



# The Syrian Civil Society Conference on Chemical Weapons

November 23, 2023

## CONFERENCE STATEMENT

Since the Syrian Arab Republic, represented by the Regime, ratified the Chemical Weapons Convention (CWC) a decade ago, Syria has witnessed a series of abhorrent violations of the CWC. Since September 2013, more than 217 attacks using toxic gasses have been documented in Syria.<sup>1</sup> Simultaneously, the regime has continued to develop chemical arsenals in Syria, in a flagrant violation of UN Security Council Resolution 2118 and a clear and fundamental violation of the CWC.

In light of the persistence of chemical weapon attacks, we, the Syrian civil society organizations, have borne the burden and toll of responding to the attacks in a context characterized by a lack of specialized expertise and equipment, and pre-existing vulnerabilities and a lack of infrastructure due to the impact of the war. In addition, the Syrian regime's systematic siege on several cities, such as Eastern and Western Ghouta and the city of Aleppo, severely hampered organizations' ability to respond to the attacks that occurred there.

Despite all this, over the past ten years, Syrian civil society organizations and survivors and victims groups played an essential role in cooperating with the various international investigative and documentation teams that investigated chemical attacks in Syria. We greatly appreciate the efforts of the OPCW investigation teams over the past ten years, despite the obstacles they have faced. We also strongly condemn the Syrian regime's continued use of toxic gasses, development of the chemical arsenal, and obstruction of the work of international investigative teams including attempts to mislead investigators and prevent their access to targeted sites. The regime's strategy also involved intimidating witnesses, destroying evidence and obscuring facts. The Regime also continues to shelter behind Russia's continued diplomatic efforts to obstruct the course of justice, including a campaign to undermine the credibility of the OPCW and the investigative reports issued by its various teams.

As witnesses, survivors, families of victims and first responders, we have faced many challenges including disinformation and propaganda campaigns by the Syrian regime and its Russian ally, with the aim of undermining the truth and preventing witnesses and survivors from testifying, as well as the direct targeting of witnesses and victims' families through systematic enforced disappearance, arbitrary detention, and threats of violence or death. Some of these practices were clearly mentioned in the third report of the OPCW Investigation and Identification Team (IIT) concerning the Douma attack issued in January 2023.

Therefore, we reiterate our determination to exert all possible efforts to support investigations into the use of chemical weapons in Syria, and call to expand the investigative teams' mandate and mechanisms to include the investigation of chemical attacks in additional locations throughout Syria. We also welcome the efforts made by the judicial bodies of several European countries to address individual cases of the use of chemical weapons through universal jurisdiction, and we call on the OPCW Member States to take the necessary

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<sup>1</sup>Accountability Remains Absent on the Sixth Anniversary of the Worlds Largest Chemical Weapons Attack Since The Chemical Weapons Convention, The Syrian Network for Human Rights, August 21, 2019, [https://snhr.org/wp-content/pdf/english/Accounting\\_remains\\_absent\\_on\\_the\\_sixth\\_anniversary\\_of\\_the\\_worlds\\_largest\\_chemical\\_weapons\\_attack\\_after\\_the\\_Chemical\\_Weapons\\_Convention\\_en.pdf](https://snhr.org/wp-content/pdf/english/Accounting_remains_absent_on_the_sixth_anniversary_of_the_worlds_largest_chemical_weapons_attack_after_the_Chemical_Weapons_Convention_en.pdf).



measures to provide protection and support to witnesses, survivors, families of victims and Syrian civil society organizations, who play an important role in the response and documentation of these attacks.

We also stress that the only guarantee for a complete end to these violations and to prevent their recurrence around the world is to take joint and collective steps to hold accountable all parties that contributed both directly and indirectly to the ongoing violations of the Chemical Weapons Convention and other relevant international resolutions. As such, we call on OPCW Member States to take comprehensive, joint measures, in accordance with Article 12 of the CWC, to establish an international mechanism which can deliver justice for victims and their families and hold accountable all parties involved in the use of chemical weapons against civilians, and to end impunity for the use of chemical weapons.

The undersigned organizations stress the following:

1. **States Parties should prioritize addressing the use of chemical weapons in Syria within UN and OPCW-related activities: lack of progress and compliance with OPCW Declaration from the Syrian authorities warrants further and increased scrutiny and accountability**

*The continued impunity for the use of chemical weapons in Syria and the lack of compliance of the Syrian government with its initial OPCW Declaration is a threat to the stability of any future peace for Syrians amidst Syria's frozen conflict and undermines the international norms prohibiting their use. The lack of progress in addressing outstanding issues of the initial OPCW Declaration by the Syrian government and ongoing concealment of the truth warrants further and increased scrutiny, not the other way around.*

2. **State Parties should increase support for Syrian civil society's documentation, accountability-driven activities and first response capacity, in a sustainable and long-term manner**

*Ten years since the first chemical attack in Syria, UN-affiliated and OPCW-established bodies have made important efforts to investigate violations of the Chemical Weapons Convention. These results relied heavily on efforts of Syrian civil society organizations, who have played an essential role in documenting multiple chemical attacks, collecting evidence and cooperating extensively with existing investigative processes. Over the past decade, Syrian humanitarian and medical CSOs have also invested in organizational readiness to respond to chemical attacks, despite the very difficult conditions.*

3. **State Parties should render illegitimate the Syrian authorities' narrative on the use of chemical weapons in Syria, and take adequate actions to ensure this narrative is not perpetuated at the expense of survivors and victims**

*Although there is a trove of evidence of chemical weapons use, ongoing misinformation and denial campaigns have managed to distort the facts, endanger people's lives and cause new, compounded suffering to the victims, amounting to a form of inhuman, degrading or cruel treatment. State Parties should refuse to give further space and attention to these revisionist attempts and take action to condemn denial and disinformation given its impact on victims and survivors. Most importantly, they should support ongoing and future efforts aimed at acknowledging and recognizing victims and survivors' experiences and truth.*

4. **States Parties should ensure the full implementation of UNSC Resolution 2118 of 2013**



*Deeply outraged by the use of chemical weapons in Damascus in August 2013, the UNSC endorsed the expeditious destruction of Syria's chemical weapons programme, calling for accountability for perpetrators of these atrocious crimes. Instead of leading to the end of the use of chemical weapons, the resolution resulted being only one of (too) many resolutions condemning the use of chemical weapons in Syria. After a decade from the first use of chemical weapons in Syria, time is due for serious state parties to take all actions needed to deliver on the 2118 UNSC Resolution, and the many UNSC and UNGA resolutions that the International Community have adopted calling for accountability for the use of chemical weapons, in accordance with the UN Charter.*

- 5. In accordance with Article 12(3) of the Convention on Chemical Weapons, State Parties should take collective measures in response to the use of chemical weapons in Syria through the Conference of State Parties**

*Through the use of chemical weapons in Syria, the Syrian government has committed activities prohibited under the Chemical Weapons Convention. Ongoing impunity results in serious damage to the object and purpose of the Convention, originally intended to enforce the absolute prohibition of the use of Chemical Weapons and accountability for acts or omissions resulting in violations of the Convention. To avoid any further irreparable damage to the purpose of the Convention, State Parties should enforce Article 12(3) and undertake collective measures, in conformity with States' obligations under international law.*

- 6. State Parties should enforce the international arrest warrants issued by France for Bashar al-Assad, Maher al-Assad, and military generals Ghassan Abbas and Bassam al-Hassan over the use of banned chemical weapons**

*On November 15th, French criminal investigative judges issued arrest warrants for President Bashar al-Assad, his brother Maher al-Assad, and two other senior officials over the use of chemical weapons against civilians in Eastern Ghouta, in August 2013. The arrest warrants refer to the legal qualifications of complicity in crimes against humanity and war crimes. State Parties should enforce the arrest warrants in accordance with the obligation to prosecute or extradite in accordance with Customary International Law in relation to alleged crimes against humanity.*

- 7. In light of relevant UNSC and GA resolutions calling for accountability, and within the rights and obligations inherent in their Statehood and international instruments, States should collectively take active steps to ensure the international prosecution of all individuals responsible for the use of Chemical Weapons in Syria, and beyond.**

*Syrian civil society has relentlessly dedicated efforts to hold all individual perpetrators for use of chemical weapons in Syria. However, the need for justice of victims and survivors is greater than the capacity of existing mechanisms. There is the need for an international tool to hold all individuals accountable as confirmed by findings of the OPCW. Syrian civil society calls for collective multilateral efforts in which States, seriously committed to protecting the norm of absolute prohibition for the use of chemical weapons, find ways to prosecute the use of CW at the international level.*