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# Resisting Impunity for Chemical-Weapons Attacks

**Rebecca Hersman**

2018 marks the seventh year of a civil war in Syria which, from its very beginning, has been marred by the use of chemical weapons (CW). The Syrian regime – responsible for the vast majority of an estimated 150 attacks or more – has faced little or no penalty for its crimes. The attacks are blatant violations of the Chemical Weapons Convention (CWC), multiple United Nations resolutions and a host of international laws and protocols.

Russia and Iran have done their part to enable this vicious behaviour to continue – running interference in international forums, and perpetuating misleading or false interpretations of events on the ground. The apparent disinterest of other states suggests a collective view that the stakes associated with continued CW use are comparatively low. It also reflects a widespread assumption that accountability for states, entities and individuals perpetrating these attacks is unachievable.

This assumption is wrong. It is true that norms and treaties of all kinds are often violated; that states routinely complain about violations that they have no serious intention of punishing; and that violations are difficult to punish when they are committed by states with their own military forces and, especially, major-power backing. So it is true, in turn, that Syria – enjoying steadfast Russian political and military support – was always likely to

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be a very hard case. But this does not mean that meaningful, practical efforts at accountability cannot be made, even if they are partial – and a clear international statement that there can be no impunity for CW attacks also lays the ground for future efforts in Syria and beyond.

On 23 January, foreign ministers from 25 countries met in Paris to launch a new multilateral effort to seek accountability for the use of CW – the International Partnership Against Impunity for the Use of Chemical Weapons (hereafter ‘the Partnership’).<sup>1</sup> This new international initiative met with little fanfare; media worldwide hardly noticed. The arms-control and non-proliferation communities, preoccupied with leaked versions of the US Nuclear Posture Review, paid no attention. A world numb to the scale of human atrocity in Syria showed little interest. Yet, as the normalisation of CW use continues, the Partnership has arrived not a moment too soon.

Continued CW use in the Syria conflict will encourage the further proliferation and use of such weapons in the Middle East and beyond. As the normalisation of CW use continues, the risks of such attacks by states and non-state actors will only increase. The rapid development of the CW capabilities of the Islamic State (also known as ISIS or ISIL)<sup>2</sup> and the bizarre assassination of North Korean leader Kim Jong-un’s half-brother in a Malaysian airport using VX are likely harbingers of what lies on the horizon in a world in which CW use is increasingly normalised.<sup>3</sup>

As ongoing use of CW exposes weaknesses in the international treaty-based regime’s ability to prevent and respond to attacks, those fissures will spread beyond chemical weapons and ultimately weaken the non-proliferation regime more broadly. This problem, years in the making, threatens to undo decades of international norms, and could have repercussions for deterrence against the use of other weapons of mass destruction (WMD). Moreover, as obstructionism and patronage effectively immobilise international institutions and protect the violations of these important norms, the use of such techniques will only grow, calling into further question the ability of the international system to address fundamental threats to peace and security.

The stakes are, in other words, very high. But the situation is not hopeless. As the French-led Partnership hopes to demonstrate, effective international

responses to raise costs and impose consequences for those who use CW – even in the absence of international consensus and full accountability – are possible. States may attempt to weaken vital international institutions, but they cannot preclude voluntary collective action to preserve and protect these norms.

There are also lessons to be learned from past initiatives to strengthen the non-proliferation regime which can be applied to the challenge at hand. Like-minded countries can work to strengthen compliance with and enforcement of norms and laws, in turn bolstering the broader non-proliferation system. As a source of voluntary collective action, the Partnership provides an important path towards strengthening accountability and demonstrating resolve. This will only happen, however, if the partner nations quickly translate words into meaningful action.

### **How did we get here?**

The scale of CW use in Syria is staggering. Reports on the number of attacks vary depending on the source and assessment criteria. Even by the most conservative estimates, repeated and sustained attacks by the Syrian regime, and to a lesser extent ISIS, in the Syrian conflict are indisputable. A French government evaluation found 130 presumed uses of CW from October 2012 to April 2017.<sup>4</sup> The Syrian American Medical Society reports more than 194 chemical attacks since 2012,<sup>5</sup> and Human Rights Watch counts 16 attacks between December 2016 and April 2017 alone.<sup>6</sup> The majority of these attacks occurred after the August 2013 sarin attack in East Ghouta that killed more than 1,400 people.<sup>7</sup> That attack led to the US–Russia Framework Agreement, Syria’s accession to the CWC, and an international removal and destruction effort that eliminated the overwhelming majority of Syria’s CW stockpile.

By early 2014, however, even as those efforts were under way, the use of chemicals as weapons in Syria had resumed.<sup>8</sup> In the spring of that year, the Organisation for the Prohibition of Chemical Weapons (OPCW) established a new entity, the Fact Finding Mission (FFM), to investigate the growing number of incidents of alleged use in Syria. The FFM’s mandate included confirmation of CW use, but not attribution of responsibility. Since then, the FFM has used video metadata and biomedical samples of victims to confirm

the use of chemicals as weapons – chlorine, sarin and sulfur mustard – at least 38 times.<sup>9</sup> Faced with steadily increasing cases of confirmed use, the UN Security Council passed Resolution 2235 establishing the UN–OPCW Joint Investigative Mechanism (JIM) in 2015 to identify, where possible, the perpetrators of FFM-confirmed attacks.<sup>10</sup> The JIM, uniquely, could attribute CW attacks to actors while making use of the technical expertise of the OPCW. Notably, the JIM had Russian support at its inception. Between February 2016 and October 2017, the JIM issued seven different reports and attributed multiple CW attacks to the Syrian regime and ISIS. As with the FFM, the JIM was extremely conservative in its analysis of culpability, and maintained a high threshold for blame.

On 26 October 2017, the JIM issued a report determining Syria’s culpability for the April 2017 sarin attack in Khan Sheikhoun that killed more than 100 people, including 27 children.<sup>11</sup> This attack marked the largest use of CW in Syria since the 2013 attack on East Ghouta. The report also assigned responsibility to ISIS for a September 2016 sulfur-mustard attack in Umm Hawsh.<sup>12</sup> Despite the extensive evidence supporting the JIM’s conclusions, the Russians, who sought to protect their Syrian allies, called into question its methodology and impartiality. Just three weeks after the October 2017 JIM report was released, the Russian Federation used its tenth Syria-related veto in the UN Security Council to prevent an extension of the JIM’s mandate.<sup>13</sup> This shuttered the body before it could issue findings on other attacks already reported by the OPCW, such as the FFM-identified sarin attack on 30 March 2016 in Lataminah.<sup>14</sup> Today, without the JIM, there is no longer an established international mechanism for attributing attacks in Syria.

Results in The Hague, home to the OPCW, have not been much better. Despite the painstaking work of the FFM, the OPCW Executive Council has proven unable to address Syria’s multiple compliance issues. Most recently, in November 2017, several attempts within the OPCW’s Executive Council to express concerns about Syria’s compliance with its CWC obligations failed to muster the necessary 28 votes among the 41 members to bring any treaty-based accountability to Syria for its actions.<sup>15</sup> Instead of enforcing the treaty, the CWC’s governing body has taken a step to undermine the most comprehensive arms-control agreement ever brought into force.

Chemical-weapons attacks have escalated again since the beginning of 2018, especially in rebel-held positions in southern Syria. Attacks on 13 and 22 January and 1 February in the Ghouta–Damascus region have caused at least 30 casualties, according to social media and reports from the White Helmets.<sup>16</sup> Additional attacks reportedly occurred in the Idlib–Saraqeb area in the north of Syria on 4 and 6 February.<sup>17</sup> Another alleged attack occurred on 25 February, again in the Ghouta region, where a child was reportedly killed due to symptoms consistent with exposure to chlorine.<sup>18</sup>

The sheer number of incidents, especially those that have occurred recently, shows that the Syrian regime believes there are no boundaries limiting what and how much they can get away with. In January 2018, the United States ambassador to the UN called Russian attempts to discredit the JIM’s analysis ‘misleading, unprofessional, inconsistent and, at times, completely false’.<sup>19</sup> Yet, public shaming has done little to convince Russia of the need to support the very accountability mechanisms it helped establish. Syria has not been found in non-compliance of a treaty it violates with impunity, thereby calling into question a treaty regime seemingly incapable of enforcing its most fundamental tenets. The global norm of non-use of chemical weapons and the rules-based treaty system that supports it is at risk of dying a slow death.

While the UN Security Council and OPCW represent the preferred paths to accountability for the illegal use of chemical weapons, they are not the only routes. The United States and like-minded nations can respond, unilaterally or collectively, to ongoing CW use through the use of force. Such was the case when the United States fired 59 *Tomahawk* missiles in April 2017 at Syrian military targets following the use of sarin in Khan Sheikhoun, which had been attributed to the Syrian Air Force.<sup>20</sup> Similar responses might follow further corroborated attacks. French President Emmanuel Macron has said that France would ‘strike the place where these launches are made or where they are organized’, once proof was established.<sup>21</sup> US Secretary of Defense James Mattis has also kept the military option open as well, threatening that ‘you have all seen how we reacted to [the Khan Sheikhoun attacks],

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been found in  
non-compliance*

so they'd be ill-advised to go back to violating the chemical convention'.<sup>22</sup> US Secretary of State Rex Tillerson has made similar hints: 'We are serious about our demands that chemical weapons not become regularized or normalized as a weapon in any conflict.'<sup>23</sup>

One-off, military responses are at minimum insufficient and, in many cases, are counterproductive if not accompanied by a range of other actions to ensure sustained, consistent enforcement. For one thing, limited and unilateral US airstrikes intrinsically promote the idea that chemical-weapons usage is an American problem, rather than one for all states. Moreover, following the military strike in 2017, there was little in the way of coordinated follow-up to ensure that Syria did not test international resolve by resuming low-level CW use once attention was focused elsewhere. Military force might not be an appropriate response for every CW attack, but ignoring attacks until they get 'big enough' simply begs the cycle to repeat itself. A more comprehensive strategy would have entailed additional pressure in the Security Council to hold Syria accountable; political, diplomatic and economic means to strengthen the international consensus against Syria's use of CW; and additional threats of military force if Syria employed CW again. This would have imposed consequences more consistently, even if every case of CW use did not warrant military punishment.

International leaders continue to struggle, moreover, to define a threshold for military response that sends clear messages about what constitutes unacceptable CW use. This is partly a question of evidence. During a February 2018 press briefing, for example, Mattis said that 'fighters on the ground have said that Sarin has been used. So we are looking for evidence. I don't have evidence, credible or un-credible.'<sup>24</sup>

More fundamentally, however, punishing sarin attacks with military strikes while allowing chlorine attacks to continue is an inappropriate distinction that undermines prohibitions in international law. The use of chlorine and sarin (or any other chemical) are both equally prohibited by the CWC and the body of related international law. Chlorine was the first chemical used in warfare during the First World War, its use prompting the prohibitions under the Geneva Conventions. The difference between chlorine and sarin is not with regard to the prohibition of their use as a weapon,

but rather in terms of how they are treated under the CWC's verification measures. (Sarin, as an identified, traditional military agent of extreme toxicity, cannot be developed, manufactured or stockpiled, and its precursors are subject to controls and verification. Chlorine is nearly ubiquitous, and vital for countless legitimate purposes, and therefore is not subject to verification or control under the CWC.) The more than 100 uses of chlorine as a weapon in the Syrian civil war, including three such cases attributed to the Syrian regime by the JIM, are prohibited just as sarin attacks are, yet incurred no response of any type: military, diplomatic, political or economic.<sup>25</sup>

In any case, striking Syrian military bases is little punishment for the perpetrators, nor much justice or restitution for the victims. Meaningful accountability requires that a wider range of costs – economic, political and legal – are imposed as consistently and comprehensively as possible. Selective accountability for so much CW use could encourage rather than dissuade the smaller-scale use of chemical weapons. And while Russia may have closed the path to accountability through the Security Council and the OPCW for now, nations can fulfil their responsibilities in the face of these ongoing atrocities in other ways.

### **Non-proliferation precedent**

The international non-proliferation community has overcome significant challenges before. By taking a page from earlier playbooks, like-minded states can find new ways to seek collective action in pursuit of accountability. In 2002, the *So San*, a flagless North Korean vessel carrying 15 *Scud* missiles to Yemen, was interdicted in Spanish territorial waters. A few days later, the ship was released and allowed to deliver its cargo because of a lack of any international legal basis to confiscate and dispose of the consignment.<sup>26</sup> While an international legal solution to close this gap – in the form of a treaty or Security Council resolution – would have been the ideal solution, it was politically and practically infeasible. Instead, a group of nations came together in 2003 to form the Proliferation Security Initiative (PSI). Through the endorsement of a statement of principles, participating nations sought 'to establish a more coordinated and effective basis through which to impede and stop shipments of WMD, delivery systems,

and related materials flowing to and from states and non-state actors of proliferation concern' by fostering improved capacities, authorities, coordination and collaboration.<sup>27</sup>

Nearly 15 years later, 105 countries have endorsed the Statement of Interdiction Principles, and a 21-member Operational Experts Group meets regularly to guide and coordinate regional multilateral exercises, information-sharing, best practices and training to support WMD-interdiction efforts by nations acting in their national capacities.<sup>28</sup> Since the PSI was established, the transfer of WMD-related cargoes has become vastly more difficult, and nations can detect and cooperate to interdict these shipments more effectively. In part because of the insights and knowledge gleaned through PSI activities and information-sharing, subsequent Security Council resolutions dealing with proliferation issues have helped fill gaps in international law that prevented the successful interdiction of the *So San* cargo in 2002.<sup>29</sup>

The lesson of the PSI is for like-minded states to focus on practical measures which in turn help to reinforce, or repair, global norms through collaborative and voluntary efforts. The case of CW use is a more difficult one than that of interdiction, and the stakes are higher than they were in 2003. But like-minded nations have a more robust international legal basis for action to prevent and respond to CW use than they had then for addressing interdiction. The CWC, to which all but four countries in the world are states parties – including Syria – not only encourages, but in many cases requires, countries to cooperate in pursuit of the treaty's implementation and to pursue those who violate the treaty through their respective legal systems. The Geneva Protocol prohibits CW use, the Rome Statute of the International Criminal Court recognises it as a war crime and many countries consider it a crime against humanity due to its indiscriminate nature.<sup>30</sup> In fact, the prohibition on the use of chemicals as weapons of warfare is so widely accepted that it is considered by many nations as customary international law.<sup>31</sup>

### **A step in the right direction**

The establishment of the Partnership emulates the PSI in seeking voluntary collective action to support the non-proliferation and arms-control regimes.<sup>32</sup>

Announced in Paris by French Minister for Europe and Foreign Affairs Jean-Yves Le Drian, it featured several other high-level dignitaries, including Rex Tillerson and OPCW Director-General Ahmet Üzümcü.<sup>33</sup>

Tillerson minced no words at the ceremony: 'This initiative puts those who ordered and carried out chemical weapons attacks on notice. You will face a day of reckoning for your crimes against humanity and your victims will see justice done.'<sup>34</sup> The Partnership recognised that repeated CW use threatens the international norm against such attacks as established in international law, including through the Geneva Protocol, Geneva Conventions and a number of UN Security Council resolutions condemning these attacks in Syria.<sup>35</sup> Additionally, Partnership states committed to the principle that actors who employ CW must be held accountable, and that collective response through national and international measures would be necessary to deter CW proliferation and use.<sup>36</sup>

This initiative aims to do more than just talk, however. The Partnership highlights several core areas of cooperation. Firstly, by collecting, compiling, retaining and preserving relevant information, and facilitating the sharing of such information with participating states and relevant international organisations, the Partnership attempts to overcome the hurdles presented by the JIM's confidentiality rules.<sup>37</sup> Information collected by the JIM was treated with a significant degree of confidentiality to protect states that came forward with information and intelligence related to CW use in Syria. However, when Russia blocked the JIM's renewal, that information remained classified at the UN and may now be kept locked away for 20 years or more.<sup>38</sup> Pushing information-sharing among participating states will help to build a repository for information and analysis that can be used to attribute attacks and take further action against CW users.

Secondly, the partnership seeks to use existing legal structures to sanction individuals, entities, groups and governments involved in the proliferation or use of CW, and to publicise the names of those sanctioned. The partnership also seeks to enhance states' legal and operational capabilities to identify and sanction or prosecute these individuals.<sup>39</sup> The JIM's efforts stopped short of imposing costs on implicated actors or entities, and the Partnership seeks to fill this gap through legal, financial and political means.

Sanctions that freeze an individual's or group's assets could impose a significant financial cost on CW users. The public list serves as a forum to name and shame those involved in executing CW attacks, especially if such lists indicate that these individuals face arrest and prosecution if they transit a participating nation's territory. These factors may deter military officers or scientists seeking to become involved with CW programmes or at least prompt them to think twice when targeting civilians with these weapons. In addition, this capacity-building ensures states have the legal and technical assistance needed to implement political, economic and legal accountability mechanisms. This is consistent with states' obligations under both Security Council Resolution 1540 and the CWC – showing how the partnership complements existing CW accountability institutions and mechanisms. Finally, the states agreed to stand together on the use of CW in other international organisations, including the OPCW and UN.<sup>40</sup> While the impetus for the partnership emanates from inaction at the UN and OPCW, the Partnership states are showing that the fight for accountability is not over.

At the time of writing, there were 26 participating parties in the Partnership: Australia, Belgium, Côte d'Ivoire, Czech Republic, European Union, France, Germany, Italy, Japan, Kuwait, Morocco, Netherlands, Peru, Poland, Senegal, South Korea, Spain, Sweden, Switzerland, Tunisia, Turkey, Ukraine, United Kingdom and the United States.<sup>41</sup> The Partnership is not exclusive, nor does it impose any legally binding constraints on its members, as it is not a treaty. It largely follows the PSI model of voluntary membership, though it requires a serious commitment to reduce the dangers emanating from WMD use.

### **What next?**

The political commitments reflected in the Partnership's statement of principles are vital, but insufficient. Meaningful outcomes require that the endorsing nations move quickly to operationalise the partnership through concrete actions. This means focusing not only on the immediate case of CW use in Syria but also anticipating future crises in which this challenge could re-emerge, which might include use by state and non-state actors. While the Partnership is not the only process through which states should seek to

uphold the norm against CW use and hold accountable those who violate the norm, for the time being it is the most viable path for collective action.

#### *Enabling a collective international response*

The PSI offers examples of collaborative information-sharing, development of best practices, and operational and table-top exercises. But other efforts offer similar parallels. In the areas of counter-terrorism and counter-piracy cooperation, domestic and international law-enforcement entities such as Interpol and the FBI routinely cooperate to maximise successful apprehension and prosecution of suspects through various legal authorities and national jurisdictions. The models for collective action used during the four Nuclear Security Summits, particularly the use of diplomatic 'gift baskets', demonstrate the option of convening subsets of countries around various issues, efforts and approaches without requiring either consensus or the active contribution of all endorsing nations. These flexible, working-group approaches will be particularly essential as the number of endorsers of the Partnership grows.

#### *Raising awareness and speaking collectively*

In the near term, endorsing nations can use the Partnership to raise awareness of CW use and speak with one voice. Current efforts to present a unified international response have not worked. The French, British and Americans have done much of the legwork without being able to develop a coalition broader than those countries with a long-standing concern for CW use. Most of the world has very little awareness of the problem, with many populations and governments alike unaware of the scale of CW use in Syria. To remedy this, the Partnership should develop fact sheets on a range of issues – on proliferation, use and countering CW – for participating nations to help educate other governments and diplomatic representatives. They should also develop a comprehensive list of diplomatic, economic and legal tools and approaches to use nationally and collectively to provide an in-depth understanding of the assets available to hold Syria accountable.

The Partnership has several diplomatic actions at its disposal. Participating states can coordinate diplomatic démarches to key countries on the OPCW

Executive Council and UN Security Council to press for greater accountability for CW use. Joint statements, press releases and other documents can be used to demonstrate collective will and resolve in the UN General Assembly, UN First Committee, Conference on Disarmament, OPCW meetings of states parties and the Australia Group.

The Partnership could also help drive a joint statement declaring CW use a violation of customary international law punishable under multiple international legal agreements, including the ICC's Rome Statute, the Geneva Protocol and humanitarian laws against indiscriminate killing. These efforts should encourage broader engagement with civil society, which has shown its ability to pressure governments through the negotiation of the Treaty on the Prohibition of Nuclear Weapons (TPNW). Non-governmental organisations could encourage the over 150 nations that signed on to the TPNW to protect the norm against CW use.

Finally, the OPCW FFM and JIM have both collected, analysed and validated enormous volumes of video, witness accounts, samples and other critical evidence. Much of that information is covered by secrecy rules preventing its release. Partner nations can use their collective efforts to get JIM and FFM information released to other UN mechanisms, such as the International, Impartial and Independent Mechanism on international crimes committed in the Syrian Arab Republic (IIIM), to facilitate prosecution of CW use in appropriate international forums.

#### *Capacity-building on CW use*

Technical, operational, legal and financial gaps limit the ability of many states to safely and accurately investigate and respond to CW use. Effective accountability requires that nations possess the capacity to investigate, collect and preserve evidence, perform complex technical analysis and appropriately maintain a chain of custody. Today, many of these capabilities are limited to a small number of countries and the OPCW. Further steps must be taken to collect and protect evidence of CW use, such as witness testimony, technical-sample analysis, forensic records and assessments, until a trial occurs. It is critical this be done in accordance with international legal standards.

These evidence-collection steps can be used for collective international responses through ad hoc mechanisms. Pre-negotiated protocols or agreements between key nations could help facilitate information exchanges between law-enforcement bodies, diplomats and national-security professionals across borders to apprehend and prosecute suspected or known CW users. These arrangements can be demonstrated through exercises to practice preparedness and capability to act. National authorities should refuse to harbour CW users or facilitators of CW attacks, institute financial and economic sanctions, and engage in criminal and civil prosecution. Such national responses can also be used to act against companies or individuals that sell chemicals used in CW attacks.

Through the Partnership, nations can share lessons learned, best practices and model legislation to help bolster the national legal structures that support CW accountability. Partnership countries can also work through the 1540 Committee to build national capacity to prevent, respond to and prosecute CW attacks. States possessing the expertise could instruct on best practices through the 1540 Committee's matchmaking system. They could offer training academies on legal and technical hurdles, or help publicise 1540 Committee opportunities for helping build capacity to prevent and respond to CW attacks. In addition, Partnership countries should lobby for an extension to the 1540 mandate in 2021 to ensure their important work can continue.

### *Strengthen and expand the Partnership*

The 25 current members of the Partnership are a good start, but are not nearly enough. Adding countries not closely aligned with the P3 could help highlight the violation of international law and make the issue less one of a dispute between the P3 and Russia. Nordic, South Asian and South American countries seem likely supporters.

The Partnership should seek programmatic, as well as geographic, expansion. Specific action items need to be created to ensure that the Partnership remains active and its presence felt, even outside of advocacy in international forums. To date, the defence and diplomatic staffs that cover CW issues in Partnership governments have been doing much of the legwork.

As time goes on, demands on their workloads will likely slow Partnership work, absent a more formalised structure to bring together current partners and incorporate new countries into the initiative. To implement this, some sort of modest Partnership secretariat needs to be established, with either permanent or temporary staff on a volunteer basis. This could provide a point of coordination to facilitate communications and create opportunities to convene around specific efforts outside high-level meetings.

Efforts should also be made to improve the ‘stickiness’ of the Partnership by connecting it to a variety of different forums and institutions beyond those associated with the non-proliferation system. Countries should lay the groundwork before any Syrian peace process to prosecute those who used CW in civil war – an essential step to uphold the CWC in the post-conflict world. Long-term justice mechanisms, similar to the former Yugoslavia’s hybrid tribunals, should be pursued for those involved in Syria’s CW programme.

Finally, the Partners can press for institutional reforms and mechanisms that will improve the speed and quality of international responses in the event of future attacks, in Syria and beyond. Pre-established mechanisms to address future CW use should be established and upheld. The format of the UN Monitoring, Verification and Inspection Commission (UNMOVIC) in Iraq can serve as a model, whereby scientists are shielded from political pressure by diplomats, avoiding the politicisation of evidence that hindered the JIM process. Finally, UN tools, such as the invocation of General Assembly Resolution 377A, should be used to bring issues from the Security Council to a full General Assembly vote in the case of a Security Council deadlock. This could empower the Secretary-General’s Mechanism to perform attribution in the Syrian conflict after the dismantling of the JIM.

The Partnership is not the only means to respond to CW use: the United Nations and OPCW will continue to play a role in the Syria-accountability picture, and nations are compelled to act in their national capacities to respond to the spread and use of CW. However, it remains the best avenue for action for the time being. The Partnership presents clear alternatives: become a part of the continued obstructionism within international institutions, or work with other nations to take action to protect the norm against

CW use. Nations such as Russia that protect violators of international law will be faced with a choice between working through the United Nations to actually resolve the continued use of CW, or witnessing a stronger reliance on ad hoc measures by nations that want to do what needs to be done to protect these norms.

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International silence on Syrian chemical-weapons attacks is profoundly damaging, especially in the face of overwhelming evidence that they continue to occur despite Syria's accession to the CWC. The international arms-control and non-proliferation community, which so effectively engages civil society on nuclear issues, has largely turned a blind eye to these attacks and their implications for the non-proliferation regime. The lack of interest and concern from the broader public has allowed governments to continue in wilful ignorance of these atrocities.

The April 2017 US airstrikes imposed some costs on Syria for these attacks, but in the absence of a more consistent, comprehensive and internationalised approach, the results have been fleeting. The Partnership is a first step towards something better, and France's initiative in establishing it is to be applauded. But much difficult work remains to make the Partnership a reliable and effective tool for responding to CW use in the future. Formalising, expanding and deepening the Partnership will be critical to any effort to hold accountable users of chemical weapons in Syria or elsewhere – and doing so could help ensure that calls for justice will not ring hollow. The victims of these attacks deserve no less.

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