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Letter dated 26 September 2023 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the 120th monthly report of the Director General of the Organisation for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013).

The report provides information on the activities of OPCW in implementing Security Council resolution 2118 (2013) and the relevant provisions of the OPCW Executive Council decisions in relation to the elimination of the Syrian chemical weapons programme. It covers the period from 24 August to 23 September 2023.

As I have stated previously, the use of chemical weapons anywhere by anyone, and under any circumstances, is intolerable. Impunity for their use is equally unacceptable. It is imperative that those who have used chemical weapons be identified and held accountable. Unity in the Security Council is essential to achieve this urgent objective.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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Annex

[Original: Arabic, Chinese, English, French, Russian and Spanish]

I have the honour to transmit to you my report entitled “Progress in the Elimination of the Syrian Chemical Weapons Programme” prepared in accordance with the relevant provisions of the OPCW Executive Council Decision EC-M-33/DEC.1, and the United Nations Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council. My report covers the period from 24 August 2023 to 23 September 2023 and also covers the reporting requirements of the Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Fernando **Arias**
Ambassador
Director-General of the OPCW

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Report by the Director-General

Progress in the Elimination of the Syrian Chemical Weapons Programme

1. In accordance with subparagraph 2(f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") is to report to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also to be submitted to the Security Council through the Secretary-General.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of that decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2(f) of Council decision EC-M-33/DEC.1".

3. The Council, at its Forty-Eighth Meeting, adopted a decision entitled "Reports of the OPCW Fact-Finding Mission in Syria" (EC-M-48/DEC.1, dated 4 February 2015), noting the Director-General's intent to include reports of the OPCW Fact-Finding Mission in Syria (FFM), along with information on the Council's discussion thereof, as part of the monthly reporting pursuant to United Nations Security Council resolution 2118 (2013). Similarly, the Council, at its Eighty-First Session, adopted a decision entitled "Report by the Director-General Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/DEC.4, dated 23 March 2016), noting the Director-General's intent to provide information on the implementation of that decision.

4. The Council, at its Eighty-Third Session, adopted a decision entitled "OPCW-United Nations Joint Investigative Mechanism Reports on Chemical Weapons Use in the Syrian Arab Republic" (EC-83/DEC.5, dated 11 November 2016). In subparagraph 12(a) of that decision, the Council decided that the Director-General shall "regularly inform the Council on the implementation of this decision and incorporate information regarding the implementation of this decision into his monthly reporting to the United Nations Security Council, through the United Nations Secretary-General, regarding EC-M-33/DEC.1".

5. The Council, at its Ninety-Fourth Session, adopted a decision entitled "Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic" (EC-94/DEC.2, dated 9 July 2020). In paragraph 12 of that decision, the Council decided that the Director-General shall "regularly report to the Council on the implementation of this decision and decide[d] also that the Director-General shall provide a copy of this decision and its associated reports by the Secretariat to all States Parties and to the United Nations Security Council and the United Nations General Assembly through the United Nations Secretary-General".

6. The Conference of the States Parties (hereinafter "the Conference") at its Twenty-Fifth Session adopted a decision entitled "Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic" (C-25/DEC.9, dated 21 April 2021). In paragraph 8 of this decision, the Conference decided that the Director-

General shall regularly report to the Council and States Parties on whether the Syrian Arab Republic has completed all of the measures contained in paragraph 5 of Council decision EC-94/DEC.2.

7. This, the 120th monthly report, is therefore submitted in accordance with the aforementioned Council and Conference decisions and includes information relevant to the period from 24 August to 23 September 2023.

Progress achieved by the Syrian Arab Republic in meeting the requirements of Executive Council decisions EC-M-33/DEC.1 and EC-M-34/DEC.1

8. Progress by the Syrian Arab Republic is as follows:

(a) As stated in previous reports, the Secretariat has verified the destruction of all 27 chemical weapons production facilities (CWPFs) declared by the Syrian Arab Republic.

(b) On 15 September 2023, the Syrian Arab Republic submitted to the Council its 118th monthly report (EC-104/P/NAT.3, dated 15 September 2023) regarding activities on its territory related to the destruction of its chemical weapons and CWPFs, as required by paragraph 19 of EC-M-34/DEC.1.

Progress in the elimination of Syrian chemical weapons by States Parties hosting destruction activities

9. As stated in previous reports, all of the chemicals declared by the Syrian Arab Republic that were removed from its territory in 2014 have been destroyed.

Activities carried out by the Technical Secretariat with respect to Executive Council decisions EC-81/DEC.4 and EC-83/DEC.5

10. The Secretariat, through the Declaration Assessment Team (DAT), continues its efforts to clarify all outstanding issues regarding the initial and subsequent declarations submitted by the Syrian Arab Republic in accordance with the Chemical Weapons Convention (hereinafter "the Convention"), paragraph 1 of Council decision EC-M-33/DEC.1, paragraph 3 of Council decision EC-81/DEC.4, paragraph 6 of Council decision EC-83/DEC.5, and paragraph 5 of Council decision EC-94/DEC.2.

11. As previously reported, the last round of consultations between the DAT and the Syrian National Authority took place in Damascus in February 2021. Since April 2021, all of the Secretariat's efforts to organise the twenty-fifth round of consultations between the DAT and the Syrian National Authority, comprising several deployment dates between May 2021 and October 2023 proposed by the Secretariat, have remained unsuccessful, inter alia, because of the Syrian Arab Republic's refusal to issue a visa to the DAT's lead technical expert, which is not in line with its obligations under paragraph 7 of Article VII of the Convention, paragraph 7 of United Nations Security Council resolution 2118 (2013), and corresponding Council decisions.

12. Most recently, through a note verbale dated 6 September 2023, the Secretariat informed the Syrian Arab Republic of its intention to deploy the DAT to Damascus to conduct the twenty-fifth round of consultations in October 2023. Since no confirmation of the proposed deployment dates was received from the Syrian Arab Republic by the requested deadline of 14 September, the Secretariat informed the Syrian Arab Republic through note verbale dated 20 September 2023 that the deployment dates were postponed to October and November 2023. The Secretariat requested that the Syrian Arab Republic confirm availability for the newly proposed deployment dates by 5 October 2023.

13. Considering the impediments to organising the twenty-fifth round of consultations, the Secretariat has continued to seek alternative solutions to implement its mandate in the Syrian Arab Republic.

14. In May 2022, the Secretariat proposed to address the declaration-related issues through exchange of correspondence, and in September 2022 provided the Syrian Arab Republic with the list of pending declarations and other documents requested by the DAT since 2019 that could assist in resolving the currently 20 outstanding issues. Although the Syrian Arab Republic agreed to this proposal, it did not submit any declarations or documents requested by the Secretariat.

15. In January and April 2023, the Secretariat deployed a reduced team comprised of several members of the DAT to conduct limited in-country activities (LICA). The outcomes of both LICA were reported to the Council at its 102nd and 103rd Sessions, respectively.

16. As previously reported, a meeting took place in Beirut, Lebanon, between the delegations of the Secretariat and the Syrian Arab Republic in June 2023. The Syrian Arab Republic requested the meeting to discuss, inter alia, a road map it would present for the resolution of declaration-related gaps, inconsistencies, and discrepancies. As no such road map or other plan was presented by the Syrian Arab Republic at the meeting, the Secretariat emphasised that the resumption of rounds of declaration consultations involving all experts from the DAT was the best way forward. Moreover, the Secretariat stressed its readiness to consider any constructive proposals from the Syrian Arab Republic, reiterating that the Secretariat's current mandate and working methodology remain in force unless and until otherwise decided by the policymaking organs. The Syrian delegation committed to convey the matter to the Head of the Syrian National Authority and to revert to the Secretariat, as well as to present proposals with a view to better implementing its obligations.

17. Through a note verbale dated 30 June 2023, the Secretariat reminded the Syrian Arab Republic that its proposed road map and the decision for the resumption of full rounds of consultations, as discussed during the meeting, were still awaited. The Syrian Arab Republic responded on 19 September 2023, informing the Secretariat that it was still working on a comprehensive plan for the resolution of declaration-related gaps, inconsistencies and discrepancies, which will be provided to the Secretariat as soon as possible.

18. The Secretariat remains fully committed to implementing its mandate aimed at verifying the fulfilment of the Syrian Arab Republic's declaration obligations under the Convention, decisions of the policymaking organs, and relevant United Nations Security Council resolutions. The Secretariat also reiterates its earlier calls to the Syrian Arab Republic to submit pending declarations and documents, and to fulfil its obligations by providing immediate and unfettered access to all locations and sites for all personnel designated by the Secretariat.

19. Considering the identified gaps, inconsistencies, and discrepancies that remain unresolved, the Secretariat assesses that the declaration submitted by the Syrian Arab Republic still cannot be considered accurate and complete in accordance with the Convention, Council decisions EC-M-33/DEC.1, EC-81/DEC.4, EC-83/DEC.5, and EC-94/DEC.2, as well as Conference decisions C-SS-4/DEC.3 (dated 27 June 2018) and C-25/DEC.9, and United Nations Security Council resolution 2118 (2013).

20. In accordance with paragraph 10 of Council decision EC-83/DEC.5, the Secretariat is continuing to assess conditions for the conduct of inspections at the sites identified by the OPCW-United Nations Joint Investigative Mechanism in its third and fourth reports.

21. With regard to the inspections of the Barzah and Jamrayah facilities of the Scientific Studies and Research Centre (SSRC) as mandated by paragraph 11 of Council decision EC-83/DEC.5, the Secretariat is continuing to plan the next round of inspections in 2023.

22. Concerning the detection of a Schedule 2.B.04 chemical during the third round of inspections at the Barzah facilities of the SSRC in November 2018, the Syrian Arab Republic has yet to provide sufficient technical information or explanations that would enable the Secretariat to close this issue.

23. With regard to the notified plan for the construction of an incineration unit for the destruction of chemical wastes at the SSRC, the Secretariat and the Syrian National Authority have exchanged correspondence since April 2022. On 10 July 2023, the Syrian Arab Republic provided the Secretariat with some additional information. In its reply dated 28 August 2023, the Secretariat reiterated its earlier advice to the Syrian Arab Republic to maintain a record of activities at the incineration unit.

24. As previously reported, during the ninth round of inspections at the Barzah facility of the SSRC in September 2022, the inspection team observed a number of boxes containing a chemical of a dual-use nature, stored in large quantities at the facility's chemical storage warehouse. Following the inspection, the Secretariat engaged the Syrian National Authority on this matter and requested information that would allow it to assess that all activities conducted therein are for purposes not prohibited under the Convention. Through a note verbale dated 21 August 2023, the Syrian Arab Republic provided some information previously requested by the Secretariat. The Secretariat is analysing this information and will continue engaging with the Syrian National Authority on this matter.

Other activities carried out by the Technical Secretariat with respect to the Syrian Arab Republic

25. In a note verbale to the Secretariat dated 9 July 2021, the Syrian National Authority also reported the destruction in an attack on a former CWPF of, inter alia, two chlorine cylinders used in the chemical weapons incident that took place in Douma, the Syrian Arab Republic, on 7 April 2018. In its reply dated 15 July 2021, the Secretariat requested the Syrian Arab Republic to, inter alia, provide all relevant information regarding the unauthorised movement of the two cylinders from the site where they had been stored and inspected in November 2020, 60 kilometres away from the site where the cylinders had allegedly been destroyed. As at the date of this report, the Secretariat had not received a response to this request. The Secretariat will keep the Council informed of further developments on this matter.

26. The United Nations Office for Project Services (UNOPS) continues to provide support to the OPCW Mission in the Syrian Arab Republic in accordance with the Tripartite Agreement concluded between the OPCW, UNOPS, and the Syrian Arab Republic. This Agreement facilitates the Secretariat's mandated activities in the Syrian Arab Republic pertaining to the full elimination of the Syrian chemical weapons programme, and to any subsequent decision or resolution of the relevant organs of the OPCW or the United Nations, as well as any bilateral agreements concluded between the OPCW and the Syrian Arab Republic. The current extension of the Tripartite Agreement remains in force up to and including 31 December 2023.

Activities carried out with respect to the OPCW Fact-Finding Mission in Syria

27. Guided by Council decisions EC-M-48/DEC.1 and EC-M-50/DEC.1 (dated 4 February 2015 and 23 November 2015, respectively), as well as by United Nations Security Council resolution 2209 (2015), the FFM continues to study all available

information relating to allegations of the use of chemical weapons in the Syrian Arab Republic.

28. The FFM continues to fulfil its engagement with the Syrian Arab Republic and other States Parties with regard to a number of incidents.

29. The FFM is preparing upcoming deployments and will report to the Council on the results of its work in due course.

Activities carried out by the Technical Secretariat with respect to decision C-SS-4/DEC.3 of the Conference of the States Parties at its Fourth Special Session related to the use of chemical weapons in the Syrian Arab Republic

30. Pursuant to paragraph 10 of C-SS-4/DEC.3, the Secretariat established the Investigation and Identification Team (IIT) to identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the FFM determines or has determined that use or likely use occurred, and cases for which the OPCW-United Nations Joint Investigative Mechanism did not issue a report.

31. The IIT is continuing its investigations in accordance with the Note entitled "Work of the Investigation and Identification Team Established by Decision C-SS-4/DEC.3 (Dated 27 June 2018)" (EC-91/S/3, dated 28 June 2019) and will issue further reports in due course.

Activities carried out by the Technical Secretariat with respect to Executive Council decision EC-94/DEC.2

32. In paragraph 5 of decision EC-94/DEC.2, the Council decided:

> to request, pursuant to paragraph 36 of Article VIII of the Convention, that the Syrian Arab Republic complete all of the following measures within 90 days of this decision in order to redress the situation:
>
> (a) declare to the Secretariat the facilities where the chemical weapons, including precursors, munitions, and devices, used in the 24, 25, and 30 March 2017 attacks were developed, produced, stockpiled, and operationally stored for delivery;
>
> (b) declare to the Secretariat all of the chemical weapons it currently possesses, including sarin, sarin precursors, and chlorine that is not intended for purposes not prohibited under the Convention, as well as chemical weapons production facilities and other related facilities; and
>
> (c) resolve all of the outstanding issues regarding its initial declaration of its chemical weapons stockpile and programme.

33. At the end of the 90 days, the Syrian Arab Republic had not completed any of these measures.

34. With regard to the inspections mandated by paragraph 8 of EC-94/DEC.2, the Secretariat is monitoring the current security situation and will inform the Syrian Arab Republic when it is prepared to deploy for this purpose.

Activities carried out by the Technical Secretariat with respect to Conference of the States Parties decision C-25/DEC.9

35. In paragraph 7 of decision C-25/DEC.9, the Conference decided, after careful review, and without prejudice to the Syrian Arab Republic's obligations under the Convention, pursuant to subparagraph 21(k) of Article VIII and paragraph 2 of

Article XII of the Convention, to suspend several rights and privileges of the Syrian Arab Republic under the Convention.

36. In paragraph 8 of the decision, the Conference decided, inter alia, that the rights and privileges of the Syrian Arab Republic suspended in accordance with paragraph 7 of decision C-25/DEC.9 are reinstated by the Conference once the Director-General has reported to the Council that the Syrian Arab Republic has completed all of the measures stipulated in paragraph 5 of EC-94/DEC.2. As at the date of this report, the Syrian Arab Republic had not completed any of these measures.

37. The Secretariat will continue to engage with the Syrian Arab Republic with regard to their completion and will continue to report to the Council as mandated.

Supplementary resources

38. The Trust Fund for Syria Missions was established in November 2015 to support the FFM and other remaining activities, which presently include the work of the DAT and the IIT, as well as the biannual inspections of the SSRC and the two sites identified in paragraph 8 of EC-94/DEC.2. As at the cut-off date of this report, total contributions and pledges to this fund stood at EUR 39.4 million. Contribution agreements had been concluded with Australia, Canada, Chile, the Czech Republic, Denmark, Finland, France, Germany, Ireland, Japan, Lithuania, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, the Republic of Korea, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the European Union.

Conclusion

39. The future activities of the OPCW Mission in the Syrian Arab Republic will focus on the work of the FFM; the implementation of Council decisions EC-M-33/DEC.1, EC-81/DEC.4, and EC-83/DEC.5, including declaration-related issues; inspections at the Barzah and Jamrayah sites of the SSRC; the implementation of Conference decision C-SS-4/DEC.3; the implementation of Council decision EC-94/DEC.2; and the implementation of Conference decision C-25/DEC.9.