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Featured Speaker:

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Discussants:

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P R O C E E D I N G S

MR. INDYK: Good morning, ladies and gentlemen. Welcome to Brookings. I'm Martin Indyk, the executive vice president of Brookings. And on behalf of The Hague Institute for Global Justice, our partner in this event, I'm very glad to welcome all of you, especially our distinguished guests.

This is the second annual Justice Stephen Breyer Lecture on International Law. We're honored to have Stephen Breyer's name associated with this annual lecture. He is a great jurist, and of course, a Supreme Court justice. Unfortunately, he couldn't be with us today, but he sends his best wishes to the participants in this program.

The subject that we're going to focus on today is the search for international consensus on Syria, and in particular, the way in which a unique event, certainly in the annals of recent history of the Middle East, and particularly, in the annals of the civil war in Syria -- the way in which circumstances managed to produce an extraordinary situation in which the international community so divided -- the Security Council, so divided of what should happen in Syria, such that the immense tragedy in human carnage involved in that civil war, which goes on today, was momentarily put aside, when the international community came together to agree after the use of chemical weapons in Syria by the Syrian regime of Bashar-al Assad came together to agree on the disarmament of Syria's chemical weapons.

And it was in that context that the Organization for the Prohibition of Chemical Weapons, known as OPCW, was tasked with the formidable challenge of implementing this agreement to disarm Syria of its chemical weapons. For its efforts, the Organization for the Prohibition of Chemical Weapons was awarded the Nobel Peace Prize. And we are greatly honored today to have the director general of OPCW, Ambassador Ahmet Üzümcü, to deliver this second annual Justice Stephen Breyer lecture.

I'm delighted to have the opportunity to introduce Ambassador Üzümcü and the other people involved in today's program, but particular for Ahmet, because he is an old friend and

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colleague of mine. We served together as ambassadors in Israel, I as, of course, the American ambassador, Ahmet as the Turkish ambassador.

He is one of Turkey's finest diplomats. Indeed, the last time I heard him speak was when he was speaking to my son his daughter at the American School in Wurtzleer in Tel Aviv about the fractions of the United Nations. He has come a long way since then, with a very distinguished career, first as a Turkish diplomat, and then, in international organizations.

He represented Turkey as its ambassador to NATO at the Conference on Disarmament, and at the United Nations in Geneva, as well as other international organizations there. He chaired the Conference on Disarmament in March, 2008, and has, from -- in the past five years, has taken on this role as the Director General of OPCW.

In 2013, as I mentioned before, he received the Nobel Peace Prize on behalf of OPCW. And January, he was awarded the Medal of Honor by the University of Bologna, in Italy. He is going to be joined on the podium this morning by a number of other distinguished experts. First of all, Dr. Abby Williams, who is the president of our partner institution today, The Hague Institute for Global Justice.

He served previously as senior vice president of the Center for Conflict Management at our U.S. Institute of Peace here in Washington, and lead USIP's work in major conflict zones, particularly Afghanistan, Pakistan, Iraq and Libya. Prior to that, he served as director of strategic planning in the executive office of the UN Secretary General.

He is going to be joined for the discussion after Ambassador Üzümcü's remarks by Robert Ford, who is a senior fellow at the Middle East Institute, but many of you will know him as the recently retired U.S. ambassador to Syria, where he served from 2010 to 2014, although the latter years were not in Damascus.

But while there, he gained a reputation for courage in the face of great resistance and adversity from the Syrian regime, and has championed the cause of the Syrian opposition since then, both within the U.S. government where he had a responsibility for dealing with Syria and

subsequently, since he's left and become the senior fellow at the Middle East Institute.

And then, we're also very glad to have with us this morning, Mallory Stewart. She is the deputy assistant secretary of state for emerging security challenges and defense policy in the Bureau of Arms Control, Verification, and Compliance. She actually has a title that's longer than anyone I've had.

She's responsible for the management of Emerging Security Challenges and the Office of Chemical and Biological Weapons Affairs. She joined the State Department as an attorney in the Legal Advisor's office, and has represented the United States in various international legal matters, included before the Iran-U.S. claims tribunal.

In order to introduce our speaker today, I have the honor to ask Ingrid van Engelshoven to address us. Ingrid is the deputy mayor of The Hague. The city of The Hague has been very supportive of this whole effort to sponsor a dialogue on international legal matters that we are honored to host here in this format. So, I'm very glad to welcome to the podium the deputy mayor of The Hague. (Applause)

MS. VAN ENGELSHOVEN: Well, guests, ladies and gentlemen, as The Hague's deputy mayor for international affairs, it's an honor for me to be here at the Brookings Institution and to have the possibility to speak some words to you.

The Brookings Institution, the most, I think, influential, most quoted and most trusted think tank in the world. Brookings is well respected everywhere because of its high quality research and solutions to today's challenges. In 2006, then Senator Chuck Hagel said, Brookings has been at the center of every important policy debate in this country for the last 90 years. I want to add to that. Brookings is influential not only in debates here, but in debates all over the world.

And from that perspective, Brookings is not only a U.S., but also a global think tank, and illustrative to that fact is that today's Justice Breyer lecture is delivered by my good friend, the director general of the OPCW, Mr. Ahmet Üzümcü. The Hague is not only the legal capital in the world, with all its courts and tribunals, as quoted by former UN Secretary General Mr. Boutros

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Boutros Ghalli, but The Hague is also the security hub between the United States and Asia-Africa.

In The Hague, we have the largest security cluster in Europe, the so-called, The Hague Security Delta, with hundreds of companies, knowledge institutes and NGOs involved. But the OPCW is one of the crown jewels of The Hague, and we are extremely proud that OPCW received a Nobel Peace Prize in 2013. Altogether, The Hague has built a unique peace, justice and security infrastructure. We try to avoid war with courts like the International Court of Justice, the only main organ of the United Nations outside New York.

And if, sadly enough, war breaks out, if conflicts erupt and escalate with all the violations of human rights that come with it, we now have tools to strike back in a decent, responsible and peaceful way in the name of mankind. And for the first time in world history, we have a global tribunal, the International Criminal Court, to punish war criminals. And every day, we see on our computer and television screens, the devastating effects of modern warfare, and OPCW is effectively diminishing these effects by finding and restoring chemical weapons, as it has done in Syria.

The war scene in Syria is already horrifying, but imagine the devastating use of chemical weapons would make the hell that would be created, impossible to describe. So, I believe when a director general of OPCW speaks at Brookings, the world listens. And thank you, Brookings, thank you Ambassador Indyk for the great hospitality, and thank you -- he is not here, but I want to thank Justice Breyer for giving his name to this lecture.

And ladies and gentlemen, Washington is the place for all of us to be, but I would like to tell you that in The Hague, you and your organizations are always welcome, and we would be happy and eager to facilitate you. In sort, I have come to Washington, and we are very happy if you come to The Hague. Thank you very much. (Applause)

MR. ÜZÜMCÜ: Martin, thank you very much for your warm welcome and kind words about me. Thank you very much, Deputy Mayor van Engelshoven, for your generous introduction, and thank you for your hospitality for our organization in The Hague.

Dr. Williams, dear guest, ladies and gentlemen, it is a great honor to be with you today to deliver the second Breyer lecture at this prestigious institution. Before coming here, I read with great distress Justice Breyer's observations at last year's inaugural lecture on the Supreme Court in the world. I was fascinated by his perspectives on the lessons that can be drawn from the international community for helping to preserve American values.

I am not, myself, a lawyer, but my own experience at the OPCW has been steeped in the applications of international law for helping to achieve a world free of chemical weapons. It is this experience which I wish to draw on in my remarks today. In particular, I want to show how the mission to eliminate Syria's chemical weapons tested the resilience and flexibility of the chemical weapons convention and the strength of global consensus against these brutal weapons.

This work has brought us close to some very complex and challenging legal issues, particularly where they intersect with political realities. I will also point to some emerging challenges that will require us to adapt and supplement our traditional measures, not only in response to the terrorist threat.

Ladies and gentlemen, we are well aware of the intractable nature of the current situation in Syria. Now, in its fourth year, the war has not only adversely impacted region security, but has also emerged as one of the foremost humanitarian crises of our time. An estimated 220,000 people have died. Some 3.8 million refugees have fled to neighboring countries.

The war has led across the border into Iraq, and countries in the region remain on high alert, having to address new risks to their security. Yet, all the attempts to effect a political settlement have floundered. A glimmer of hope was able to spring from one of the darkest chapters of the war. It occurred when the world learned of reports of chemical weapons attacks in Syria in late 2012 and through 2013.

In August, 2013, these concerns reached a fear pitch on the eastern edges of Damascus. It was there in Gutterm, a suburb of Syria's capital, that an estimated 1,500 people died following an attack with the deadly nerve agent, sarin.

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Directly after the attack, social media conveyed unforgettable images of suffering and death on the part of innocent Syrians, including children. These images sent shockwaves throughout the international community and engendered a strong reaction. What happened in the wake of these attacks demonstrated that disarmament can occur even amidst the ravages of war.

The war in the Middle East -- sorry, for in the middle of this brutal civil conflict, in a rare moment of Unitarian resolve, the international community seized on an opportunity to remove the threat of chemical weapons from Syria. On September 14th, Syria suddenly took the stratification for accession to the Chemical Weapons Convention, and that same day, Russia and the United States agreed on a framework for the admonition of Syria's chemical weapons.

Less than two weeks later, on September 27th, the OPCW's Executive Council dropped a landmark decision that charted the course for a first rate plan to eliminate Syria's chemical arsenal. On the same day, the (Inaudible) council passed a resolution 21-18 endorsing the Executive Council's decision.

The mission called for the removal of all chemical weapons from Syria for destruction outside the country, and the destruction of production facilities within Syria. Although this undertaking stretched the operational limits of our organization and tested our results, we had been well prepared for such scenarios.

Within days, a team of OPCW inspectors was on the ground assisting Syrian officials to prepare and issue a declaration and verify the destruction of chemical weapons production facilities, equipment and on field munitions. And with our United Nations partners through the Office of the UN Joint Mission, we devised plans for accessing production in storage facilities and overseeing the removal of Syria's chemical weapons.

Those weapons had to be transported over land in the midst of a raging civil war, and transferred to ships for delivery to the section facilities at sea and on land. The most lethal chemicals, sulfur (Inaudible) agent and methyl phosphoric deflouride, an early agent precursor weren't utilized. They (Inaudible), a U.S. vessel in the Mediterranean.

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Resulting affluence from these operations and other toxic chemicals from Syria's weapons program were sent for dissection facilities -- for dissection at facilities in Finland, United Kingdom, Germany and the United States. And critical to our success, no fewer than 30 countries supported this mission through significant in kind and financial contributions.

Most of this work was done in dangerous conditions, within extremely tight deadlines. The results speak for themselves. Within less than a year, we were able to report that all declared chemical weapons slated for destruction abroad were removed Syrian territory. Ninety-eight percent of these weapons have now been destroyed, including all so-called category one chemical weapons, sulfur mustard and main agent precursors.

In a moment of rare unity over the course of the Syrian conflict, the International Convention was able to forge an exceptional disarmament agreement that produced tangible results in a remarkable short period of time. What I especially welcomed about the Syrian chemical disarmament mission was that the United States and the Russian federation played a key role by leading the international community to act in unison on the issue of chemical weapons.

And I am pleased that the OPCW's strong tradition of consensus underpinned all decisions taken in relation to this mission. Yet even with strong tailwinds of global political will at our back, none of these accomplishments would have been possible without the well established legal norm of the Chemical Weapons Convention and its application to Syria's chemical disarmament.

All of our work in Syria, from putting our people on the ground for inspections, to destroying chemical weapons at sea, relied on our soundly navigating international legal strictures and political hurdles. Other work is still under way, such as clarifying Syria's declaration and completing the destruction of chemical weapons production facilities.

Disturbingly, there have been new allegations that toxic chemicals are being used a weapon on Syria. In April, 2014, in response to earlier allegations that toxic chemicals were being used as weapons in Syria, I established a fact finding mission. The mission was tasked to

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gather facts on the ground regarding alleged use. Among its findings, the mission concluded with a high degree of confidence that chlorine had been used regularly and systematically in three religions (sic) in Syria.

The work of the mission is continuing with the full support of the Executive Council of the OPCW and was recently endorsed by the U.S. Security Council, Resolution 22-09. We are currently analyzing information in relation to new allegations of more recent chlorine effects, and will decide on a course of action based on this analysis.

As is clear, the Syria mission was comprised of an intricate constellation of actors, organizations and international legal agricultures. You can imagine the many obstacles that our legal team had to negotiate to maintain the forward momentum of the mission in these circumstances. Simply put, the OPCW had never been tasked with anything like it.

Typically, the work of chemical disarmament takes place over a period of years, even decades, under peaceful circumstances where agreements can take years to develop, and even longer to implement. Let me bring to that just a few examples of the legal challenges we faced and the circumstances surrounding them.

Among other obligations, article (Inaudible) of the convention stipulates that no state party should transfer chemical weapons to anyone, directly or indirectly. This is then counter to the U.S.-Russia framework agreement, which sought the removal of Syria's chemical weapons from the country for accelerated destruction outside Syrian territory. To this end, the UN Security Council's resolution 21-18 endorsed our member states' agreement to allow destruction to occur outside the country.

The OPCW's activities in (Inaudible) normally hinge not on the actual destruction of chemical weapons, but rather, on the verification that these activities have been implemented by the possessive of state. But in the case of Syria, due to the circumstances within that country, the possessive state was not assigned draw of destroying these weapons, and the OPCW and its member states needed to find new solutions.

And they came up with the innovative solutions for destruction at sea and in commercial facilities. This required addressing the necessary international and domestic legal requirements, and the interplay amongst them across numerous territories, states and companies. And as you might expect, some of the human and environmental safety and liability issues associated with the packaging, transportation, storage, destruction and disposal of chemical weapons was anything but business as usual.

Furthermore, the fact finding mission was not foreseen by the Chemical Weapons Convention. The legal basis for the mission is to be found in the broad authority given to me as director general to ensure that we uphold at all times, the objective and purpose of the Convention. This authority was reinforced in this instance, by the relevant decisions of the OPCW's Executive Council and the UN Security Council's resolutions and the endorsement of the Executive Council for its fact finding mission and its acceptance by the state parties concerned through an exchange of letters between me and Syrian officials.

Yet, against all of these legal challenges, the guiding principle for the OPCW was simple. Extraordinary situations call for extraordinary measures. The elimination of Syria's chemical weapons program is not, of course, stopped the conflict. But it has stopped that the nerve agents from being used, such as in the case of Gutta, and therefore, removed an immediate threat to the people of Syria and the region.

I have often described the Chemical Weapons Convention as the most effective treaty in the history of multilateral disarmament, and with good reason. Assigning equal commitments to all member states and backed by a strong network of support and mutual assistance, the convention stands alone as the only legally binding instrument to ban an entire class of weapons of mass destruction under international verification.

Among our 190 member states, 8 have declared possession of chemical weapons. Three of them have completely destroyed their stockpiles, namely India, Albania and a state party that prefers not to be identified. Iraq has finalized a destruction program for (Inaudible) of chemical

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weapons, and Libya has eliminated its chemical weapons with only a modest amount of component chemicals left to be destroyed.

In a remarkably short period of time, 98 percent of Syria's chemical weapons have also been destroyed. Countries with the lion's share of the world's chemical weapon stockpile, Russia and the United States, have committed to assuring complete destruction of their programs by December, 2020 and September, 2023 respectively. All told, the OPCW has verified the destruction of 87 percent of the world's declared chemical weapons to date. Within the next eight years, we expect that all of those weapon stocks will be destroyed.

While six countries remain outside the convention, Miramar has now ratified the treaty and is likely to soon join the organization as our 191st member state. We anticipate that Angola and Sashtan will follow suit. We continue to work with Egypt and Israel, especially in the wake of the Syrian chemical devastation. There is no justification for these country remaining outside the convention, since chemical weapons are now taboo and not the strategic option for any country.

Lastly, North Korea remains a concern, even its complete lack of engagement regarding the issue of chemical weapons. Despite our accomplishments toward global chemical disarmament and our efforts to secure universal adherence to the convention, I must, nonetheless, strike a further note of caution. Today, terrorism represents one of the most clear and present threats to our chemically secure future.

We are all well attuned to the stated intentions of non-state actors to acquire and use weapons of mass destruction. With the likelihood of chemical weapons used by states increasingly removed, we must be alert to the ambitions of terrorist groups. Recent reports suggesting that toxic chemicals may have been used as weapons in the Middle East are of great concern. We are watching these situations very closely and are prepared to look into any serious allegations in these cases.

Yet, I must be clear. The threat of chemical weapons used is not confined to a

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handful of countries non-state actors in one particular region. Twenty certainly ago, you may recall a doomsday cult that launched to attacks by using sarin and hydrogen cyanide in Matsumoto and Tokyo. Occurring in 1994 and 1995, these attacks took the lives of 20 people and injured thousands. Had these attacks been engineered differently, the results could have been even more catastrophic, potentially killing thousands.

The Japan sarin attacks were not launched by a state at war and did not occur in an active conflict zone. They were carried out by a group motivated to develop and use chemicals to provoke fear and terror. Given terrorists' propensity to exploit vulnerabilities in the global security system, the threat of chemical weapons should be a constant (Inaudible) for all states.

How we deal with these threats represents our next great challenge: To effectively prevent the emergence of chemical weapons, we must push beyond current global nonproliferation in arms and seek new solutions. And though the OPCW is not an anti-terrorism organization, our mission to issue the global ban against chemical weapons is being implemented at the national level.

To do this effectively, we must continue and intensify our work to (Inaudible) in the capacity of national jurisdictions that may not be as equipped to detect and prosecute criminal chemical activity, support enactment of legislation to monitor industry and trade toxic chemicals, and has cooperation between states and strengthening collaboration with relevant international frameworks and organizations to be of global capacity to prevent chemical terrorism.

These are not impossible tasks, but they will require collective action and constant vigilance to bring about meaningful contributions to global chemical security. The OPCW is seeking to facilitate much of this work in a variety of ways, including to (Inaudible) group on terrorism which last met in March.

As today's events focus on the search for international consensus in Syria and beyond, please allow me to conclude my remarks by drawing some lessons from our recent experience. First, I would posit that in terms of any work towards peace and stability, one must

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quickly capitalize on every opportunity. Windows on complex and contentious arms control opportunities do not stay open very long.

The chance for the removal and destruction of Syria's chemical weapons required swift and decisive action. Within the OPCW, we are all too aware that such quick action is critical for responding effectively, whether to alleged use of chemical weapons or as a template for removing such weapons in future scenarios.

A second lesson gleaned from the Syria experience speaks to the strength of international law for framing practical responses to disarmament, for without the Chemical Weapons Convention and the organization that diplomats (sic) these provisions, there would be no rules of (Inaudible) and no vehicle to arrive at the destruction of Syria's chemical weapons.

Though we are trending positively towards complete destruction of chemical arms, the threat posed by terrorists will continue to challenge us in this respect. This bids towards my third and final point, perhaps best expressed by German pacifist Ludwig Quidee, who won the Nobel Peace Prize in 1927. With that statement, I quote, "Every success in limiting arms is a sign that the will to achieve mutual understanding exists, and every such success thus supports the fight for international law and order."

The very action to disarm Syria's chemical weapons program is an indication that consensus can be reached, even in the midst of conflict. And as we well know, in the absence of a motivating force or political action, you can call it political will, our efforts towards disarmament are powerless. Never before had any large scale removal of arms been achieved under such conditions, but seizing this opportunity, by employing international law and achieving consensus, the international community was able to attain a remarkable triumph on world global chemical disarmament. I thank you for your attention. (Applause).

(Discussion off the record)

MR. WILLIAMS: Director General, thank you for that enlightening address, which I'm sure will have inspired our audience, who will no doubt be eager to start the discussion. Being

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aware of this, I will limit my own questions, but I did still want to exercise the moderator's prerogative to get things started, and allow me to briefly mention, ladies and gentlemen, what a pleasure it is to be back at Brookings, and to be co-hosting on behalf of The Hague Institute for Global Justice, the Second Annual Justice Stephen Breyer Lecture on International Law with Brookings and the Netherlands foreign ministry.

We hope, through the theories, to shed light on pressing questions of international law, and hopefully, to elucidate the work of The Hague based institutions in the process. I will start by posing a few questions, specifically to the director general, and then, I will engage our two other panelists in the discussion for more wide ranging discussion of the issues.

Director General, as a treaty implementing organization, the OPCW sits at an interesting juncture between the political and the legal. How is this played out in relation to your mission, more generally, and the mission to eliminate Syrian chemical weapons specifically?

MR. ÜZÜMCÜ: Thank you, Dr. Williams. Indeed, I spoke earlier in my statement about the legal challenges we faced. But I must recognize, taking this opportunity, that the negotiators of our convention, in fact, in the 1980s and early '90s did an excellent job.

This is a very comprehensive document. It's clearly not perfect. It was a result of you know, long negotiations, and in the end, as it happens in most cases, is a compromised text. But it is very detailed in its annexes, especially the verification mechanism. And over the years, the organization was able, in fact, to implement it.

And in cases of you know, ambiguities and requirements for interpretation and so on, they were able, also, to overcome all those problems, difficulties by seeking in fact, consensual solutions. Therefore, I think the legacy and the accumulation of experience within the organization did help us in this challenging mission in Syria.

So, was it, again, completely satisfactory or adequate? Sometimes not. But still, through consultations, we have quite an elaborate consultation mechanism. From within the organization, we have a citation mechanism and so on. We have a very strong legal office within

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the secretariat. So, all of those, I believe, are contributing factors to the success of the mission. And the state parties clearly did have to take into account the political realities of our time, and the convention was negotiated, as I said, almost 30 years ago. So in some respects, it had to be adapted and reinterpreted. But the broad, in fact, spirit and object of the convention was very helpful in all of this.

MR. WILLIAMS: And actually, general, you described the Chemical Weapons Convention in your remarks as the most effective treaty in the history of multinational disarmament, and you've also just now, acknowledged that it's not perfect. Were the provisions of the CWC sufficient for the task you were facing in Syria, or were there shortcomings? And if there were, how did you address them?

MR. ÜZÜMCÜ: Actually, the convention, in fact, was developed against quite a long background which goes back to 1899. The head convention, in fact, which for the first time prohibited the use of poison. And there was another attempt in early 1925 by the (Inaudible) protocol which forbid the use of biological and chemical weapons. All of this failed, and drawing on these experiences, the international community decided you know, to develop a new treaty, new convention, which now enjoys, in fact, the membership of, as I said, 190 member countries.

So, the legal instrument, which is -- I mean, these are legally binding instruments, of course, is quite solid. But in terms of details, clearly, modalities, there had to be some flexibility. For instance, in the verification of this transportation, destruction, identification of Syrian chemical weapons, in some instances, we were not able to deploy our inspectors to certain sites, and we had to develop some new, you know, verification methods.

We used some remotely, you know, controlling devices with GPS margins, video cameras, and so on, and in the end, we were able to verify them. We need to take some samples according to the convention verification annex and analyze them in order to confirm what kind of chemical substances are, and again, on those instances, we had to develop some new procedures.

So, I think the challenges on the ground, in fact, were -- short starts were overcome

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through some practical, actually, procedures, and the states parties, in fact, that were supportive of those innovations. And it worked, I should say.

MR. WILLIAMS: But there have been reports of use of chemical weapons by ISIS in Iraq, as well as new allegations of use of chlorine gas as a weapon in Syria. How serious is the threat of chemical terrorism? And what can be done to address it?

MR. ÜZÜMCÜ: This is, indeed, a challenge for the international community. We have seen reports of use of chlorine, which is not, as you know, a chemical weapon, per se. But according to our convention, any chemical substance which could be used for hostile purposes is considered as a chemical weapon, and this happened.

So, when our fact finding mission, in fact, did investigate the alleged uses in Syria, and there was a report, also, of use of chlorine by ISIS in Iraq against Iraqi soldiers, this was reported to the organization by the united delegation in The Hague, which is very worrying, of course. But we were not able to send our inspectors and verify those allegations. So, we have to rely on the state party concerned, in this case, Iraq.

And clearly, the chemical terrorism, as I said in my remarks, is a growing, you know, threat to all of us. And terrorism in general, doesn't, you know, recognize boundaries. So, I don't think any country is immune to that. This includes the chemical terrorism. The production of chemical weapons doesn't require a sophisticated technology. The earliest chemical materials for the production of chemical weapons may be you know, actually procured relatively easily.

The problem, of course, will occur about the delivery of those weapons, and probably due to this, we haven't seen any large, actually, use of chemical weapons in the recent history, with the exception of Japan, as I mentioned earlier. But this should not leave us to be complacent. I think we should be vigilant. I see it as a real threat, and the states parties will have to cooperate more, more than today in order to counter this threat.

MR. WILLIAMS: I will now like to invite two other panelists, first, Mallory Stewart to give initial comments, and Mallory Stewart will be followed by Rob Ford for his own initial

comments. And then, we will have a further discussion. All right?

MS. STEWART: Thank you very much. I'd like to thank you for having me as part of this discussion, and thank Brookings. It's an honor and a privilege to be here for a very important conversation.

Director General Üzümcü did an excellent job of laying out some of the most important lessons learned and challenges faced by the OPCW and the international community during the collective effort of eliminating Syria's declared chemical weapons program.

I want to highlight a few of the lessons and resulting challenges that the director general spoke about. The first was the importance of working from common ground. When the United States and Russia came together in September of 2013, we had nothing in common, but we had to find the motivating factors that we could agree upon so that we could somehow address this most tragic Syrian situation and the use of CW in Syria.

And we did find common ground, and that was that the Syrian common chemical weapons stockpile was a threat to international security, and that the OPCW was the one entity especially qualified to verify and assist in the elimination of this threat. With that common ground, however, we faced and we continued to face a challenge. And that is not to make the common ground the lowest common denominator.

In other words, we must forward, recognizing that our common ground may be small, but our need to prevent the use and proliferation of CW is great. We need to build upon the common ground that we have found and we continue to find with Russian others to move forward, but make sure that that common ground does not become the confines of what we can accomplish and what we need to accomplish.

The continuing use of CW in Syria is intolerable, and there are many open questions regarding Syria's CW declaration that must be answered. But the U.S. and the international community, with the OPCW's leadership, will continue to push to expand the common ground and to hopefully, eliminate the threat.

Another lesson that the director general spoke about was the need to think flexibly, and to push beyond the traditional uses of authority. The Syrian problem was totally novel under the CWC, and yet, on close inspection, the Chemical Weapons Convention gave the OPCW the legal and operational capacity to address the situation.

The director general and his staff have been able to work with previously untested authorities in the Chemical Weapons Convention and the Executive Council implementing decisions to legitimately investigate, inspect and monitor the destruction of the Syrian CW program.

The UN Security Council was able to build upon the existing OPCW authorities and capacity under the Chemical Weapons Convention to elaborate upon and expand the international community's role in the ongoing elimination and verification endeavor. But again, this lesson has led to a challenge, and that is not setting a precedent for all time based on this very unique situation.

The Syrian elimination effort required CWC's state's parties to be able to transfer CW for destruction outside of Syria, and as Ambassador Üzümcü noted, this is inconsistent with the Chemical Weapons Convention. But we were able to work within the flexibility of the convention and under the auspices of the UN Security Council to make this situation legitimate and to explain why the need for the situation was understood and anticipated in a way that was allowed under the Chemical Weapons Convention, and it was authorized in a very specific and previously unused legal provision in the Chemical Weapons Convention and pursuant to the UN Security Council resolution.

It is unlikely that this specific fact pattern will ever be replicated, and thus, the unique legal approach should not be used as precedent for the future, but it was an important precedent we were able to -- it was an important situation we were able to address within the flexibility.

Finally, one of the most important lessons that I have personally learned from being involved in this process is the importance of the leadership and the dedication of the director

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general, and the entire OPCW organization itself. Without their specific knowledge and capacity to verify, investigate and report, our responsible options to the use and continued use of CW in Syria would have been much more limited.

It is truly thanks to the efforts of the OPCW in combination with the United Nations and the international community that we've made such significant progress. The unprecedented removal and destruction operation would not have happened without the leadership, political savvy and resourcefulness of Director General Üzümcü and Joint Mission Special Coordinator Sigrod Cog and their teams.

The resource contributions and unparalleled efforts of our close allies and partners, Norway, Denmark, Italy, Finland, Germany and the United Kingdom, to name a few, were also instrumental. Additionally, the assistance of Russia and China throughout the process has been important.

The safe and environmentally sound destruction of Syria's most deadly chemical weapons were the U.S. (Inaudible) -- could not have happened without the entire international community working together. As the international effort has shifted its focus to preventing investigating all credible allegations of CW use in Syria, we also must specifically applaud the bravery and professionalism of the director general's fact finding mission.

They have investigated unspeakable horrors in Syria with little regard for their own personal welfare. The fact finding mission has found that chlorine was used as a weapon and dropped from helicopters on opposition controlled areas of Syria, despite a clear prohibition by the Chemical Weapons Prevention and the UN Security Council resolution. We also need to applaud the OPCW's declaration assessment team for its diligence and persistence in the face of many open and concerning questions regarding Syria's declaration of a CW program.

The fact finding mission and the declaration assessment team have done excellent work, but their work is far from done. The FFM established that helicopters dropped CW, and only the regime had that capability, and the DAT has uncovered even more evidence of discrepancies

and deception in the regime's declaration.

Most disturbing is that Syria's allegations of the regime's CW (Inaudible) continue as recently as a few weeks ago. These credible allegations of use, if confirmed, demonstrate that Assad's regimes continue brutality against the Syrian people and its blatant disregard of international norms.

As Secretary of State Kerry reiterated last month, the Assad regime's horrifying pattern of using chemical weapons, first sarin and now chlorine, underscores the urgency of our push to eliminate chemical weapons in this region and to hold the perpetrators of such abhorrent acts, responsible and accountable. With the leadership of the OPCW and the support of the international community, we hope that one day, the use of CW will be a distant memory. Thank you.

MR. WILLIAMS: Thank you very much, Mallory.

I now ask Rob Ford to give us some -- his own initial comments.

MR. FORD: Thank you very much, and I'd like to thank Brookings for the invitation to be here, and it's an honor to be with you, Mr. Director, General (Inaudible).

MR. WILLIAMS: Thank you.

MR. FORD: So, welcome to Washington.

Three quick points. First, I'd just like to emphasize some of the things which Ms. Stewart just said about the challenges of implementing the agreement on the removal of the Syrian chemical weapons. And second, I'd like to just talk for a moment about what do those challenges mean on the ground for deterrence in the ongoing Syrian conflict.

And then finally, I want to speak for just a couple of minutes about the achievement that the U.S.-Russian framework agreement from September, 2013 represented, but also, the limits to those achievements in terms of finding a resolution to the broader and awful Syrian conflict. First, just a quick comment about the challenges, just to underline some of the points which you just made, Mallory.

Number one: It's hard to inspect in the middle of a conflict zone, and the OPCW's teams, I think, have done a terrific job under extremely difficult circumstances. I know that on at least one occasion, the teams came under fire while they were performing a verification mission. That said, it's especially important that the inspections and verification missions be as intrusive as possible, because the OPCW teams themselves said that the Syrian government did not declare all of its facilities in its initial declaration to the OPCW.

That follows from the Syrian government itself denying consistently, up to today, that it has ever had a chemical weapons program. And what's also important is that Russia has never acknowledged that Syria had a chemical weapons program.

Let me emphasize that point. Russia has never acknowledged either in private in our discussions, and I was in the Geneva talks with the Russian side in September, 2013 -- never acknowledged publicly or privately that Syria actually had a chemical weapons program.

It is not, therefore, surprising that there have been since, new allegations -- serious allegations of additional chemical weapons use, in this case, chlorine gas. Those allegations have come, I would say, fairly regularly, every month or two. Some, I think, more serious in their nature than others; some more credible in their nature than others.

The OPCW's fact finding mission, as Ms. Stewart mentioned, determined that in the provinces of Hama and Idlib in the spring of 2014, there were confirmed instances based on consistent eye witness accounts, and that the weapons were dropped by helicopters, and only the Syrian government operates helicopters. And there have been new allegations at the beginning of March, again, in Idlib province after the Syrian government was forced to withdraw from a town. The Syrian government then launched, according to the allegations, a new chlorine gas attack that killed at least six people, according to the allegations.

The Syrian government has never been held accountable. I'll say that again. The Syrian government has never been accountable. Now, accountability is outside OPCW's mandate, and it's certainly outside the CWC, Chemical Weapons Convention's mandate, as well.

Accountability would logically fall back to the United Nations Security Council. But as I mentioned at the start, the Russians themselves have never acknowledged either that the Syrian government used sarin gas in August, 2013, nor did they ever acknowledge that the Syrian government had a chemical weapons program.

And so, the Syrian government, so far, is still not deterred, and that Syrian conflict is grinding along and we will probably see, I regret to say, additional allegations of the use of chlorine gas. This is especially true because the Syrian civil war is now a war of attrition; the Syrian government is in a minority position, and wars of attrition usually don't go well for minority regimes, and therefore, they use chlorine gas in some cases, to equalize the military balance on the ground.

Thus, until we find ways to increase the pressure on the Syrian government and make it appear that it can be held accountable, we will probably have additional allegations of use; probably instances of use. And I would posit that one of the ways that would help deter the Syrian government is for international organizations to be more public in laying the exact finger of responsibility, after evidence is collected.

If the evidence points firmly in one direction, then I think that party, Syrian government or Syrian opposition, wherever the evidence leads, that party needs to be named in a very public manner by the international organizations involved, including OPCW, as well as the Security Council.

Finally, a comment about the American Russian role in this. The framework agreement concluded in September, 2013 in Geneva, was actually quite an achievement. It was very detailed, and it was reached after marathon negotiations led by Foreign Minister Lavrov and Secretary Kerry; and very detailed. I mean, the discussions were very granular.

There was a great deal of satisfaction, I think, on both side; certainly on the American side. There was a great deal of satisfaction that we were able to achieve such a detailed framework agreement with the Russians, and it did give an impetus to the two countries' efforts, Russia and the United States' efforts to convene a Geneva peace conference.

The two foreign ministers in Moscow, in April, 2013, had said they wanted to go to a Geneva peace conference, but in the months that followed, May, June, July, August, the effort really wasn't getting very far, despite the efforts of the United Nations envoy, Lakhdar Brahimi, and our two governments, it really was not moving.

The accord in Geneva gave an impetus, and we did get to Geneva five months later, in January, 2014. But I don't want to oversell that, because as I mentioned, the Russians and the Americans from the beginning had a very different interpretation of what had happened with respect to the sarin gas attacks in August, 2013, and the Syrian government's culpability, and that was an indication, if you will, that the two governments didn't really agree on how to move forward towards a final political resolution of the broader Syrian conflict, and the Geneva peace talks foundered almost immediately in February, 2014, in part -- not solely, but in part, because the Russians and the Americans could not agree either on what was the priority objective, or how to get to common objectives.

And so, the agreement to remove Syria's chemical weapons facilities' materials was a step forward, but for a lot of Syrians on the ground today, in places like Aleppo and Idlib and Daraa in the south, it's very limited, because they are still facing not only chlorine gas attacks, but regular bombing by barrel bombs (Inaudible).

And when you say to them, well, the achievement of getting the sarin gas out is something important, they will almost immediately respond, well, if we get killed by sarin or if we get killed by barrel bombs or chlorine, what difference does it make in the end. And so, this just tells me that the international community needs to redouble efforts to find a solution to the broader Syrian conflict. Thank you very much.

MR. WILLIAMS: Thank you very much, Ambassador Ford.

Now, at the time of the agreement, which you've mentioned, to disarm Syria of its chemical weapons stockpile, we heard how this could mark a breakthrough, allowing a wider political process. But if anything, the overall political situation in Syria has deteriorated since the fall

of 2013, and U.S.-Russia relations are at their lowest ebb.

Taking a broad view, can disarmament agreements lead to political process -- to political progress, or should we keep our expectations of a technical level, Rob Ford?

MR. FORD: In the case of Syria, the agreement was really very technical, and as I mentioned, had no sustained capacity to push forward the broader political resolution that both Russia and the United States say that they want. And so, I think in the end, the politics of such conflicts really matters. And I cannot substitute agreement on some fairly technical action plans for agreement on a broader political vision.

It's very easy to pigeonhole, to put in a box and implement out of a box a technical agreement, while still leaving broader and harder political questions unanswered or unsolved.

MR. WILLIAMS: (Inaudible)

MS. STEWART: I would just follow that by saying that disarmament agreements and treaties general have the potential for being a rare point of cooperation, even in a period of heightened tensions. And for example, I would point to the New START Treaty, which just celebrated its fifth anniversary of its signing yesterday, as an example of how two states, and the United States and Russia, can implement legal provisions capping strategic nuclear forces faithfully, despite Russia's legal actions in Ukraine.

I think the same can be true with respect to the U.S.-Russia framework. That was a technical, political document, but it helped push the conversation and eliminate a strategic threat in the area, and allowed for diplomacy to work in a field in which there were limited options for the international community to get involved.

I would argue as a former treaty lawyer myself, that really, disarmament agreements and treaties have been surprisingly successful when the political situation is a disaster. And if we can continue cooperation with Russia in the Syria context and we can continue cooperation with Russia in New START context, we can continue to have a dialogue, when some of our other communications are not as successful, and much more politically challenged.

MR. WILLIAMS: Thank you.

Director General, Rob Ford mentioned that it is hard, he said, to inspect in a conflict zone. What are the challenges for an organization like the OPCW acting on behalf of the international community in operating in a conflict environment like Syria? It must, necessarily, cooperate with armed actors, including the Syrian government. And what does this say about issues of objectivity or even neutrality on the part of an international organization?

MR. ÜZÜMCÜ: The organization, in fact, has been preparing itself for some contingencies since the beginning of the conflict in Syria. We have trained our inspectors, and also, looked at the different scenarios in which conditions, in fact, we would be called upon to deal with the chemical weapons arsenal in Syria.

So, both, in fact technically, as well as psychologically, our staff have been rather -- quite ready, I should say, to be deployed. And when the decision was taken, both in The Hague, as well as in New York on the 27th of September, we were able to dispatch the first group of inspectors two days later to Beirut, to Damascus.

Having said that, we are also fully aware of the security challenges on the ground, and without the UN support, of course, all of this could not have been achieved. And still, there were challenging moments within the country, and some actual deals had to be made in certain instances with different groups through the UN.

Nevertheless, one attack, as Master Ford mentioned, occurred on the 27th of May last year in the buffer zone from the government controlled territory to the opposition held territory. So, they were attacked, and fortunately, there were no casualties. But this is really a very demanding, in fact, mission, and I'm glad that we were able to have a sufficient number of volunteers -- 60 volunteers at the initial stage, and they were ready to go back.

And now, for the fact finding mission, also, we have quite a significant number of inspectors who are volunteering to go back to Syria, and we are verifying the production facility's destruction. All of this is quite new to an organization like the OPCW. Our inspectors, in fact, are

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coming from different backgrounds. They're chemists. Some of them are ex-military, but they didn't serve in conflict zones like the one in Syria. Still, I think we should be you know, generally satisfied and pleased, and welcome these achievements.

MR. WILLIAMS: You mentioned -- if I can have a follow up on that, you mentioned the fact finding mission. And of course, they issue reports, the fact finding mission. What status -- perhaps it might be helpful to let us know what status do the reports of the fact finding missions have? And can they play a role in relation to determining accountability as required by UN Security Council resolutions?

MR. ÜZÜMCÜ: The fact finding mission is, as I said earlier, was not, in fact, mentioned anywhere in the convention. There are other mechanisms for investigating, in fact, alleged users of chemical weapons, but they were not invoked. They have to be invoked by the states' parties. There was no such initiative.

Therefore, in circumstances, there was no other option but to look for another possible mechanism. And again, this is an innovation, and it was really well received, in fact, by states' parties. Initially, it was my initiative, later endorsed by the Executive Council of the OPCW. And the treaty parts, in fact, produced by the fact finding mission were submitted to the Executive Council in The Hague, and they were noted, and the states' parties on the 4th of February -- they expressed serious concern about the findings of the mission, and they reaffirmed their determination, in fact, to prevent the uses of chemicals as a weapon in the future.

And I was also authorized to transmit them to the Security Council, which I did, through the secretary general. And the Security Council also took a resolution, which is very important. All of this, in fact, did show that maybe they didn't have initially a formal status, but now, after the Executive Council as well as the decision -- as well as the Security Council's resolution, I believe they are seen as important documents seeking, in fact, clarification or inquiring about the allegations.

Could they be used for economic activity purposes? The mission didn't have the

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mandate to identify the perpetrators of the attacks, but the witnessed accounts in fact, suggest that the helicopters were used, and the OPCW, nor the fact finding mission doesn't have such a mandate. As ambassador for (Inaudible), I think it should be up to the Security Council you know, to address this issue.

MR. WILLIAMS: Ms. Stewart, the Chemical Weapons Convention has been with us for about 18 years now. And I wonder whether you could put on your hat as a treaty lawyer to perhaps, assess the reason for its success as a multilateral instrument, when other instruments have been less successful, or at least, more contested?

MS. STEWART: I think there's several reasons. One of the primary reasons, of course, is thanks to the OPCW and its ability to implement in a neutral and technically you know, sort of superior ability, both from the chemical point of view -- the expertise on chemical issues, but also, political savvy and ability to work with the states' parties in a good process.

I think the treaty itself is very well drafted. It has a pretty well explained structure that incorporates the participation of states' parties at both the Executive Council level and the conference of state parties' level -- Council of State Parties Level, and the OPCW, both the director general and his technical secretary of staff are able to work within those existing authorities to accomplish what they need to accomplish.

But the key is that the CWC, despite being a lengthy document, has a certain amount of flexibility worked in to respond to situations as they arise. And I think that's the important part about having such a strong and technically qualify OPCW and technical secretariat to push forward in areas that hadn't previously been anticipated.

I mean, we can't sort of say enough how much the CWC is affected by an OPCW that has the capacity to respond to a serious situation which was not anticipated in the convention. So, I do think that's one of its sort of biggest successes, and perhaps, the model for other conventions. I think, you know, the chemical weapons arena is somewhat unique, in that while you know, other areas may have dual use capabilities, something that is a chemical like chlorine used

as a weapons is a clear cut violation of the convention.

So, while you have, in say, the biological weapons world or other worlds a more difficult time defining how something is purely a chemical weapon and not, in the Chemical Weapons Convention it's done a very good job of expansively saying, if you use this chemical as a weapon, it is now covered by the convention.

And so, I think that's one of the greatest successes of the convention. As Director General Üzümcü mentioned, the universal condemnation and prohibition on the use of chemical weapons has been very effective.

MR. WILLIAMS: Mr. Ford, given its success, can the CWC and the work of the OPCW and its state parties serve as a model for disarmament efforts further afield, given your experience?

MR. FORD: When I think about the region, certainly, there are states in the region that haven't yet joined the CWC. It's not clear to me that the Syrian experience is going to encourage any of them to change their policies and move towards accession to the CWC. It does not logically follow to me, since they're basing it on a set of national -- perceptions of national security interests of their own unique national security interest.

I do want to make a point about -- with respect to the implementation of the Syrian agreement. As Ms. Stewart was saying, it's great that the CWC will include something like the use of chlorine gas as something that is prohibited, but in the end, it's when such prohibitions are actually enforced and accountability is enforced that you get true deterrence.

And that, I think, it still lacking in the case of Syria. And so, I'm hopeful that OPCW will be able to put together a new fact finding mission to go out, and I'm hopeful that based on the evidence, that fact finding mission collects whatever that evidence may be, that they will be able to more clearly identify who is using chlorine gas in the instance, if chlorine gas was, in fact, used, so that we can begin a cycle of accountability which has been lacking in Syria, and frankly, won't help the region at large unless there is a measure of deterrence established.

I actually worry that in the absence of deterrence in the continued use of chemical weapons in Syria, terrorist groups will actually say if the Syrian government can do it, then we should be able to do it, too, to defend ourselves. You'll get a sort of twisted and very frightening mentality of the ends justifying whatever means it takes. So, we really do need to establish deterrence against the use of chlorine or any other chemical weapon in Syria.

MR. WILLIAMS: Thank you. Well, I'm sure the audience will be eager to join this conversation, so I'll ask you to raise your hand if you want to ask a question. I think we have a roving mic.

I'll take the questions in sets of threes, and then give the panelists the opportunity to respond and then go back. And if you could just identify yourself and institutional affiliations, if --

(Audio dropout)

MR. MELKERTZ: My name is Ed Melkertz. I'm a former UN special representative for the secretary general for Iraq, and I'm very happy to see my good friend, Robert Ford, back here, and other good friends in the panel.

I have two questions. To the director general, with great respect for all the work done, I would like to know whether at this point in time, the interaction with Syria is different than what it was at the time of the implementation of the agreement, because I could imagine that with less pressure, as the pressure was very big at the time, the reasons for them to cooperate with you are certainly less than before, and that might really hinder your follow up work at this stage.

And my second question is to Rob Ford. There has always been, for very understandable reasons, a kind of discrepancy between on the one hand, with the Russians agreeing in the framework, in the end also, cooperating with the Syrian regime. So, recognizing they're there, and at the same time, trying to establish a political framework, and that was probably the reason it didn't work with the Russians, that presupposes actually, that the Syrian regime had to go.

Now, from a political point of view, where do you draw the line in sitting together

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with your enemy and discussing on the abolishment of chemical weapons, and at the same time, not wanting to have anything to do with them, basically, in trying to find a solution for the regional issues? And as you said yourself, the implications for the people in Syria, in many ways, unfortunately, are still the same. And that's the tragedy, of course, of the conflict. I'm not suggesting there's an easy answer to this, but it is, in the end, the key. Thank you.

MR. WILLIAMS: In the back?

MR. GANNON: Thank you. My name is Mohammed Gannon. I'm the director of government relations with the Syrian American Council in Washington, D.C. I have a question for the director general and for the deputy assistant secretary of state. Thank you so much for all your efforts.

I heard today a lot of self congratulatory statements about how successful we have been. As far as civilians in Syria are concerned, the threat of the use -- the threat of chemical weapons attacks has not been eliminated at all. Just less than two weeks from the resolution that was passed by the United Nations Security Council condemning the use of chlorine gas and threatening the use of force, the Assad regime, on March 17th, killed Mohammed Dweriv, his mother, his wife and three kids. They were all gassed to death when a barrel bomb was dropped on Idlib.

So, my question for the director general is, you've established that chlorine gas has been used systematically in Syria. What is the course of action now? What are you planning to do? And for the deputy assistant secretary of state, we also appreciate your efforts.

Recently, Ambassador Samantha Power said that she thinks that the Assad regime has not fully declared their stockpile of chemical and biological weapons. Also, what is your course of action? What are you planning to do about that? Thank you.

MR. WILLIAMS: And in front.

MR. THOMPSON: Hi there. I'm Tyler Thompson with United for a Free Syria. You guys actually asked most of my questions, but my last one is for the American and former American

-- or former officials in the U.S. government.

As basically, you know, by committing the most atrocious act, Assad has rehabilitated himself as an indispensable partner for the internationals, and many Syrians see that you know, this was beginning -- this deal was the beginning of his rehabilitation on the world stage. So, my follow up question, I guess to the one that was asked earlier is, what has the United States in particular done to stop and deter the continued use of chemical weapons by the Assad regime? Thanks.

MR. WILLIAMS: Director General, do you want to --

MR. ÜZÜMCÜ: On the interaction with Syria, whether the situation has changed, evolved, compared to last year, as to the remaining tasks, in fact, to be fulfilled, first on the destruction of production facilities. We are making quite significant progress right now. There are 7 hangars and 500 ground facilities. Four of those underground facilities have already been destroyed, and the hangars, in fact, are being prepared to be destroyed soon.

In all of these activities, the Syrian government is cooperating with the OPCW. They have an ambassador who is accredited to the OPCW now, and we are communicating with him. And if necessary, we are also having some channels to communicate with the Syrian authorities in Damascus. I have also a separate representative since the end of the OPCW UN joint mission at the end of the September last year -- I thought that it would be useful to have a representative and former ambassador of Brazil in The Hague to accept this task, and he is regularly visiting Damascus in order to facilitate, in fact, the implementation of decisions.

And we have another important task mentioned by Ms. Stewart, and this is the clarification of our declaration. We have a team which is visiting regularly, Syria. They paid their last visit -- I mean, the eighth visit, actually, took place two weeks ago, and they are, in fact -- they have undertaken the job task of clarifying certain aspects on the declaration by Syria.

The main problem we have face is the absence of documents in this country, and in view of this, the Syrian authorities accept that our team does interview, in fact, the officials --

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Syrian officials who were involved in the chemical weapons program. And this is moving. This is making some progress.

I think you know, if I can put it simply, the cooperation of the Syrian authorities has been satisfactory from our point of view, so far. And I hope that it will continue. The question raised about the use of chlorine, what the OPCW could do, what kind of further actions we could take, one should not really forget that the OPCW is a technical organization. Its main role is to oversee the implementation of the convention.

It's an inter-governmental treaty-based organization, and we don't have really, the mandate. This is not an international corps, and we don't have the mandate to determine, in fact, those who violate the convention. The attribution is not within our mandate, and I don't think that we can go further than determining the facts surrounding those allegations of use.

And we report to the states' parties, so it's up to the states' parties to take the necessary actions as well as the international community. The highest body of course, would be the UN Security Council.

MR. WILLIAMS: Thank you. Ms. Stewart?

MS. STEWART: I think these are good questions, and I think it's important to keep asking them. I want to be clear that you know, because the United States participates in panels such as this is not a suggestion that we are in any way done with this situation. We're in the thick of things. The United States has been very clear that it wants regime change, and it does not believe that the Assad regime can continue as a legitimate member of the international community.

From the fact sheet on the White House web page, with respect to the August 21st attacks in 2013, the amount of openness and publication and outcry that you hear from the United States is oftentimes much more than other members of the international community, because we are trying to highlight the fact that while conventional weapons may be killing more individuals, the use of chemical weapons indicates a marked disregard for international norms and standards that's symptomatic of a brutal regime. That must be changed.

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And I think that's been a consistent message. You'll hear it from the State Department, from the White House, from the Department of Defense, and all agencies of the U.S. government have been saying the same thing. We're not in any way, slowing down our push, because we have managed to destroy the declared chemical weapons.

With the international community and the leadership of the OPCW, we have you know, eliminated a large strategic threat in the region, but that doesn't mean that we're in any way turning our attention away from the conflict in the situation, and the continuing abhorrent uses of chemical weapons, and the allegations -- the credible allegations that the regime continues to use.

We are constantly pushing. I think we're working with our international partners, you know, on a daily basis. And I shouldn't say I think. I know, because I'm in those communications, that we're trying to figure out the best way to make sure all allegations are credibly verified, and that they actually come to the world's attention in a legitimate and neutral way such that is not seen as a marketing tool, but these are real fact finding missions that are determining the facts on the ground.

And with that information, we're, you know, having conversations with the UN as (Inaudible) suggested, and others, to try to figure out the best way for accountability. So, this conversation is in no way done. I think the concern and the original sort of motivation to get people at the table to talk, has been the U.S.' additional and constant pressure, you know, from the initial threat of use of some type of military response to this you know, horrific act, to a continual push to publicize and bring this to the world's attention.

You know, the United States has been very clear that the Assad regime must go, but we can't just you know, take actions without having some legitimate reason and basis and information at the world level, and we have to act as part of the international community to get to this end state.

So, I certainly hear your frustration, and I think the YouTube videos and other accounts that we've seen are horrific, and not something that anyone can lightly ignore. That said,

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you know, all war is horrific, and this is a horrific situation that we're trying to address from all angles, and to resolve as legitimately and you know, with as much of a coalition as possible, so it's not just the United States taking unilateral actions. But I appreciate the question.

MR. WILLIAMS: Thank you. Ambassador Ford?

MR. FORD: In answer to Ed Melkertz's question about how to manage the gap between an agreement on the destruction of a chemical weapons program and on the other side, a lack of agreement about political solution to the broader Syrian conflict, I come out like this, Ed.

We were able to come an agreement -- we, the Americans, with the Russians, on a fairly detailed work plan in the discussions between the American delegation and the Russian delegation in Geneva in September, 2013. By contrast, the Americans and the Russians agreed on a desired outcome or resolution, if you will, of the Syrian conflict. That was the Geneva communiqué from June of 2012.

But there has absolutely never been, with the Russians, any agreement on a detail implementation mechanism or how to get to it. Both sides agree that there needs to be an evolution in the Syrian government through a negotiating process to stand up a transition governing body, and it's not a question of one side toppling the other. It needs to be an agreement between the two sides. But beyond that, we have never been able, with the Russians, to get an agreement on how to move forward to move that evolution along.

In the end, and this makes sense to me, the Russians, the Americans and the broader international community decided to take half a loaf or maybe a quarter of a loaf and to go forward on the implementation with the help of the OPCW and the United Nations to dismantle large segments, not all, but large segments of the Syrian chemical weapons program. And we'll just have to keep working to resolve the broader political issue, which frankly, is stuck right now.

I think one of the things that has to happen, and I think Tyler mentioned this, is that some perceive that the agreement from September, 2013 and then the UN resolution, in a sense, rehabilitated the Assad regime and made it a partner in terms of the chemical weapons program,

and therefore, a partner for other potential international actions.

And I think it's important for the Security Council and for the broader international community to highlight, A, accountability, where the Syrian government is doing things with its helicopters, for example. And B, the insistence -- the insistence that there be a political resolution and that the Syrian government is at least in part, responsible for the blockage towards moving to that political --

(Audio dropout)

MR. WILLIAMS: It's always amazing how quickly time flies when you're having a fascinating discussion, and I'm conscious that we only have five minutes left. So, I'll take a final round of three questions, and I just urge you to make the questions really brief and to the point, and to give the panelists an opportunity to respond. The gentleman in the gray sweater?

SPEAKER: Thank you so much for your remarks. I'm Yassar (Inaudible) IC of J fellow. Concerning the white phosphorus that has been used against the civilians in Gaza, what was the committee's reaction and report concerning this crime? As you know, Gaza is one of the most crowded areas and inhabited areas in the world.

My second question concerning your deal with the Egyptian government -- does Egypt really have a declared chemical weapons program? Thank you.

MR. WILLIAMS: On that side, and then the final --

SPEAKER: My name is Sam Veravendi (Inaudible), former Syrian diplomat.

I attended the first -- the Syrian government sent me for attending the first chemical conference in Beijing in 2006, and at that time, the director was from Argentina, if I remember, and he asked me or he told me to send the Syrian regime a message -- clear message that the organization would send with sanctions through the Security Council, all the Syrian material they (Inaudible) for detergent and for fertilizers if Syria doesn't sign the agreement on chemical weapons.

Today, 2015, nothing has happened. And my question is for you, Mr. Director.

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Why don't you publish the name of the companies and the people and the countries that Syria is buying the raw materials for civil use, but they are using for military use? You would be surprised by the names of those countries. Thank you.

MR. WILLIAMS: Ken Meyer (Inaudible), World Docs. In 1997, the United States agreed to get rid of its chemical weapons by 2007. That date was subsequently moved back to 2017. Now, apparently it's 2023. Has there been any lesson learned from the Syrian experience which could be applied to force the United States to hasten the elimination of its chemical weapons before that final elimination date is maybe postponed further, say to 2030?

MR. WILLIAMS: Let's start with Ambassador Ford, and then we'll end with the DG.

MR. FORD: I'm not sure which question I should answer.

MR. WILLIAMS: Well, I thought maybe you could -- given your experience, maybe address the question relating to Egypt, Gaza and the broader region.

MR. FORD: Well actually, I don't want to comment on it, because I don't know very much about it. I would just go back to what I've said before, which is that it's really useful to have the CWC, and it's a very detailed document. But the international community also needs to establish accountability and deterrence.

And without that, because there are so many bad actors in the Middle East and elsewhere in the world, with so many actors, if there is no deterrence, we risk actually, little by little, the regular use of weapons in Syria becoming accepted as a -- I don't want to say a norm, but as an accepted practice by certain bad actors. And that's a threat to all of us.

MR. WILLIAMS: Mallory?

MS. STEWART: So, there's several questions here that I think I need to work my through. First, on the raw material that the Syrian regime is using, we've definitely been trying to figure out how to address that. The problem is, chlorine is a ubiquitous substance. We need it to you know, clean things. We need it to purify water.

You need to be very careful in trying to figure out how to cut off the sources of

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something; that you don't give a further tool to a potential individual that wants to deprive clean water to you know, areas, or that there isn't -- in trying to prevent the use of an ubiquitous substance, that we don't further sort of make the humanitarian situation more difficult.

So, it's not that we're not trying to figure out these issues. We are. It's just that we need to tread very sort of carefully in an area in which the humanitarian crisis is already quite extreme. So you know, these are continuing issues, and we are trying to address them, you know, in our conversations with international partners and collaborators, but we just need to figure out how to do it in a way that does not make the situation worse. But hopefully, we will address those in some way, soon.

As for the elimination date of the U.S. government stockpile -- the U.S. government is probably subjected to one of the most difficult environmental regulation and regulatory schemes with respect to the destruction of chemicals and with respect to chemical facilities, generally. But that's not an excuse, of course.

But it is something that we've been dealing with and consistently keeping the international community informed of. I think that the destruction date has been pushed with the understanding and the acceptance of the international community, and we've had extensive conversations with the OPCW and the executive council and the council state parties to explain the process, explain the delay and give complete transparency, so that nobody thinks anything nefarious is going on, because it's not.

But we have explained why the delay in protecting the environment and human safety in those facilities. And you know, we also have a complicated federalist system. So, we have a federalism system. We have to work with state governments and federal governments and make sure that everything is done in a way that everyone accepts and agrees.

So you know, we have had our, I think, overly optimistic estimates of timelines, and I think now we're actually realistic in what we can accomplish and do within the environmental regulations and with the utmost concern for any release into the environment. We need to protect

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against that and prevent it, and you know, even over and above situations that other countries may be comfortable with, we have environmental regulations that limit that. So, on the elimination date.

I will say with respect to the Middle East issue, the question about Gaza and Egypt, I think you know -- it's a very complicated situation, as you know better than --

(Audio dropout)

MR. FORD: But there is a lot of thought going into what is happening and what can happen and what can be done to try to eliminate conflict. I'm not going to go into too many details, because it's a much different conversation, but the United States government is paying close attention, and we are trying to do what we can to help the situation.

I think on getting a universalization of the Chemical Weapons Convention, we're working with other countries and hopefully, encouraging them and persuading them that this is an important thing to do and to understand, and the need for transparency with respect to potential CW programs and the destruction of those programs is in the international interest. But it is a hard conversation, and it's certainly not something that can be easily persuaded to other governments.

MR. WILLIAMS: Ambassador Üzümcü?

MR. ÜZÜMCÜ: Let me start by the U.S. destruction program. In fact, the United States reached the level of 90 percent now. Only 10 percent remains to be destroyed out of the stockpile. According to the convention, in fact, the deadline for destruction of all existing stockpiles was the end of April -- the 29th of April, 2012.

And it has become clear a few years before that day that the Russian federation and the United States would not be able to meet this deadline. And some consultations were undertaken amongst these parties, and in the end, this led to a decision by the Conference of States' Parties, the highest decision making organ of the organization at the end of 2011, giving in fact, some flexibility to those two countries to continue their destruction activities with -- and has transparency.

So, both those two countries, in fact, major possessive states, regularly report to

the Executive Council the progress, in fact, we have made on the destruction activities, and that they receive also representatives of these parties every two years. And a recent visit, in fact, took place in Pueblo by ambassadors two weeks ago, and when they came back, they were satisfied about what they have seen, and they appreciate the commitment of the United States as well as the Russian federation to continue this action, to elevate the necessary resources and to complete these activities as soon as possible.

But let me say that this is a very demanding, you know, activity. It requires a lot of resources, very costly, labor intensive and dangerous ones. In each facility, 1,000 people work the clock. The munitions -- some munitions have become, in fact -- you know, have corroded and there are leaks. So, they have to be you know, treated manually in certain cases. So, that's a very demanding activity, and that's why the states' parties you know, have understood, in fact, the reasons for these delays.

As to the materials for the production of -- raw materials for the production of chemical weapons, many of them, in fact, are dual use, and there are no restrictions for their transfers. But still, they need to be declared to the OPCW. When Syria joined the organization in October, 2014, in fact, it declared what it imported from which countries, in which quantities, and we shared this information with the relevant states' parties in order to cross-check this information.

And clearly, I mean, for the non-proliferation purposes, every country has to take the necessary measures and control, in fact, its exports not only to Syria, but to every country. And we actually receive this kind of information regularly. We cross-check them. If there are discrepancies, we address them in order to have broad pictures of the movements of dual use chemical materials. So, this is part of our verification regime.

Egypt is one of those six countries which are not yet part of the convention, and their position, in fact, has been traditionally quite clear. So, until Israel did join the MPT, they would have been prepared to sign the Chemical Weapons Convention (Inaudible). This position has not changed, yet.

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From our point of view, the CWC or OPCW membership should not be leaked to any other issue. There was an initiative based on the decision taken by the MPT (Inaudible) conference in 2010 to convene a conference on WMD free zone in the Middle East, which would of course, have covered the CWC. But it didn't happen. This conference could not be convened.

And now, the review conference, in fact, will be convened again at the end of this month, and I don't know whether there is going to be progress on this issue. But we will continue, in fact, to urge every country, including Egypt and Israel, to join the OPCW as soon as possible. And after Syria's membership, I think the situation has changed positively in this region. There is, I believe, quite convincing ground to take further this universality issue in this region.

On Gaza, the use of white phosphorus -- white phosphorus is not considered you know, within the purview of the convention. But in general, when there are allegations of use of chemical weapons in any part of the world, whether they are part of the convention or not, we think that we have the mandate to raise questions with those states, and we do it. So, as director general, I am doing it in writing and seek clarification from those states. And I am sure my predecessor did so.

MR. WILLIAMS: Well, this has been a very stimulating discussion, and it is of course, personally gratifying for me to come back to the Washington area and to have an opportunity to have a discussion which elucidates the work of The Hague based institution such as the OPCW and The Hague Institute for Global Justice, which I now have the privilege to lead institutions which work, actually, intersection of peace, security and justice.

Again, we value the partnership with Brookings, and thank you to Ted Picuynne who has worked so closely with us on this initiative, and H.B. Shrinemakus from the Dutch embassy here in Washington. It remains only for me now to thank Ambassador Üzümcü, Ambassador Ford, Ms. Stewart for being with us today, and also, to thank you, the audience, for taking the time to attend this event and for participating so actively. Thank you very much, indeed. (Applause)

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CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Carleton J. Anderson, III

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