

Conference statement
Second Syrian Civil Society International Conference on Chemical Weapons
22 November 2024

“It’s time to act”

Since Syria joined the Chemical Weapons Convention (CWC) in late 2013, over 168 chemical attacks have been reported. Various investigative bodies, including those affiliated with the United Nations and the Organization for the Prohibition of Chemical Weapons (OPCW), have made significant strides in documenting and investigating these violations of the CWC. Yet, accountability for these crimes remains elusive. Despite substantial efforts by national and international actors, the use of chemical weapons against civilians continues to go unpunished.

We, Syrian civil society representatives attending the Second Syrian Civil Society International Conference on Chemical Weapons on 22 November 2024, reaffirm our commitment to fostering a world free of chemical weapons. The conference highlighted the diligent work of rescue and medical teams to build their capacities to save lives and to collaborate with human rights bodies to document evidence of chemical attacks. It also placed the experience and demands of survivors and victims of chemical attacks front and center in the call for justice.

However, impunity for the use of chemical weapons in Syria persists. The conference explored opportunities to close this gap, through efforts under universal jurisdiction and through innovative approaches to international prosecution of all individuals responsible for the use of chemical weapons in Syria and beyond.

The conference also provided a unique opportunity to bring together Syrian civil society organizations, victims, survivors and family associations, with States Parties to the CWC. We call on States Parties to heed the call to act and close the impunity gap by implementing the following recommendations.

Recommendations to the States Parties to the Chemical Weapons Convention

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. States 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. States 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.

3. 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 States 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.

4. In accordance with Article 12(3) of the Convention on Chemical Weapons, States Parties should take collective measures in response to the use of chemical weapons in Syria through the Conference of States 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, States Parties should enforce Article 12(3) and undertake collective measures, in conformity with States' obligations under international law.



5. States 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 15 November 2023, 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. Following an Appeal by the General Prosecutor in December 2023, the arrest warrants were upheld by the French Court of Appeal in June 2024. On this occasion, the Court reaffirmed that officials who perpetrate such atrocities cannot shield themselves with immunity to evade accountability, regardless of their rank. France's commitment to accountability for such acts should remain unwavering and the arrest warrant must be upheld also before the Court of Cassation. The principle of immunity for heads of State cannot apply to grave international crimes, including war crimes and crimes against humanity. Impunity due to immunity violates the right of victims to justice and fosters a culture of impunity. States 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. Additionally, State Parties must reject immunity of head of State in such cases and ensure that officials are held accountable, regardless of their position.

6. States 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.

7. State parties should establish clear mechanisms for survivor participation.

There are no clear frameworks or efforts for involving survivors of chemical attacks, particularly women, and humanitarian workers involved in documentation and response. States need to consider the specific challenges women face with travel, protection, and participation in accountability processes. Additionally, they need to support empowering survivors through training in human rights, advocacy, and media to support recovery and to ensure enhanced involvement in the justice efforts.

8. States Parties should support further accountability pathways for the use of chemical weapons in Syria, including by focusing on



the role that corporate actors have played in the commission of these crimes, through aiding and abetting the use of chemical weapons in Syria.

European countries have initiated several ongoing investigations on the use of chemical weapons in Syria, with France issuing international arrest warrants against four high-level perpetrators, including President Bashar al-Assad. Nevertheless, the pursuit of corporate and other third party actors who have supplied the Syrian government with chemical weapons precursors has been lacking. States Parties should pursue corporate and third party actors for their complicity in aiding the Syrian government's development of a chemical weapons arsenal, including by investigating violations of export control legislation and enacting mandatory human rights diligence laws.

9. In light of relevant UNSC and UNGA 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 accountable 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 a dire 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 on the use of chemical weapons, find ways to prosecute the use of chemical weapons at the international level.

Signed by,

Stichting White Helmets

Syrian Center for Media and Freedom of Expression - SCM

The Syrian Legal Development Programme

UOSSM

Dozana

IhsanRD

Syria Relief

Kesh Malek

Nexus Action

Lawyers and Doctors for Human Rights LDHR



Syrian Center for Media and Freedom of Expression SCM

Women Now for Development

Baytna pour le soutien de la société civile

Humanitarian Care Charity

Mizan Organisation for Legal Research and Human Rights

C4SSA

Association of Victims of Chemical Weapons

Syrian center for legal studies and research

The Day After

Organisation sane meonttes

Task Force of Survivors of Chemical Attacks in Syria

Mnemonic

Finjan

Hurras Network

SAMS

Task Force of Survivors of Chemical Attacks in Syria

Task Force of Survivors of Chemical Attacks in Syria

The White Helmets

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Independent

Union of revolutionary Bureaus

Mahabad Organization for Human Rights MOHR

مبادرة مسارات لنشر المعرفة عن بُعد

اتحاد طلبة سوريا - Syria students Union

Do Not Suffocate The Truth

TASTAKEL

Together For Algarnya

Deirna Organization

MPFG مجموعة عائلات الاشخاص المفقودين



International Humanitarian Relief

Task Force of Survivors of Chemical Attacks in Syria

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Do Not Suffocate Truth Campaign/ حملة لا تخنقوا الحقيقة

Justice-Paths

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