

## EXPLANATORY MEMORANDUM FOR EUROPEAN UNION DOCUMENTS

### **COUNCIL DECISION (CFSP) 2017/2303 IN SUPPORT OF THE CONTINUED IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 2118 (2013) AND OPCW EXECUTIVE COUNCIL DECISION EC-M-33/DEC.1 ON THE DESTRUCTION OF SYRIAN CHEMICAL WEAPONS, IN THE FRAMEWORK OF THE IMPLEMENTATION OF THE EU STRATEGY AGAINST PROLIFERATION OF WEAPONS OF MASS DESTRUCTION**

Submitted by the Foreign & Commonwealth Office on 09 January 2019

#### **SUBJECT MATTER**

1. The attached document covers an extension Council Decision (CFSP) 2017/2303 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council EC-M-33/DEC.1 on the destruction of Syrian chemical weapons. On 10 December 2018, the Council adopted Decision (CFSP) 2018/19431 extending the implementation period of Decision (CFSP) 2017/2303 by 12 months; this 24-month extension has no additional cost.
2. The work of this extension, unchanged from the previous, is to provide European Union Satellite Centre ("SatCen") imagery to the Technical Secretariat of the OPCW in support of the OPCW Executive Council's work in assessment of Syria's declaration under the Chemical Weapons Convention (CWC). This work, forming part of Executive Council EC-M-33/DEC.1, focuses on overseeing and verifying the disposal of Syria's chemical weapons.
3. The primary beneficiaries of this Council Decision are the OPCW's Declaration Assessment Team (DAT) and the Fact Finding Mission (FFM), in supporting their work in in-country evaluation of facilities and suspected chemical weapons sites. It will further support the implementation of Decision C-SS-4/DEC.3 that addresses the threat from chemical weapons use adopted on 27 June 2018 at the 4th Special Conference of States Parties of the Chemical Weapons Convention. Expected outcomes are as follows:
  - a. Increased situation awareness of OPCW International Inspectors working within the Syrian Arab Republic, particularly in regards to personnel safety and management of inspection sites.
  - b. Supporting evidence for FFM and DAT in their reporting to the Executive Council.
  - c. Enabling of pre-deployment visual inspection via SatCen products to ensure effective use of resources and for planning purposes.
4. On 24 June 2019 the OPCW requested the authorisation of the EU's CONOP (Committee on Non-Proliferation) to extend the implementation period of Decision (CFSP) 2017/2303 by 24 months to a total of 48. This was agreed by CONOP in November 2019 and it was noted that this extension would not require further funds.

## **SCRUTINY HISTORY**

5. Council Decision (CFSP) 2017/2303 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council EC-M-33/DEC.1 on the destruction of Syrian chemical weapons was adopted December 2017. On 10 December 2018, the Council adopted Decision (CFSP) 2018/19431 extending the implementation period of Decision (CFSP) 2017/2303 by 12 months.

## **MINISTERIAL RESPONSIBILITY**

6. The Secretary of State for Foreign and Commonwealth Affairs is the Minister with overall responsibility for UK policy on the EU's Common Foreign and Security Policy.

## **INTEREST OF THE DEVOLVED ADMINISTRATIONS**

7. The UK's Foreign Affairs policy is a reserved matter under the UK's devolution settlements and no devolved administration interests arise. The devolved administrations have therefore not been consulted in the preparation of this EM.

## **LEGAL AND PROCEDURAL ISSUES**

- i. Legal basis: There are no legal or procedural issues with this Council Decision; this is not a proposal for legislation.

## **APPLICATION TO THE EUROPEAN ECONOMIC AREA**

8. None

## **SUBSIDIARITY**

9. The action proposed is more effectively undertaken at Union level rather than at member State level because it allows all 28 Member States to work together using a shared EU capability.

## **POLICY IMPLICATIONS (including Exit implications where appropriate)**

10. On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union (EU). Until exit day, the UK remains a full member of the EU and all the rights and obligations of EU membership remain in force. During this period the Government will continue to negotiate, implement and apply EU legislation.
11. After the UK leaves the EU, the UK will continue to have a strong interest in the international effort to identify uses of chemical weapons in Syria, and to ensure attribution of responsibility where non-compliance with the Chemical Weapons Convention is identified.

In its own national capacity, the UK is a leading supporter of the OPCW, through funding of programmes to deliver national capacity building and to improve the capabilities of the Technical Secretariat; such as through Global Britain or the CSSF, this will continue after we leave the EU.

12. Support for the EU Strategy on non-proliferation is in line with the UK National Security Strategy and Strategic Defence and Security Review (2015), The National Counter Proliferation Strategy (2016), and the EU Strategy against the Proliferation of Weapons of Mass Destruction.

## **CONSULTATION**

13. Department for Exiting the European Union (DEXEU), UK Permanent Representation to the EU (UKREP) and the Ministry of Defence.

## **IMPACT ASSESSMENT**

14. Not applicable

## **FINANCIAL IMPLICATIONS**

15. None

## **TIMETABLE**

16. This Council Decision is scheduled for adoption on 9 December and passed the RELEX on 25 November unchanged as attached.

## **OTHER OBSERVATIONS**

17. None



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