

STATEMENT BY
AMBASSADOR ERIC M. JAVITS
UNITED STATES DELEGATION
TO THE
12TH CONFERENCE OF STATES PARTIES
OF THE
ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS
NOVEMBER 5, 2007

Mr. Chairman, Mr. Director-General, Distinguished Delegates,

It is a great honor to be here with such an impressive group of colleagues at the annual Conference of States Parties. Our numbers here today underscore the relevance and importance of the Chemical Weapons Convention ten years after entry into force. I would like to welcome our new Chairman, Ambassador Abuelgasim Abdelwahid Shiekh Idris of Sudan. Our governments may have differences on many issues; nevertheless, I have every confidence in Ambassador Idris' deft and neutral guidance of this Conference through our very full agenda this week. I pledge my own support and that of my delegation to making this a productive and successful session. We will surely miss our departing past chairman and dear colleague, Ambassador Alfonso Dastis, who contributed so much to the Organization over his years here, and we wish him personal fulfillment and success in his new endeavors.

This has been an important year for the Organization for the Prohibition of Chemical Weapons. There have been many different kinds of events around the world to mark the milestone and to celebrate the tenth anniversary of the Convention. I was privileged to have helped organize one such event in New York held by the Columbia University Law School. I truly believe that the OPCW is a model for multilateral success. Its success is based on its mood of collegiality, on its strong tradition of consensus-based decision making, and on the contributions of everyone to the important work of the Organization. All of us contribute – whether representing large nations or small ones, whether destroying chemical weapons or overseeing large chemical industries, whether serving on the Executive Council or participating in the Conference of States Parties or working in the Technical Secretariat. But the Convention's tenth anniversary is an occasion not only for celebration, but for reflection. It is an appropriate time to look back at both our accomplishments and our shortcomings, and to look forward to the challenges of the future. This is how we will ensure that the OPCW remains a vital, relevant institution in a rapidly changing world.

The preamble to the Convention says that the States Parties—all of us—are “determined, for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons.” This is a noble, but ambitious goal. Ultimately, it cannot be achieved without universal adherence to the CWC. Our numbers as States Parties have grown impressively in ten short years. As the number of states that are not party to the convention shrinks—from 40 just a few years back in 2003 to only 13 today—with the remaining states, increasingly, are those that perceive real barriers to ratification or accession. Accordingly, progress becomes slower

and more difficult. But we should not give up. The Republic of Congo, Iraq and Lebanon, three nations with serious domestic conflicts, are very close to joining the convention, and we look forward to welcoming them as States Parties. We believe other countries can and will follow, particularly if their neighbors and friends provide strong encouragement to their doing so. We, the States Parties, working closely with the Director General and the Technical Secretariat, should offer any necessary assistance to facilitate their accession to the Convention—but we should also send the clear message that joining this treaty is an essential part of being a full member in the community of nations.

Acceding to the convention, however, is only the beginning of the story, not the end. Article VII requires all states to implement the Convention fully, which typically requires an array of laws, regulations and procedures. Even if we were to achieve universal membership, we could never hope to fulfill the goal so eloquently set forth in the preamble without effective implementation of the Convention by all States Parties. Although there has been notable progress in national implementation pursuant to Article VII, we are still very far from this goal.

Many States Parties have made progress, even where laws have not yet been enacted. The United States welcomes this progress, and urges States Parties with draft legislation to make every effort to complete the legislative process as soon as possible. A small number of States Parties, however, have not taken meaningful steps toward meeting their obligations, despite the many urgent requests and offers of assistance made by this Conference. This is a matter of real concern. Those that have not yet designated a National Authority or taken steps to develop legislation must take these elementary steps without any further delay. Surely this is not an unreasonable request; surely it is a message that this Conference can agree to deliver in a clear, unambiguous terms and in a direct way.

The Technical Secretariat continues to provide expert assistance to countries that request it, as have many states on a bilateral basis, including the United States. This work must continue, and be improved through closer, more frequent communication between States Parties and the Technical Secretariat. Assistance must be tailored to the specific circumstances of each country that is striving to meet its obligations – whether in drafting legislation, moving legislation and regulations through parliaments or governmental approval processes, or setting up a national authority. As we proceed with these efforts, my government believes that we should focus, in particular, on those States Parties that lack effective implementing measures, but have more activities relevant to the Convention within their territories. Currently, there are approximately twenty such States Parties with

organic chemical manufacturing and trading activities within their borders that have not yet enacted comprehensive legislation. We should make assisting these states with their national implementation efforts, in every manner possible, an urgent priority, in order to ensure that such activities are subject to treaty verification and appropriate domestic oversight.

Excluding the possibility of the use of chemical weapons also requires us to destroy the weapons that now exist. Last year's debate at this Conference focused in part on the extension of destruction deadlines for possessor states. During the year since, Albania became the first nation to destroy its entire stockpile of chemical weapons. We heartily congratulate Albania for this achievement and hope that it will be followed soon by other possessor states. As for the United States, I am proud that we have completed destruction of 45% of our stockpile six months ahead of our revised schedule. We were pleased to host representatives of all of the regional groups from the Executive Council to visit the Chemical Agent Disposal Facility in Anniston, Alabama, two weeks ago, to observe ongoing destruction firsthand. This was the first visit of its kind, and an opportunity for increased transparency and to respond to questions from the Council. The Council looks forward to visiting one of the Russian destruction facilities in the first half of next year.

I suggested earlier that this anniversary year is an appropriate time for reflection. This coming April, we will have an opportunity to put such thoughts and reflections to good use at the Second Review Conference – a singular opportunity to take stock of how far we have come and to chart this Organization's course for the next five years and beyond. The Open-Ended Working Group chaired by Ambassador Lyn Parker is working diligently to ensure that the Review Conference will be successful. My delegation has worked closely with others in these preparations, and will continue to do so.

We see the Review Conference as an opportunity to assess the work of the OPCW openly, honestly, and with intellectual rigor; an occasion to benefit from the thoughtful views of academics, non-governmental organizations and industry on the implementation of the CWC. We see the Review Conference as a chance not only to think about developments in science and technology—which are significant—but also about broader changes in the chemical industry. It's also a chance to consider the evolution of the chemical weapons threat, which is no longer confined to the battlefield, but threatens everyday citizens as they go about their lives. As science evolves, the industry evolves, and the threat we face evolves, we must ensure that the abilities and capabilities of the OPCW evolve as well to ensure that the goals of the Convention continue to be met.

And finally, it's a chance to look critically at what we're doing as an organization. Even without these changes in the world around us, and even though this Organization is a success, there are things we can – we must – do better, ranging from better coordination between the Scientific Advisory Board and the governing bodies, to wiser allocation of limited inspection resources, to taking tough but necessary decisions in the Executive Council. This will be hard work, and much of it will have to be accomplished before the Review Conference if we are to succeed.

Finally, Mr. Chairman, a few words about the issues we face this week on which the Executive Council has been unable to present clear recommendations. Intensive consultations have been continuing since the last Council Session in a number of areas, including draft decisions on universality, transfer discrepancies and late declarations under Article VI, strengthening Article VII implementation, and improving assistance programs under Article XI. There are dedicated and hardworking facilitators for all of these consultations, and we hope that as work continues this week, we can achieve consensus on these issues in time for consideration by the Conference.

We have faced difficult challenges many times in agreeing on future actions to be taken, but we have resolved so many contentious issues in the past that I remain confident that we can achieve progress this week as well. We have often worked far into the evening hours, but the spirit of consensus and the importance of the future direction of the Organization have always carried the day. We can forge ahead again this week as well, and I urge everyone to renew our determined collective efforts toward that end.

Mr. Chairman, Mr. Director-General, Distinguished Representatives, we have important work ahead of us. I am proud to have been a part of this organization since the last Review Conference, and I look forward to meeting together the challenges that face us, and to continuing our exemplary tradition of hard work, cooperation, and success.

Thank you.