

## Ask an Expert: Mallory Stewart on Syria's Chemical Weapons



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Mallory Stewart was the Deputy Assistant Secretary for Emerging Security Challenges and Defense Policy in the Bureau of Arms Control, Verification, and Compliance (AVC) from 2015 until January 20, 2017. She was responsible for the management of the Office of Emerging Security Challenges and the Office of Chemical and Biological Weapons Affairs. Stewart was the State Department lead lawyer on the 2013 U.S.-Russian Framework for the Elimination of Syrian Chemical Weapons.

In this interview, Stewart provides an overview of Syria's chemical weapons program, the steps the U.S. government and our allies have taken to deter future chemical weapons attacks by the Assad regime, and recommendations to hold the Syrian government accountable for its violation of international law.

**Before we get to the most recent chemical attack in Syria, talk us through the history of Syria's chemical weapons program.**

Prior to 2013, the U.S. government and others repeatedly told the world that Syria had an extensive chemical weapons program, and Syria denied it. However, the Syrians finally admitted they had such a program after they used sarin in the 2013 attack.

**In 2013, the Syrian government conducted a chemical attack that killed more than 1,000 civilians. How did the Obama Administration respond to that attack?**

In August of 2013, in a suburb of Damascus, there were rockets launched that contained what we understand was sarin. As you mentioned, over 1,000 civilians died. The Obama Administration began speaking with Congress about an authorization for the use of force, but it was quickly apparent, both domestically and internationally, that there was very little support. At that time we had just been able to extract ourselves from the Iraq situation. Nobody wanted to experience another moment of American "interventionism."

**Since military intervention was not an option, what did the Obama Administration do?**

The Obama Administration continued to consider military options despite the lack of support. However, Secretary Kerry, in a joint event with the UK, suggested that Syria could avoid a military response if it acknowledged its chemical weapons program and came into the Chemical Weapons Convention (CWC). The CWC is the treaty that prohibits the use, development, or stockpiling of chemical weapons.

Russia seized upon the proposal, and Syria acknowledged its chemical weapons program very soon thereafter. In order to engage in discussions with the Russians on how the elimination of the Syria chemical weapons stockpile would proceed and how Syria would come under the CWC the Obama Administration decided to take military action off the table.

The Obama Administration chose diplomacy and the use of international law over a military strike, at that time facing a world that was not in favor of U.S. military action. Through diplomacy, we were able to bring Syria under the CWC, where it would be required to declare its entire chemical weapons program, and destroy those chemicals under international verification. We of course expected that Syria would not declare all of its chemical weapons, and we have seen the results of that.

**According to the terms of the CWC, Syria was required to give up its chemical weapons program; yet it conducted another chemical attack in April 2017. Syria clearly still has chemical weapons stockpiles. Did Syria recreate stockpiles, or did they have them all along?**

There was extreme doubt in the Obama Administration and throughout the Western allies that Syria had declared all of its chemical weapons program. That said, it did declare 1,300 tons of its most significant chemical weapons, and we were able to remove them from Syria and destroy them under international verification. That stockpile of chemical weapons was out of the Assad regime's hands, and it was very good to eliminate a strategic threat from the region.

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However, we knew that they had not declared the munitions that they used in the August 2013 attack because they didn't want to implicate themselves in that attack. We knew that they would probably preserve some precursors to chemical weapons that they could potentially use later. We spent much of the past three and half years trying to highlight the problems with their chemical weapons program declaration, the discrepancies and omissions, so that the international community could investigate and hopefully discover where the remaining stockpiles were. Through that process, we actually unearthed Syria's former ricin program; we unearthed some additional facilities, and production capacities used in its chemical weapons program so Syria had to amend its declaration through our constant questioning.

#### **When did Syria amend its declaration?**

Multiple times throughout the process. We feel that the insight and pressure that the U.S. and other countries were applying helped force the Syrians to acknowledge that there were other elements to its chemical weapons program that it had not originally declared.

#### **On April 4, the Assad regime carried out another sarin gas attack that killed over 80 people. Could the international community have prevented that attack?**

Potentially, I think it could have been prevented if the structures we had put in place since the 2013 attack had been enforced and utilized more fulsomely by the international community. When Syria joined the CWC, we put in place a structure that required the complete declaration and destruction, and allowed for additional verification and insight by the Organization for the Prohibition of Chemical Weapons (OPCW), the implementing organization for the CWC. Through that process, we have gained more information; we also put in place an attribution mechanism after the Assad regime started using chlorine in early 2014.

#### **Is chlorine on the CWC list of banned substances?**

Chlorine is a ubiquitous chemical; it is not on the scheduled listing of chemical weapons that have to be immediately declared and destroyed in a verifiable manner. However, once chlorine is used as a chemical weapon or is intended to become a chemical weapon, it then clearly becomes part of the chemical weapons program and must be declared and verifiably destroyed.

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Syria constantly denied its use of chlorine in 2014, supported by the Russians and others, so the international community, spearheaded by the U.S. and our allies, put forward an agreed upon attribution mechanism, called the Joint Investigative Mechanism. It uses neutral and impartial experts to investigate the chemical weapons used in Syria. That group confirmed the Assad regime used chemical weapons at least three times on its own civilians.

**Is it credible or possible, as Russia and Syria claim, that the chemical attacks were caused by conventional Syrian strikes hitting stockpiles of rebel chemical weapons?**

It is not credible. They have claimed this multiple times; it's part of the response to detract and obfuscate the facts and confuse people enough to look away from what actually is happening. In the April 4 attack, it is particularly not credible because so many people were killed in a sort of mushroom cloud sarin gas explosion. If a bomb from one of these Syrian fixed-wings planes had dropped on a chemical stockpile, which is the allegation of the Assad regime, it would not have had such an explosion. It would probably have had a fireball explosion but it would not have mixed the sarin precursors in the explosion and it would not have resulted in the spread of gas in this way. The implosion of a sarin stockpile (it's usually held as precursors, it's not held in mixed form), would not have resulted in such an effective release of sarin gas to kill so many in the surrounding neighborhood. It's also not credible, if you look at the individuals that were killed, that there would be a stockpile of this size in the middle of a community.

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**Why is the Russian government supporting the Assad regime when it's very evidently committing atrocities against its own people?**

I think there are many reasons: historically the Russians and the Syrians have been connected militarily, economically, socially, and culturally, and it's the Russian military base in the region; certainly the strongest Russian ally in the region. There are a lot of benefits for the Russians to maintain their Syrian posting, and I think the support of the Assad regime represents a relationship that Russia needs. In addition, the Russian military has been essentially embedded in the Assad regime's forces for a long period of time. They are thus, in my mind, implicated in all of the bad deeds that the Assad regime does. I think it's very difficult to therefore hold the Assad military forces accountable when you also implicate your own military forces.

**Is it at all possible to move forward with holding Syria accountable without Russia's cooperation?**

I think it would be difficult; it could be possible if the entire world pays very close attention to this issue and demands accountability. The problem with this issue for the past several years since 2013 is that it's either been seen as a U.S.-Russia struggle— so many other countries have been willing to look away— or there has been so much disinformation and confusion that many countries just throw up their hands and figure that there must be some difficulty in finding the truth.

However, we now have a confirmed report from a neutral, expert UN panel, demonstrating that the Assad regime has used chlorine at least three times; we have confirmed accounts of two wide-scale uses of sarin attacks causing mass casualty events, one in 2013 and one in 2017. These should not be ignored or forgotten. I think the Assad regime has lost legitimacy and President Assad himself has specifically lost legitimacy as a leader under international law. The world needs to demonstrate that it cares about this and will take it seriously. If Russia will block accountability in the UN and elsewhere, then there needs to be some way to overcome that in order to deter the continuing uses of chemical weapons.

**On April 6, two days after the sarin attack in Syria, President Donald Trump authorized military strikes on the base from which the chemical attack was launched. Do you think this was the right response, and will it deter future use of chemical weapons?**

I think it was the right response. The Obama Administration had used diplomacy and international law to try to deter additional attacks. We started mechanisms to demonstrate attribution to the Assad regime, we sought international accountability in the UN and were blocked by Russia. We tried every avenue except for military force to try to deter additional uses and demonstrate some accountability. President Trump used a targeted military strike to pinpoint the base from which the chemical weapons attack was launched to demonstrate that there would be accountability and that there were people watching and caring about the violations of international law. He used the one tool we had not used because the previous tools had not sufficiently deterred the Assad regime.

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Will it deter it in the future? I think it is an open question for the international community because we haven't seen chemical weapons attack on a broad scale since that time, which has been good. However, certainly the Assad regime feels protected by the Russians; we'll see if the subsequent negotiations that the Russians have done for a limited ceasefire will actually lead the Assad regime to feel confident in its violations of international law or if it will lead the Assad regime to make better decisions about violating international law.

**How can the international community work to ensure that chemical attacks do not occur in Syria in the future?**

The sanctions that have been put in place by many countries have been good; however, they have not been aggressive enough. There has to be outcry against the Assad regime for repeatedly violating international law. All imports and exports with Syria have to be questioned because you are trading with a war criminal. If the international community as a whole joined together to say we will not trade with someone who repeatedly violated international law and we will demand accountability for that individual and his administration, that would be helpful and it would be difficult for the Assad regime to deny their continuing use of chemical weapons. The international community could work more collaboratively to not trade with Syria and to prevent the benefits for the Assad regime of continuing to use chemical weapons.

**Do you have any closing comments about a topic we haven't covered in the above questions?**

My greatest concern not only in this field but in arms control more generally is the rise of this concept of fake news and alternative facts. The fact that there is no attribution and accountability deterrence models that will work when folks can just deny the existence of reality. That is something we have to work against, and we have to work to get to the facts, and acknowledge that facts exist, even if we don't agree with them. I think that's something we should strive to do not just in the arms control and nonproliferation community but more broadly, so that people who do bad things can be held accountable.