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**FINDING OF NON-COMPLIANCE WITH THE CHEMICAL  
WEAPONS CONVENTION:**

**BURMA**



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**Prepared by the U.S. Department of State**

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### FINDING

Based on available information, the United States cannot certify that Burma has met its obligations under the Chemical Weapons Convention (CWC). The United States certifies that Burma is in non-compliance with the CWC due to its failure to declare its past chemical weapons (CW) program and destroy its CW production facility (CWPF). The United States has serious concerns that a CW stockpile may remain at Burma's historical CW facility.

### ANALYSIS OF COMPLIANCE CONCERNS

*In accordance with CWC Article I, paragraph 1(a), each State Party undertakes never under any circumstances "to develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone." In accordance with CWC Article I, paragraph 2, each State Party undertakes to destroy chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.* The United States assesses Burma had a CW program in the 1980s that included a sulfur mustard development program and a CWPF near Tonbo. CW agent and production equipment may remain at Tonbo.

*In accordance with CWC Article I, paragraph 4, each State Party undertakes to destroy any chemical weapons production facilities it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.* Despite ratifying the CWC in 2015, Burma has retained a facility assessed to house key components of its historical CW program that were never declared to the Organization for the Prohibition of Chemical Weapons (OPCW), including the historic CWPF near Tonbo.

*In accordance with CWC Article III, paragraph 1, each State Party is required to declare whether it owns or possesses chemical weapons and whether it has or had any chemical weapons production facilities under its ownership or possession.* Burma has failed to declare its past program to the OPCW.

### BACKGROUND

The United States assesses Burma had a CW program in the 1980s that included a sulfur mustard development program and chemical weapons production at the facility near Tonbo.

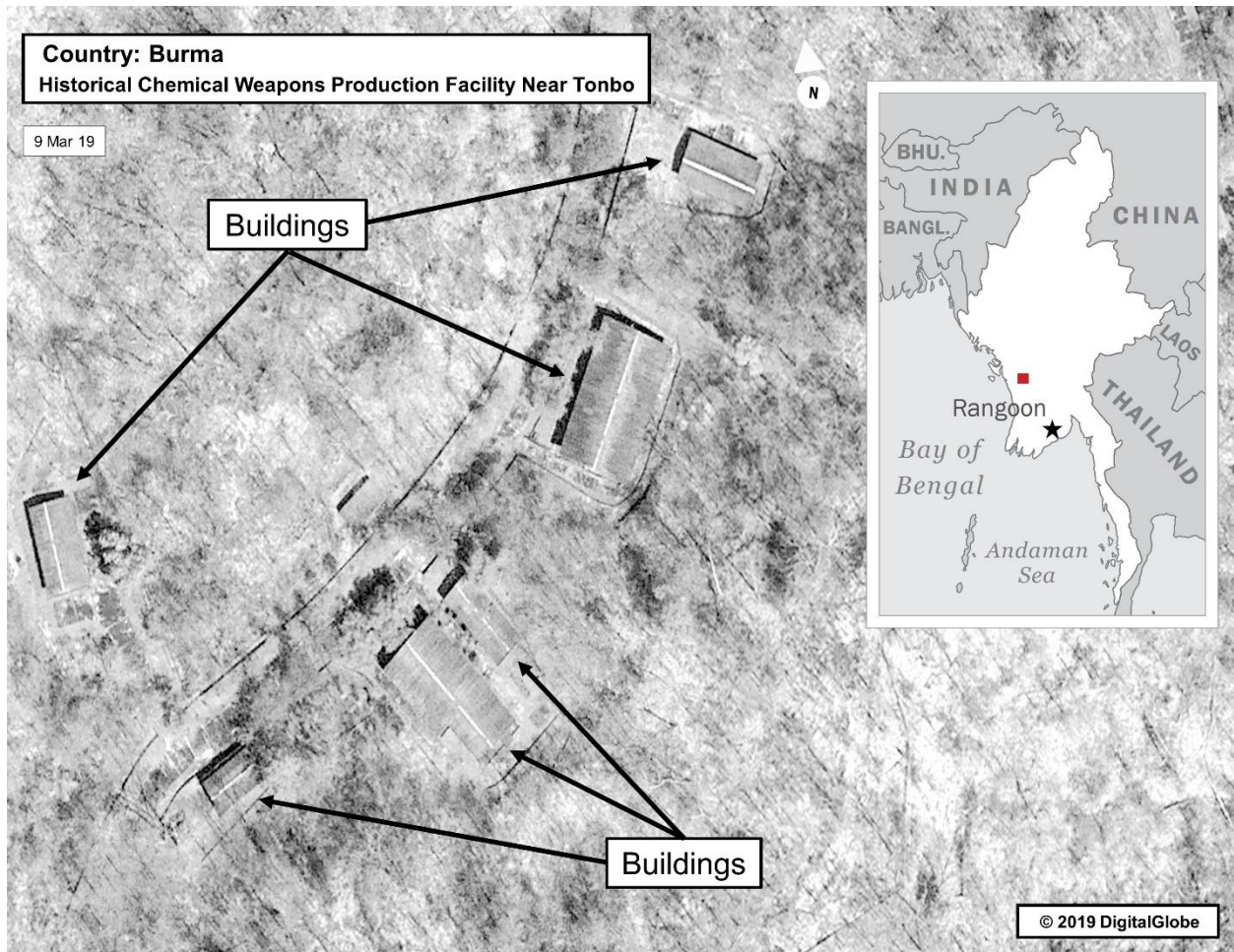
Burma was one of the original signatories of the CWC, having signed the Convention on January 14, 1993. The Convention entered into force for Burma on August 7, 2015. Burma made its initial declaration on September 7, 2015. No CW or CWPFs were declared.

Despite ratifying the CWC in 2015, Burma retained facilities assessed to have housed key components of its historical CW program that were never declared to the OPCW. The United States has high confidence in this assessment because infrastructure has remained at several buildings at the Tonbo site. Burma has failed to declare four dual-use facilities: three urea fertilizer plants and a methanol production plant under the Burmese Ministry of Energy which probably have annual production capacities that meet declaration requirements. The United

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States is also concerned that Burma did not declare two other locations that may have been involved in Burma's military-run CW program. However, most of the original buildings associated with Burma's legacy research, production, weaponization, and storage of sulfur mustard munitions remain at the historic CWPF near Tonbo, which was Burma's primary CW research, production, weaponization, and storage center during the 1980s. The physical integrity of the buildings at Tonbo remain intact. Burma should certify that the infrastructure no longer houses any CW-related materials or equipment.



### EFFORTS TO RESOLVE COMPLIANCE CONCERNS

Prior to entry into force of the CWC for Burma, Burma was provided assistance and advice regarding its declaration obligations. In February 2013, the OPCW Technical Secretariat held a three-day technical assistance workshop in Naypyidaw at the request of the Burmese Government regarding national implementation requirements. In January 2015, the United States sent a senior-level delegation to Rangoon to discuss CWC ratification and offered U.S. assistance for CW implementation. In August 2015, the United States again engaged the Government of Burma about its historical CW program at Tonbo. Specifically, on August 4, 2015, the U.S. Ambassador to Rangoon asked the Commander-in-Chief of the Burmese military about the Burmese historical CW program at Tonbo, including raising the possibility that Burma

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still had a small CW stockpile. In each case, the United States requested that Burma investigate and declare its past program. Beginning in February 2019, the United States reinvigorated bilateral discussions with the Government of Burma to ensure that the civilian government is aware of U.S. concerns regarding the Burma's past CW program. Although the civilian government has actively engaged in discussions and indicated its commitment to fulfill its CWC obligations, Burma's military has not admitted to its past CW program. The United States has encouraged regional partners and allies to raise this issue with Burma, but their engagement has been similarly unfruitful. Further, the United States has informed the OPCW Director-General on the U.S. assessment of the Burmese past CW program.

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