 of the 22 outstanding issues, including amendments to Syria's initial declaration, as well as current deployment of the Declaration Assessment Team in Syria.

The initial declaration is one important step in the implementation of the CWC. It has an important bearing on and is an area for cooperation between a State party and the OPCW. We therefore call on the Syrian National Authority and the OPCW Technical Secretariat to continue to make further meaningful steps to enhance their cooperation.

Secondly, unity — including that of the Council — on this matter is of paramount importance. It is regrettable that there is disagreement among parties on the Syrian chemical weapons file. We are of the view that it is essential to ensure engagement and promote dialogue among relevant stakeholders. More importantly, we need to ensure a constructive, impartial and non-politicized approach to pave the way for further developments.

**Mr. Geng Shuang** (China) (*speak in Chinese*): I very much regret the result of the procedural vote just now and the failure to have Mr. Bustani brief the Council. As I stated earlier, outsiders, some of whom were absolutely no match for Mr. Bustani in terms of professionalism and representativeness, have been regularly invited to brief the Council in previous meetings, in accordance with rule 39 of the rules of procedure. Nevertheless, some countries, including Germany, have been very positive about inviting these people, but today blocked Mr. Bustani from briefing us. The flagrant hypocrisy on the part of the representative of Germany and others is truly astounding.

Just now, the Chinese delegation suggested to you, Mr. President, that the challenge posed by the United Kingdom be put to a vote, but you did not listen to our view. Instead, you made a decision as President to immediately put to a vote whether Mr. Bustani should be allowed to brief the Council. The President of the Security Council has the right to rule on procedural matters, and China respects that. China did so in order to maintain the authority of the President and to save time to allow the Council to expeditiously proceed with its meetings as normal. I hope that other delegations, in future Council deliberations, will also show respect and cooperation in their attitude, openness and inclusiveness with regard to other issues and maintain consistency in their positions before and after.

I must say that, in his remarks, the German representative did not raise the question of chemical weapons in Syria at all. His statement consisted entirely of attacks on other members of the Council. He treated the Council as a venue for venting his sentiments and dissatisfaction. Such practices are not at all constructive. At least the representative of the United Kingdom, after expressing his disagreements, stated his position on the question of chemical weapons in Syria. If countries come here to attack other countries rather than discuss the issue at hand, how can we talk about solidarity in

the work of the Council? How else can the Council play a role?

I thank Mrs. Nakamitsu for her briefing.

China notes that the Syrian Government has maintained good communication and cooperation with the Organization for the Prohibition of Chemical Weapons (OPCW). According to the OPCW's latest monthly report (S/2020/961, annex), the Syrian Government recently provided information on 8 of the 22 outstanding issues and made two amendments to its initial declaration. The OPCW, the United Nations Office for Project Services and the Syrian Government have extended their tripartite cooperation agreement by six months. These positive developments deserve recognition.

China understands Syria's concern over the deterioration of related samples in the OPCW's laboratory. It is hoped that the Technical Secretariat will properly resolve this issue with Syria through, *inter alia*, continued technical meetings.

The question of chemical weapons is one of great importance. China supports the OPCW in carrying out its mandate based on the Chemical Weapons Convention and a full, objective and fair investigation of the alleged use of chemical weapons, and in producing, on the basis of established facts, some conclusions that withstand the test of history and are free from political interference and prejudgment.

At the Arria Formula meeting held last week, the three briefers at that meeting cast doubt on different aspects of the report of the investigation. It is hoped that the OPCW will pay attention to the information and views shared by the three experts and give a professional, scientific and convincing response. I must emphasize that only when facts and science are respected can the truth be found, can there be real implementation of resolution 2118 (2013) and can the authority of the OPCW be safeguarded.

China is against jumping to conclusions where there is a lack of well-established evidence and where there is a plethora of doubts. This will not help with the resolution of the Syrian chemical-weapons issue. It will also undercut the mutual confidence among the Syrian parties and adversely affect the momentum towards finding a political solution to the Syrian question.

Meanwhile, the Director General of the OPCW and the Technical Secretariat should push for enhanced

dialogue and consultation among the States parties to the Chemical Weapons Convention and observe the tradition of basing decisions on consensus. Pushing for a vote when there are big differences among the parties would aggravate the confrontation among the States parties, undermine the atmosphere of cooperation and damage the authority and long-term interests of the OPCW.

**Mr. Djani** (Indonesia): Before I deliver my statement on this agenda item, allow me to start by addressing points related to the procedural vote earlier.

We regret that this particular issue had to go through a procedural vote. While we acknowledge the positions of members of the Security Council with regard to the proposal to invite Mr. José Bustani as a briefer at today's meeting, we also believe that this method should have been discussed constructively among Council members and that we should have also shown greater flexibility.

Indonesia believes that any proposal to include a briefer in Security Council briefings must be based on a comprehensive consideration vis-à-vis the possible added value it might make to the ongoing discussion without adding more complexity on the issue. At the same time, my delegation appreciates any effort aimed at ensuring an extensive discussion of the implementation of resolution 2118 (2013) by having a variety of briefers or sources in order to make progress on this dossier. We sincerely hope that we can continue the discussion more constructively in future, with the aim of supporting the full implementation of resolution 2118 (2013). Flexibility and wisdom are needed on the part all parties, and the most important thing that we should be focusing on is the substance of this issue.

I now turn to the agenda item.

As always, I would like to thank Under-Secretary-General Nakamitsu for her briefing. We recognize that it is not easy for her to brief the Council every month with only a few new elements — or sometimes no new elements — to report. However, we also understand that both the Organization for the Prohibition of Chemical Weapons (OPCW) and the Syrian Arab Republic are continuing their coordination in order to make progress and close this file, which is something that the Council needs to continuously support. This dossier is indeed a delicate matter. We all know the dynamic in The Hague and in New York. It is in this context that I wish to highlight the following points.

First, it is urgent for all relevant parties to redouble their efforts towards making progress on this dossier. It has been seven years since resolution 2118 (2013) was adopted, in September 2013, and we now have before us the eighty-fourth report of the OPCW Director General (S/2020/961, annex). Sometimes I wonder how many more reports we should expect to see. Again, we acknowledge that this is a very complex technical process.

We note that the Declaration Assessment Team (DAT) continues its efforts aimed at clarifying all outstanding issues with respect to the initial declaration, and that the Syrian National Authority has provided more information with regard to the outstanding issues. With the ongoing engagement and current deployment of the DAT in the Syrian Arab Republic, we hope that we will be able to hear about greater progress at our next meeting.

Secondly, besides the technical aspects, this issue will also need tactful and careful diplomatic handling. It is imperative for all parties, including the Council, to be cordial and considerate with each other in discussing this particular file. Concrete steps based on constructive engagement are needed if we want to make progress.

Thirdly, my delegation notes the ongoing activities of the Fact-Finding Mission in Syria (FFM) with regard to various incidents, and, as Under-Secretary-General Nakamitsu said, the FFM recently issued two reports. We also note that the Investigation and Identification Team is continuing its investigations. Indonesia would like to re-emphasize that it is crucial for all investigations to be conducted in a comprehensive, impartial and conclusive manner, based on verified and credible sources.

We appreciate that the OPCW secretariat is continuing its mandated activities in relation to the Syrian chemical-weapons programme, despite the impact of the coronavirus disease pandemic. It is therefore more important than ever to ensure the safety and security of the personnel on the ground.

In conclusion, Indonesia condemns in the strongest possible terms the use of chemical weapons and the use of toxic chemicals as weapons by anyone, anywhere, under any circumstances and for whatever reasons.

**Mr. Singer Weisinger** (Dominican Republic) (*spoke in Spanish*): As for the debate on the invited briefer, I think it is time for us all to take a deep breath.

In truth, it is our responsibility as the Security Council to make a greater investment in finding consensus than in deepening divisions, particularly on a long-standing issue on which it is urgent to reflect with regard to both the significant progress made and the importance of maintaining the reputation of the Council and its ability to find solutions.

We thank the Under-Secretary-General for the valuable information she provided this afternoon.

Above all, the Dominican Republic reaffirms its commitment to the total and definitive elimination of chemical weapons in all parts of the world. The use of these weapons is a flagrant violation of international law, including international humanitarian law, and a threat to international peace and security. We therefore condemn in the strongest terms any use of chemical weapons by anyone, anywhere.

At the same time, we reiterate our support for and confidence in the objective work of the Organization for the Prohibition of Chemical Weapons (OPCW) and its team of professionals in their difficult task of consigning the use of chemical weapons to the past, through the various activities of comprehensive monitoring and surveillance to prevent the development and use of these weapons as well as the efforts of the OPCW's Investigation and Identification Team (IIT) to identify and hold accountable perpetrators of attacks using toxic chemicals.

We cannot fail to stress that it is vital that the Syrian Arab Republic cooperate with the OPCW in resolving this issue and thereby ensure the total elimination of chemical weapons on Syrian territory and prevent their use, in accordance with resolution 2118 (2013). In that regard, and with regard to the updates contained in the eighty-fourth monthly report of the OPCW (S/2020/961, annex), which we are discussing this afternoon, we are pleased to see that the Syrian authorities have provided information on 8 of the 22 outstanding issues, including two amendments to the initial declaration. We hope that this information can contribute significantly to clarifying the gaps and inconsistencies in that declaration, among others, and that this exchange of information between the Syrian authorities and the OPCW will continue and improve so that a viable solution to all long-standing issues pursuant to the plan of action proposed by the Director General can be reached.

In addition, we encourage Syria to seek the assistance of the Technical Secretariat in working on arrangements to satisfy the requirements of the decision of the OPCW Executive Council of 9 July, based on the worrisome findings of the first IIT report.

We also believe that it is of great importance for the international community to make every effort to promote accountability for the use of chemical weapons. We cannot tolerate impunity for the perpetrators of these crimes. They must be held accountable and brought to justice, whether they are State or non-State actors. Moreover, the integrity and authority of the OPCW must be preserved in order to achieve our primary objective, as it is the implementing body of the Convention. To that end, the unity of the Security Council is essential. It is imperative that we return to consensus on this issue and work with a constructive approach to reflect the progress needed overall.

In conclusion, the Syrian people have been suffering the ravages of a long and terrible conflict that has spawned gross violations of human rights, including the indiscriminate use of chemical weapons, resulting in severe injuries and the deaths of men, women and children. We must therefore resolutely iron out our differences and try to achieve a compromise solution so that chemical weapons are completely eradicated from the Syrian territory and there are no more victims of this atrocious crime.

**Mr. Van Shalkwyk** (South Africa): I am not going to dwell too long on the vote that we needed to take today. It is unfortunate that we had to vote on a briefer. My delegation would be the last to stifle any kind of view that should or needs to be brought to the Council, or that others feel should be brought to the Council, as long as it is relevant. And we believe that Mr. Bustani, as a former Director General of the Organization for the Prohibition of Chemical Weapons (OPCW), eminently understands the procedures of the organization — how it works and how to deal with previous and current chemical-weapon States. Therefore, we were not open to supporting the stifling of any kind of view, whether we agreed with it or not. We would not necessarily have agreed with his opinions, but we would have wanted to hear them.

Be that as it may, let me continue with my statement.

South Africa would like to thank Mrs. Nakamitsu for her briefing and the information she provided to the Council.

South Africa strongly supports multilateralism and the international rule of law, which includes the non-discriminatory and consistent application of the provisions of relevant multilateral instruments and the preservation of the international norms against weapons of mass destruction, including chemical weapons. The use of chemical weapons undermines the international norms against the production, use and stockpiling of such weapons, established under the Chemical Weapons Convention. In that regard, South Africa reiterates its long-standing position against the use of chemical weapons. No cause can ever justify the use of any weapon of mass destruction by any actor under any circumstance.

South Africa remains committed to its international obligations as a State party to the Chemical Weapons Convention and as a member of the OPCW. The alleged use of chemical weapons by a State party to the Chemical Weapons Convention is a very serious matter that would constitute a material breach of obligations under the Convention. In order to ensure that States parties adhere to their obligations, it is imperative that they have full faith and confidence in the work and processes of the Organization for the Prohibition of Chemical Weapons. As it is the only technically competent international authority in this area, external interference in its work should not be tolerated. States parties to the Chemical Weapons Convention should therefore unite in preserving the international norm against chemical weapons and the provisions of the Convention, along with its consistent and non-discriminatory implementation.

As indicated on a number of occasions, South Africa will continue to work for the depoliticization of the relevant management and decision-making structures established under the Chemical Weapons Convention and also towards ensuring that States parties be held accountable for any violations of their obligations, based on credible, impartial and irrefutable evidence.

In conclusion, South Africa firmly believes that we should endeavour to approach the situation in Syria in a holistic manner, whereby the political, humanitarian and chemical weapons tracks all converge in a single unified path to long-term peace, security and stability for Syria. The only sustainable solution to the Syrian question remains the achievement of a political solution through an inclusive Syrian-led dialogue aimed at a political resolution reflective of the will of the people of Syria.

**Mrs. Van Vlierberge** (Belgium) (*speak in French*): At the outset, I would like to thank Under-Secretary-General Nakamitsu for her briefing on the implementation of resolution 2118 (2013) and Syria's use of chemical weapons. For my country, this is an important issue that demands the tireless attention of the Council.

On the subject of a possible briefing by Mr. Bustani, Belgium believes that he does not have the necessary experience on the subject of our agenda, namely, the implementation of resolution 2118 (2013). Indeed, it would have been more relevant to invite the current head of the Organization for the Prohibition of Chemical Weapons (OPCW) and the head of the Investigation and Identification Team.

Belgium condemns any use of chemical weapons anywhere by anyone for any reason. The use of chemical weapons is simply unacceptable. It is a violation of international law.

In presidential statement S/PRST/2019/14, adopted on 22 November 2019, the Council affirmed that the proliferation of chemical weapons and their means of delivery constitutes a threat to international peace and security. In the same presidential statement, the Council also reaffirmed its support for the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) and for the work of the OPCW. The Council should act in accordance with its statements.

We must redouble our efforts to ensure that Syria complies with its obligations as a State member of the OPCW. The Syrian authorities should provide clear explanations for the discrepancies and inconsistencies in their initial declaration. Any ambiguity in their declaration leaves open the possibility that Syria may be stockpiling chemical weapons and potentially using them against its own people. Syria's full compliance with its obligations under the Convention is essential. The Council should continue to demand that Syria fully and immediately implement resolution 2118 (2013). Syria must ensure access, freedom of movement and the unhindered conduct of the OPCW's work.

It has been established by several independent investigations that the Syrian authorities have used chemical weapons against the Syrian people. The use of chemicals as a weapon cannot go unpunished under any circumstance. Justice is essential in order to prevent the re-emergence of chemical weapons. The use of

chemical weapons is a war crime. Since 2010, it has made no difference whether this crime takes place in an international or internal conflict. We call on all States parties that have not yet done so to ratify the amendment to the CWC in order to strengthen international capacity to combat impunity. We call on States to continue to support the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Finally, the Security Council should not accept the disinformation campaigns of certain Member States. Belgium once again reaffirms its unwavering support for the OPCW and Director General Arias. We look forward to the upcoming Executive Council session in The Hague and the presentation of the report on the measures that Syria has taken to fully implement the Chemical Weapons Convention.

**Mr. Ben Lagha** (Tunisia) (*speak in Arabic*): At the outset, I would like to express my delegation's regret that today we had to vote on Mr. Bustani's participation in order to brief the Security Council. We would have preferred it if we all had shown flexibility and tried to reach consensus without tensions and divisions. That does not help the Security Council to make progress in addressing this very complex and sensitive dossier. I would also like to start by thanking High Representative Nakamitsu for her comprehensive briefing.

I would like to reaffirm Tunisia's commitment to ensuring the prohibition of chemical weapons via the regime set out in the Chemical Weapons Convention and its implementing body, the Organization for the Prohibition of Chemical Weapons (OPCW). Tunisia reaffirms its firm, principled position and condemns in the strongest terms the use of chemical weapons by anyone, anywhere and for any reason. Tunisia stresses that those involved in such crimes should be held accountable. The use of chemicals as weapons is a threat to international peace and security and violates resolution 2118 (2013) and the Chemical Weapons Convention.

Tunisia supports the important technical activities of the OPCW, in line with its mandate, which led to the elimination of the chemical stockpile declared by Syria. We welcome the ongoing cooperation between the Syrian Government and the OPCW Technical Secretariat despite the challenges posed by the

coronavirus disease. Tunisia also welcomes the fact that the Declaration Assessment Team has resumed its work in Syria. We stress the need to ensure the safety and security of its staff. We urge the Government of Syria to continue its dialogue and cooperation with the OPCW in a spirit of constructive engagement and mutual trust so as to expedite the resolution of outstanding issues and ensure its full compliance with its international obligations.

Tunisia reaffirms the need to investigate — in a comprehensive, impartial and transparent manner — all allegations of the use of toxic chemical material as weapons. There is therefore the need for attention and caution with regard to the plots of terrorist groups, including those listed by the Security Council, in particular given the increased threat of terrorism in Syria. I would like to recall that chemical terrorism in Syria has become a reality, as it has been proved that the Islamic State in Iraq and the Shams used chemical weapons in Syria and Iraq in 2015 and 2017. Tunisia emphasizes that the Chemical Weapons Convention is a comprehensive and balanced multilateral framework based on consensus and cooperation, with a view to putting an end to the use of toxic chemicals for offensive purposes and the prohibition of that kind of weapons of mass destruction.

It is incumbent upon the international community and the Security Council to work collectively and in unity to ensure the continuation, independence and effectiveness of the non-proliferation regime and to close the Syria chemical weapons dossier. We reiterate that ending the crisis in Syria must be a Syrian-led process, facilitated by the United Nations, in line with resolution 2254 (2015), which puts an end to external interference and the presence of terrorist groups, while respecting Syria's sovereignty, independence and territorial integrity.

**Mr. De Rivière (France) (*spoke in French*):** At the outset, I would like to thank Mrs. Nakamitsu for her briefing, which demonstrates, if proof were still needed, that the Syrian regime continues to flout its international obligations. Why else would we meet again today after last Monday's meeting?

Contrary to what some claim, the Syrian chemical dossier is not closed. I say in the strongest possible terms that this dossier will remain a priority for France until full light has been shed on the allegations of the use of chemical weapons and on the state of the Syrian

stockpiles. The safety of the civilian population is at stake.

The ongoing use of chemical weapons by the regime against its own people is an indisputable fact, repeatedly affirmed by teams of the Organization for the Prohibition of Chemical Weapons (OPCW) and the United Nations. Most recently, on 8 April, following a thorough investigation, the OPCW's Investigation and Identification Team issued a damning report on chemical-weapon attacks by the regime's air force units. After Ghouta, Khan Shaykhun and Douma, there is now Ltamenah, but how many more?

In 2013, the Syrian regime committed itself to cooperating transparently and in good faith with the OPCW. It has not kept its word, to say the least. Six years after the adoption of resolution 2118 (2013), we still do not have clarity as to the state of Syria's chemical stockpiles. It is high time that the commitments made were finally honoured. That includes in particular allowing experts of the OPCW's Investigation and Identification Team access to its territory. Moreover, that is the essence of the decision taken by the OPCW Executive Council in July, which was presented by France, on behalf of 40 delegations, and gives Syria 90 days to remedy the situation.

For my part, I ask two simple questions. The regime claims that it has nothing to hide, so why does it not cooperate with the OPCW? The regime claims to have destroyed its stockpiles in 2014, so where do the chemical weapons that have been used in Syria since then come from?

Last week, I attended an Arria Formula meeting whose sole aim was to continue to spread misinformation and undermine the OPCW. It is contemptible, let me stress emphatically, to seek to discredit that professional and rigorous organization on the pretext that its conclusions do not align with the version that Syria and certain permanent members of the Security Council wish to give of the facts. The professionalism and impartiality of the OPCW are proven once again by the publication of two reports of the Fact-Finding Mission on the incidents in Saraqib in 2016 and Aleppo in 2018. Having considered all materials available, it concluded that the use of chemical substances as weapons could not be confirmed.

The use of chemical weapons is a crime that threatens humankind as a whole, and the re-emergence of chemical weapons remains one of the greatest threats

it falls to us to address. The Council recalled in clear terms, in November 2019, that the use of chemical weapons anywhere by anyone under any circumstances is unacceptable and represents a threat to international peace and security. That is why there can be no impunity and why France, jointly with 39 other countries and the European Union, has since 2018 supported the International Partnership against Impunity for the Use of Chemical Weapons.

Restoring the credibility of the prohibition regime is also one of the conditions for just and lasting peace in Syria on the basis of resolution 2254 (2015).

In conclusion, I must state my profound regret that you, Sir, decided to ignore a democratic vote of the Council. The fact you did not like the result of the voting does not authorize you to abuse your role as President.

With regard to Mr. Bustani, who was presented to us as a reliable, independent expert, I am not convinced that you did a great service to him or his credibility by serving as his spokesperson. The masks have now fallen, and I think he will now belong to the small cohort of your regular Arria Formula briefings.

**The President** (*speak in Russian*): Once again, and not for the first time today, the presidency has been admonished. I will not comment on that in my capacity as President but as the representative of my country in my right of reply at the end of the meeting.

**Mr. Auväärts** (Estonia): It is regrettable that this serious discussion about the use of chemical weapons was derailed at the beginning of this meeting by the presidency. With regards to procedure, we concur with the substantive statements made today by the representatives of the United Kingdom and Germany.

I thank High Representative Nakamitsu for her briefing on the implementation of resolution 2118 (2013). We note that, once again, the monthly report (S/2020/961, annex) of the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW) states that the outstanding issues relating to Syria's chemical weapons declaration remain unsolved. This means that, after six years, we still lack the assurance that Syria has declared and destroyed all of its chemical weapons and their production facilities. We cannot be sure that new attacks will not happen again. In fact, that risk remains high.

Independent United Nations and OPCW fact-finding missions have confirmed the use of chemical

weapons in Syria on numerous occasions since Syria provided the declaration. The United Nations-OPCW Joint Investigative Mechanism and the OPCW Investigation and Identification Team (IIT) have now confirmed the use on seven occasions of chemical weapons by the Al-Assad regime against the Syrian people. The Syrian regime's non-compliance with its international obligations therefore continues to pose a direct threat to the Syrian people and international peace and security. In these circumstances, the Security Council has a responsibility to act and respond.

Estonia welcomes the OPCW Executive Council decision of 9 July, which addressed in a responsible and robust manner Syria's non-compliance under the Chemical Weapons Convention and provided a deadline for Syria to comply with its obligations. We are concerned to hear that there has been no reply yet from the Syrian Arab Republic regarding the fulfilment of the obligations set by the Executive Council decision. We call on Syria to comply with the decision on time.

In addition to Syria's blatant disregard for its international obligations, we now face another challenge to the chemical weapons non-proliferation regime and the implementation of resolution 2118 (2013). I am referring to the systematic and targeted disinformation campaign to discredit and undermine the OPCW Technical Secretariat and its investigative mechanisms.

It is regrettable that, instead of focusing on discussing in the Council on how to move forward with accountability measures and put an end to impunity for the commission of these horrific crimes, the Russian Federation is making every effort to steer that focus and responsibility elsewhere. This happened again today and was on full display during last week's Arria Formula meeting, where the organizers and their chosen briefers provided us with distorted facts and narratives on Syria's chemical weapons programmes and on specific incidents. At the same time, our Russian and Chinese colleagues decided not to attend the Security Council meeting in May. The participation of OPCW Director General Arias and IIT Coordinator Ambassador Oñate provided an opportunity to learn more about the first IIT report.

The question has already echoed in past Security Council meetings, but I will ask it again — whom does this disinformation campaign serve? Whom does it serve to purposefully undermine the organization most competent to deal with chemical weapons? The answer

is quite clear. It serves those who want to cover up their crimes or those of their allies; those who use or plan to use chemical weapons and want to get away with it with impunity. It is for their benefit to sow distrust and confusion so that condemnation, accountability and a robust international response become more difficult.

Finally, Estonia has full trust in the professional, impartial and independent work of the OPCW Technical Secretariat and its investigative mechanisms. We call on the Syrian regime to cooperate with them actively and fully. We also call on the Russian Federation to disclose, urgently, fully and in a transparent manner the circumstances of the poisoning of Mr. Navalny with a chemical nerve agent of the Novichok group and to inform the Security Council in this regard.

**The President** (*speak in Russian*): Before I give the floor to our next speaker, I would like to make two comments.

First, in my capacity as President of the Security Council, in response to the comment made by the representative of France that I had exceeded my authority as President, I recall that not only did I not exceed my authority as President; I did not even make full use of it. Had I fully availed myself of my rights, without any prejudice to the rules of procedure, there would have been a different result in the voting on the question at hand.

I shall now speak in my national capacity. By this vote we brought disgrace upon ourselves. For the first time in the Security Council, we have voted on the presence of a briefer. This tells us something about the fear among certain members of hearing the truth and their lack of confidence. All of the statements that I have heard today have suggested that. Once again, this is a remark in my national capacity as representative of Russia.

I would ask the representative of France to abstain from making recommendations on what I can include in my national statement and what not.

Responding to the representative of Estonia, in my national capacity, I should say that we will with great pleasure participate in a meeting with Director General Arias when he next comes to an open briefing of the Security Council, which I hope will happen as soon as next month.

I now resume my functions as President of the Council.

I give the floor to the representative of the Syrian Arab Republic.

**Mr. Ja'afari** (Syrian Arab Republic) (*speak in Arabic*): I wish to congratulate you and your friendly country, Sir, on assuming the presidency of the Security Council this month. We have full trust in your successful leadership of the work of the Council and in the positions of the Russian Federation based upon the principles of international law and the provisions of the Charter of the United Nations.

I thank you, Sir, for holding this open meeting on the so-called chemical issue. We agree with what you said a few days ago, indicating that we have nothing to hide and nothing to fear. Indeed, we have a great deal of information and truths on this issue. The public should have the opportunity to examine these truths, free of the biased and hostile views and lies that some Western countries and their media are spreading.

I wish also to reiterate my country's support for the Russian Federation regarding the Western allegations on the so-called Navalny affair and, earlier, the Skripal affair.

Upon a welcome initiative of the Permanent Missions of the Russian Federation and the People's Republic of China, the Security Council, on 28 September, held an Arria Formula meeting on the implementation of resolution 2118 (2013) and the role of the Organization for the Prohibition of Chemical Weapons (OPCW). That meeting was an extremely important opportunity to hear testimony and briefings by experts in related areas, including Mr. Ian Henderson, one of the most experienced OPCW inspectors who has been working for more than 12 years with that body. Mr. Henderson was the head of the team that participated in the investigation into the Douma incident and visited Syria in the context of the fact-finding mission's visits several times. Those experts also included Mr. Theodore Postol, emeritus professor of science, technology and international security at the Massachusetts Institute of Technology, and Mr. Aaron Maté, an independent journalist and contributor to *The Grayzone* and to *The Nation*.

Those briefings and the reliable scientific and very important information they provided have proved the degree of politicization imposed by certain Western Governments in order to use the OPCW's as a platform to fabricate accusations and then justify aggression, sometimes unilateral and sometimes trilateral, against

Syria, and to finish what they were unable to achieve through their investment in terrorism and their unlimited, multifaceted support for that terrorism, and to try to suffocate the Syrian people through unilateral coercive measures.

Naturally —and as the well-known proverb says, “You can lead a horse to water, but you cannot make it drink” — the representatives of certain Western Governments did not want to hear undeniable scientific truths, quite simply because they are relentlessly pursuing, in principle, their hostile positions and attempting to cover up the crimes committed by terrorist organizations and their use of chemical weapons and toxic gases against the civilian population.

They also refuse to recognize the plain truth that was corroborated by Ms. Sigrid Kaag — who at the time was the Special Coordinator of the joint mission of the OPCW in charge of eliminating chemical weapons in Syria — in her briefing to the Council in June 2014. Ms. Kaag came to the Council to present her final report and stated that Syria had abided by all of its commitments, leading to the full destruction of its chemical arsenal on board the American ship *M/V Cape Ray* and other ships. The OPCW stated that all 27 production facilities had been destroyed and that Syria had therefore upheld, in both letter and spirit, its commitments and no longer possessed any chemical weapons.

That is the established fact upon which we should base ourselves, not the question posed by my colleague the Ambassador of France, who asked where the chemical weapons that are being used in Syria are coming from. That is a valid question in terms of form, but the response is a simple one: we have sent more than 200 letters, over a number of years now, to the Security Council since the very first use of chemical weapons against civilians, in Khan Al-Assal, near Aleppo, in March 2013. Since March 2013 — that is seven years now — we have sent the Council more than 200 letters replete with detailed information on the parties that are bringing chemical products into my country for use by terrorist groups in Idlib and elsewhere. Most of the parties that deliver those products are foreign intelligence agencies, including Western and French intelligence entities, that are working in my country, but it seems that some do not wish to see things as they are.

It is regrettable that certain Western delegations, during the aforementioned meeting, used the most heinous and virulent language to attack respectable scientists who tried to help the Council find the truth. Some of those statements were far from courteous and civil, because they do not want the truth. Rather, they invest in terrorism, misinformation and aggression.

It is equally regrettable that the OPCW, which received the Nobel Peace Prize in 2013 for working to eradicate chemical weapons and helping the Syrian Government rid itself of its chemical stockpile, has become a tool to be used by a handful of Western countries to target specific countries, including mine. This greatly detracts from the OPCW’s credibility, professionalism and technical nature. That leads us, as member States, to work to rectify its trajectory and return it to its mandated role.

The activities of the OPCW in my country and several of its reports show that fictional miracles remain possible. Those miracles could be produced in OPCW laboratories in The Hague and in some Western intelligence centres. It is possible to use these miracles to target States Members of the United Nations. That was the case with Iraq. At the time, the American Administration exploited lies that it had propagated in the Council in order to invade Iraq and occupy it, destroy its institutions and plunder its wealth. Has the Council forgotten that? Is it going to allow similar lies to justify targeting my country and other countries as well as the destruction of those countries, just as some destroyed Libya? Will the Council allow the truth to be buried in the basement of the United Nations, in vaults that will be opened only 60 years from now, as with the documents relating to the United Nations Monitoring, Verification and Inspection Commission, the United Nations Special Commission and the Hans Blix and Scott Ritter reports on Iraq? That prevented two generations from knowing the truth about the British-American invasion of Iraq.

Who knows, but perhaps some will replicate the assassination of British biological weapons expert David Kelly, a United Nations inspector in Iraq who died, allegedly by suicide, after having declared to the BBC that his Government had exaggerated its statements on Iraqi military resources and the threat posed by those biological weapons in order to convince the British people to unleash a war against Iraq.

We call on all States members of the OPCW to speak out against the politicization of the organization's mandate. We call on them to work to resolve that issue, which represents a major shortcoming that is jeopardizing its work and undermining its credibility and stance. We ask the Director General of the OPCW to resolve current violations and change direction, rather than bending to Western pressure and implementing the agendas of Governments that wish to keep open this so-called chemical dossier as a card to play against the Syrian Government and its allies.

On a number of occasions, my country has affirmed that it has not used chemical weapons and will not use them. We have also stated that we are committed to cooperating with the OPCW, the Technical Secretariat and the Declaration Assessment Team to resolve outstanding questions and close the file definitively and as soon as possible. That is why, on 16 September, my country presented its eighty-second monthly report to the Technical Secretariat on activities regarding the destruction of chemical weapons and their production facilities. We have even prolonged the tripartite agreement among the Syrian Government, the United Nations and the OPCW for another six months, starting on 30 September 2020.

Moreover, between 28 September and 1 October, the twenty-third series of consultations was held between the Syrian Government and the Declaration Assessment Team, which recently visited Damascus and was able to fully implement its programme, thanks to the assistance offered by the Syrian Government.

That Syrian cooperation has been met with an effort by Western countries to put in place illegitimate mechanisms adopted counter to the laws and provisions of the Chemical Weapons Convention, such as the Identification and Investigation Team. Moreover, the American Administration has presented an escalatory draft resolution in the Security Council to spread lies and impose them through intimidation and pressure, which confirms some Western countries' attempts to instrumentalize this platform for their own expansionist, aggressive agendas. That once again reveals the double standards of the American Administration when it comes to chemical weapons, particularly since it is the only State party to the CWC that retains huge stockpiles of such weapons from the Second World War that it continues to refuse to destroy.

To add to that hypocrisy, successive American Administrations and their NATO allies never talk about the chemical, nuclear and biological arsenals of Israel, which is left out of international conventions in that regard and is a threat to peace and security in our region and in the rest of the world.

By way of conclusion, our colleagues from Western countries wish to replace Flaubert, Voltaire, Jane Austen, Shakespeare, Goethe, Brecht, Hemingway, Edgar Allan Poe, Mark Twain and all the wonderful authors of their countries — these eternal international jewels of literature — with a new kind of literature, that of lies. We heard fallacious, erroneous readings full of lies, which might be good for sentimental novels but are unbalanced. They are unbalanced because they are influenced by the coronavirus disease pandemic, which dominates our minds at the moment.

I am not going to comment on what some Western colleagues have been saying, or on their false accusations against my country with regard to the use of chemical weapons. I simply note that it is their countries that have used nuclear, chemical and biological weapons. It is their countries that have arsenals and stockpiles of weapons that could destroy the entire planet and the solar system. It is their countries that are imposing unilateral economic coercive measures against the Syrian people and other peoples. It is their countries that are hindering the reconstruction process for what terrorism caused in my country; they who invented Al-Qaida and Da'esh; they who exploiting Islamist — not Islamic — trends promoted by people who use religion as a commodity to implement confrontation agendas between cultures, civilizations and agendas. They have destroyed Iraq and Libya, and have propagated the culture of blockade, invasion, servitude, occupation and intimidation.

Those who have committed all of these actions against humankind are not a model for us or for others. They are afraid to hear from the first Director General of the OPCW here in the Council. They are afraid of having the truth unveiled and laid bare, and of having the erroneous information and manipulation of Security Council and OPCW mechanisms unveiled — all with a view to distorting the reputation of my country and that of the Russian Federation and preventing this chemical file, which has been open for over seven years, from being closed.

The Security Council has organized 84 official meetings on this issue, not including unofficial meetings.

**The President** (*speak in Russian*): I now give the floor to the representative of Turkey.

**Mr. Sinirlioğlu** (Turkey): Let me also thank High Representative Izumi Nakamitsu for her briefing. The Syrian chemical file has been dragging in the Security Council for far too long. It is high time that we make headway and ensure accountability.

We have carefully examined the eighty-fourth report (S/2020/961, annex) of the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW). The report is yet more proof that there is still a lot to do to ensure accountability for the Syrian regime's well-documented crimes against humanity.

For seven years, since the first sarin-gas attack in Ghouta, the Council has not been able to achieve that objective. We take note of the fact that the Declaration Assessment Team continues its work to resolve outstanding issues caused by the regime's deceptive declaration of its chemical-weapon stockpiles and production facilities. We expect that effort to yield concrete results soon. That is crucial in order to prevent the regime from repeatedly resorting to chemical weapons. Likewise, the Investigation and Identification Team and the Fact-Finding Mission in the Syrian Arab Republic are working on the remaining investigations on chemical-weapon use in Syria. We look forward to the early completion of those investigations.

As I emphasized during the previous Council meeting on this issue, held in September (see S/2020/902), we have confidence in the professionalism, integrity and impartiality of the OPCW's Technical Secretariat, Declaration and Assessment Team, Investigation and Identification Team and Fact-Finding Mission in the Syrian Arab Republic. Their efforts need to be fully supported, instead of hindered.

The use of chemical weapons by anyone, anywhere and under any circumstance is unacceptable and constitutes a crime against humanity. Those responsible for these crimes should be brought to justice. A lack of response or inertia only encourages the Al-Assad regime to blatantly continue with its current course.

The United Nations-OPCW Joint Investigative Mechanism (JIM) confirmed the regime's culpability for the chemical attacks in Talmenes in 2014, Sarmin and Qmenas in 2015, and Khan Shaykhun in 2017. Turkey fully supported the JIM's efforts and regretted the politically motivated move by the regime's backers

that led to the non-renewal of its mandate at the end of 2017.

With the occurrence of new chemical attacks in Syria, the need for a mechanism to identify the perpetrators continues to be evident. The OPCW's Fact-Finding Mission in the Syrian Arab Republic reported the use of toxic chemicals in Ltamenah, in March 2017, and in Douma, in April 2018.

The decision adopted in June 2018 at the Conference of the State Parties to the Chemical Weapons Convention was a crucial step, as it established the Investigation and Identification Team. Turkey fully supported this decision.

The first report of the Investigation and Identification Team in April 2020 concluded that the Syrian regime's air force was the perpetrator of the three chemical-weapon attacks that took place in Ltamenah on 24, 25 and 30 March 2017. This is an important step towards ensuring that those responsible for the chemical-weapon attacks in Syria are held accountable for their crimes.

To that end, we also fully support the continuation of the important cooperation between the OPCW secretariat and the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. The efforts of the Independent International Commission of Inquiry are also valuable, as the Commission substantively contributes to investigating the use of chemical weapons in Syria.

Last July, the Executive Council of the OPCW took an important decision, providing for the possibility of overcoming the current impasse caused by the gaps, inconsistencies and discrepancies stemming from the initial declaration of the regime. The decision sets a 90-day deadline for the regime to declare to the OPCW all of the chemical weapons it currently possesses. The regime has yet to positively respond. The Security Council should strongly urge the regime to fulfil its obligations. This is essential for the full implementation of resolution 2118 (2013). We cannot let the regime perpetuate the illusion that it possesses no chemical-weapon stockpiles. The regime must fully and unconditionally cooperate with the OPCW without delay.

It is our collective duty to strengthen the norm against the use of weapons of mass destruction. For the past nine years, the Al-Assad regime has waged a war against its own citizens, including children. Conventional weapons and chemical weapons have been used indiscriminately. The Security Council cannot afford to sit back and keep watching this tragedy. If we fail to act now, urgently and decisively, there is no guarantee that the regime will not use chemical weapons again, at the expense of the lives of innocent civilians. Particular responsibility falls on those who have influence on the Syrian regime in this regard.

The Security Council must act in unity and enforce the implementation of its resolution 2118 (2013). We owe this to the victims of chemical attacks who had the courage to rise up to tyranny and express their legitimate demands for freedom, democracy and human dignity.

**The President** (*speak in Russian*): I now give the floor to the representative of the Islamic Republic of Iran.

**Mr. Takht Ravanchi** (Islamic Republic of Iran): First, I would like to congratulate you, Mr. President, on assuming the presidency of the Security Council for the month of October. As a major victim in contemporary history of the use of chemical weapons, Iran continues to condemn in the strongest possible terms the use of chemical weapons by anyone, anywhere and under any circumstances.

Iran also reiterates its call for the balanced, full and non-discriminatory implementation of the Chemical Weapons Convention (CWC) and for upholding the authority of the Organization for the Prohibition of Chemical Weapons (OPCW). In the past several years, based on unsubstantiated allegations, the processes of

the CWC, the OPCW and the Security Council have been used abusively against the Syrian Government.

However, it is a fact that, in her final report to the Security Council, in 2014, the Special Coordinator of the OPCW-United Nations Joint Mission confirmed that Syria had fulfilled all its commitments and that its entire chemical stockpile had been destroyed. Later, the OPCW also confirmed the destruction of Syria's entire chemical stockpile and all its 27 production facilities. Now, these facts — as well as the Syrian Government's significant cooperation with the OPCW and the United Nations, including its having provided to the OPCW over 80 monthly reports and a large amount of information — are being overlooked. Such an unproductive approach has not contributed to the resolution of the outstanding questions. Rather, it has divided the Security Council, eroded the OPCW's credibility and weakened the professionalism of that organization and its consensual decision-making process.

Additionally, it has adversely affected efforts aimed at the full and effective realization of the very purpose of the CWC, namely, the elimination of chemical weapons, which has yet to be realized owing to the blatant failure of the United States as the sole major possessor State party to the Convention. To avoid this situation, the current trend in the Security Council and the OPCW, which has been initiated solely based on certain countries' politically motivated objectives, needs to be discontinued. We stand ready to do whatever is in our power to do to restore the OPCW's authority and promote the full and non-discriminatory implementation of the CWC.

*The meeting rose at 5.45 p.m.*