FACT SHEET

OPCW – UN JOINT INVESTIGATIVE MECHANISM


The Security Council adopted resolution 2235 (2015) on 7 August 2015, condemning any use of any toxic chemical, such as chlorine, as a weapon in the Syrian Arab Republic (SAR). It expressed its determination to identify those responsible for such acts, and reiterated that they must be held accountable.

Mandate

The resolution established the Organisation for the Prohibition of Chemical Weapons (OPCW) – United Nations Joint Investigative Mechanism (Mechanism) with the mandate “to identify to the greatest extent feasible individuals, entities, groups, or governments who were perpetrators, organisers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic where the OPCW Fact Finding Mission (FFM) determines or has determined that a specific incident in the SAR involved or likely involved the use of chemicals as weapons.”

The Mechanism functions as a non-judicial investigative mechanism, Its work is bound by the principles of impartiality, objectivity and independence, and is undertaken in a professional and confidential manner.

Composition

The Joint Investigative Mechanism comprises an independent three-member panel headed by an Assistant Secretary-General with overall responsibility, and two Deputies at the D-2 level, responsible for the political and investigation components, respectively. The Leadership Panel is supported by a core staff of professionals grouped into three components, a political and a support and planning office in New York, and an investigative office in The Hague. A small liaison office is based in Damascus.

Reporting

Pursuant to resolution 2235 (2015), the Mechanism submitted its first report (S/2016/142) to the Security Council in February 2016, covering the Mechanism’s activities since its establishment on 24 September 2015. The report provided an overview of the work of the Mechanism to date, the sources of information available to it and the methodology behind the investigation. During the reporting period, the Mechanism reviewed FFM information and evidence, as well as information received from Member States, non-governmental organizations, individual groups or entities, and open sources.
The Mechanism identified the following cases for further investigation (with dates of related incidents): Kafr Zita (10-11 and 18 April 2014) in Hama Governorate; Talmenes (21 April 2014), Qmenas, (16 March 2015), Sarmin (16 March 2015), Binnish (23-24 March 2015), and Al Tamanah (29-30 April 2014 and 25-26 May 2014), all in Idlib Governorate; and Marea (21 August 2015) in Aleppo Governorate.

In June 2016, the Security Council considered the Mechanism’s progress report (S/2016/530) on its in-depth investigation into the nine selected cases related to incidents involving the use of chemicals as weapons in the Syrian Arab Republic between April 2014 and August 2015. The Mechanism submitted its third (S/2016/738) and fourth (S/2016/888) reports in August and October 2016, respectively. The Mechanism concluded that the Syrian Arab Armed Forces had been responsible for the use of chemical weapons in Kafr Zita (18 April 2014), Qmenas (16 March 2015) and Binnish (24 March 2015). The Mechanism also concluded that the Islamic State of Iraq and the Levant (ISIL) was responsible for the use of chemical weapons in Marea (21 August 2015).

On 17 November 2016, by its resolution 2319 (2016), the Security Council extended the mandate of the Mechanism for one additional year. The Council encouraged the Mechanism to engage relevant regional States in its work, including for the purpose of identifying any involvement of non-State actors in the use of chemical weapons in the Syrian Arab Republic.

**Funding**

For the period from 24 September to 31 December 2015, initial funding for the Mechanism was provided by the Executive Office of the Secretary-General under the commitment authority of the Secretary-General, pursuant to the provisions set out in General Assembly resolution 68/249 on unforeseen and extraordinary expenses for the biennium 2014-2015. For the period from January to October 2016, the Mechanism was recognized as a special political mission and is funded as such, covering only staff salaries. The Mechanism’s Voluntary Trust Fund was established in September 2015 to cover material and technical needs. By the end of October 2016, contributions from 12 countries had been received.

“While we hope that the Joint Investigative Mechanism has indeed served as a deterrent to those who continue to believe that there is something to be gained in the use of toxic chemicals as weapons, the Leadership Panel is disappointed and dismayed by continuous allegations of possession, movement and/or intent of use of toxic chemicals including chemical weapons by non-state actors, in the Syrian Arab republic.”

Virginia Gamba, Head of the Joint Investigative Mechanism, during the briefing to the Security Council, New York, 27 October 2017