

“Use of CW - from Attribution to Accountability”

Welcome address

Excellencies, colleagues, students of Leiden University, esteemed guests,

I would like to warmly welcome you, also on behalf of the co-sponsors, to today's event.

If there is one thing the international community can agree on, even in today's difficult circumstances, it is their condemnation of the use of CW by anyone, anywhere, under any circumstances.

And there also seems to be broad agreement that the abhorrent crime of using CW must not remain unpunished. This means that those alleged to have deployed CW first need to be identified and then brought to justice, be they state or non-state actors.

The CW Convention entered into force in 1997. However, even after the total ban on CW use came into effect, CW were used several times, most notably in the Syrian Arab Republic.

Syria became a State Party to the Convention in 2013, but this did not stop Syria from continuing to use CW. Since 2013, UN and OPCW mechanisms have attributed responsibility for CW use to the Syrian Arab Republic in nine instances.

The last of these reports, published by the OPCW in January, concluded that there are reasonable grounds to believe that on 7 April 2018, at least one helicopter of the Syrian Arab Air Force dropped two cylinders on residential buildings in the Syrian town of Douma, releasing chlorine and killing 43 named individuals and affecting dozens more. Another OPCW report is expected in the near future on CW use in the Syrian town of Marea in 2015. According to preliminary information, this use might be attributed to DAESH.

So when it comes to identifying those responsible for the use of CW, i.e. attributing responsibility, I think it is fair to say that the international community has been relatively successful.

The OPCW has played and continues to play an important role in this respect – by establishing the facts surrounding alleged CW use, collecting evidence and identifying those

responsible. And by then making its findings available to the IIMM and the wider international community.

However, when it comes to bringing the individual perpetrators to justice, the situation is as bleak as it is frustrating.

I am not aware of one instance where a perpetrator of CW use has been indicted, let alone convicted, either by an international court or by a national court or tribunal.

Ladies and gentlemen,

It is evident that there are no easy options for holding the perpetrators for CW use accountable. However, this should not prevent us from keeping the issue of accountability and the fight against impunity high on our agenda. On the contrary! We should redouble our efforts, share experiences and further explore the existing options as well as new ideas.

We owe this to the victims of these horrible crimes.

And let me emphasize that ensuring accountability would scare off potential perpetrators of CW use. This is why bringing those responsible to justice is so important in our efforts to prevent the re-emergence of these horrific weapons.

With this in mind, let me wish you a fruitful discussion.

I would like to thank the distinguished panellists for being here today and Prof. Stahn for chairing, as well as the University of Leiden for hosting this event; and I would like to thank you all for your interest!