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AZERBAIJAN

**STATEMENT ON BEHALF OF THE MEMBER STATES
OF THE NON-ALIGNED MOVEMENT THAT ARE STATES PARTIES
TO THE CHEMICAL WEAPONS CONVENTION AND CHINA
DELIVERED BY H.E. AMBASSADOR FIKRAT AKHUNDOV
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF AZERBAIJAN TO
THE OPCW AT THE 101ST SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairperson,
Excellencies,
Distinguished delegates,

I have the honour to deliver this statement on behalf of the Member States of the Non-Aligned Movement that are States Parties to the Chemical Weapons Convention and China (NAM States Parties to the Convention and China).

At the outset, we would like to welcome, H.E. Ambassador Ziad M. D. Al Atiyah, Ambassador of Saudi Arabia as the Chairperson of the Executive Council (“the Council”) and express our confidence in his leadership to steer this session of the Council to a successful conclusion. We wish to thank the Director-General, H.E. Fernando Arias, and the Vice-Chairpersons of the Council for their reports. The Group conveys its appreciation for the OPCW staff for their dedication to the implementation of the Organisation’s noble objectives.

In these challenging times of the COVID-19 pandemic, the NAM States Parties to the Convention and China continue to underscore the importance for the OPCW and all States Parties to continue to ensure the full, effective, and non-discriminatory implementation of all provisions of the Convention including the economic and technological development of the States Parties, especially in the fields of International Cooperation and Assistance.

The NAM States Parties to the Convention and China stress the importance of strict compliance with the Rules of Procedure of the OPCW, and note the exceptional nature of the modalities adopted during the COVID-19 pandemic. In that sense, we express the importance of active participation by all States Parties in the work of the OPCW without any discrimination or technical obstacles and emphasise that such modalities should be regarded as exceptional, not create any precedent for the future, and cease to be valid upon the termination of these special circumstances.

The NAM States Parties to the Convention and China, with reference to its position paper of 4 October 2019, recall the creation of a coordination mechanism to revitalise existing facilitations, and regret that no meeting of this mechanism was convened since then. We reiterate our call on the Chairperson of the Council, as head of this mechanism, to redouble efforts aimed at advancing the full and effective implementation of all provisions of the



Convention in a balanced, comprehensive, and non-discriminatory manner and to explore ways and means for the revitalisation of all facilitations.

The NAM States Parties to the Convention and China attach great importance to the universality of the Convention and in this regard, strongly urge the non-parties to the Convention to ratify or accede to it without any further delay or preconditions, and emphasise that those States non Party should not derive any benefit therefrom.

The NAM States Parties to the Convention and China reiterate their long-standing principled position towards the achievement of general and complete disarmament, under strict and effective international control, including the prohibition and elimination of all weapons of mass destruction. In this regard, we underline that the existence and proliferation of weapons of mass destruction continue to pose a significant threat to international peace and security. We further underline that full, effective, and non-discriminatory implementation of the Convention contributes to regional and international peace and security.

The NAM States Parties to the Convention and China stress that the use of chemical weapons and toxic chemicals as weapons anywhere, by anyone, and under any circumstances is reprehensible and completely contrary to the provisions of the Convention and international law. We also reaffirm that those responsible for the use of chemical weapons must be held accountable.

The NAM States Parties to the Convention and China condemn the use of chemical weapons by terrorist groups. Deeply concerned about the use or threat of use by such groups, we request the Technical Secretariat (“the Secretariat”) to investigate, in accordance with the relevant provisions of the Convention, all reports on the use or threat of use of chemical weapons by such groups and keep the States Parties informed accordingly.

The NAM States Parties to the Convention and China express their deep concern regarding any attempt to accuse States Parties of using chemical weapons on the basis of unsubstantiated allegations made by media reports or any other open sources, including non-governmental entities. This trend can cause a dangerous precedent in the future work of the OPCW.

In this regard, the NAM States Parties to the Convention and China underline that the OPCW is the competent international organisation to verify the compliance of States Parties with the provisions of the Convention, whose authority and credibility must be upheld at all times.

Noting with serious concern that the final extended deadline of 29 April 2012 for the destruction of chemical weapons was not met by certain possessor States Parties, the NAM States Parties to the Convention and China stress that the destruction of chemical weapons is the fundamental and top priority of the Organisation and urge the only remaining possessor State Party to expedite all necessary measures to ensure its compliance with the provisions of the Convention and relevant decisions of the policy-making organs.

The NAM States Parties to the Convention and China stress that the destruction of old chemical weapons and abandoned chemical weapons should be completed in the shortest possible time in accordance with the Convention and relevant decisions adopted by the policy-making organs.

The NAM States Parties to the Convention and China stress that further efforts should be made to complete the destruction of chemical weapons on the territory of China, abandoned by Japan as soon as possible and to address challenges, including ensuring the safety of people and protecting the environment in accordance with the Convention and Council decision

Council-67/DCouncil.6, as amended by the Council at its Eighty-Fourth Session, according to the destruction plan beyond the year 2016, jointly submitted by Japan and China. The NAM States Parties to the Convention and China take note of the latest progress of the destruction of chemical weapons abandoned by Japan on the territory of China, despite the impact of COVID-19 and encourage China and Japan to continue cooperating closely to make sure the relevant work is advanced safely and smoothly.

The NAM States Parties to the Convention and China welcome the virtual visit by the Chairperson of the Council, the Director-General, representatives of the Council, as well as States Parties as observers to the Haerbaling abandoned chemical weapons destruction site in Jilin Province, in the People's Republic of China on 15 September. We believe such events will promote a better understanding of the current destruction situation, contribute to the deliberations in the policy-making organs, and expedite the destruction process of the chemical weapons abandoned by Japan on the territory of China. We also look forward to resuming the on-site visit when the situation allows.

Recalling the decisions of the Council with respect to the elimination and destruction of the Syrian chemical weapons, and the destruction of the Syrian chemical weapons production facilities, the NAM States Parties to the Convention and China welcome the substantive efforts made and progress achieved in this regard. We welcome the Director-General's reports on the completion of the destruction of all chemical weapons and chemical weapons production facilities, declared by the Syrian Arab Republic. We look forward to the continuation of the successful cooperation existing between the OPCW and the Syrian Arab Republic on all issues.

We take note of the work done so far by the Fact-Finding Mission (FFM) and look forward to receiving its reports on its ongoing activities. We expect the approach followed by the FFM teams would be uniform and consistent.

The NAM States Parties to the Convention and China reaffirm that Article XI deals with one of the core objectives of the Convention and is essential for the realisation of the object and purpose of the Convention. We attach great importance to the full, effective, and non-discriminatory implementation of all provisions of this Article in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for purposes not prohibited under this Convention, including the international exchange of scientific and technical information and chemicals and equipment for the production, processing, or use of chemicals for purposes not prohibited under this Convention. We also emphasise the need to strengthen and expedite efforts in the economic and technological development of the States Parties.

We also underline the importance of the promotion of international cooperation for the benefit of States Parties through the transfer of technology, materials, and equipment for peaceful purposes in the field of chemistry and removal of any discriminatory restrictions such as unilateral coercive measures against other States Parties that are contrary to the letter and spirit of the Convention, affect the Convention's long-term viability, and have an adverse impact on the existing level of trust among States Parties.

The NAM States Parties to the Convention and China recognise that the Annual Review and Evaluation Workshop for the Components of an Agreed Framework for the Implementation of Article XI is a useful platform to develop concrete measures and recommendations to ensure the full, effective, and non-discriminatory implementation of this Article. In this regard, we

request the Article XI facilitator to report on the ideas that have emerged from workshops and other relevant activities held during the intersessional period, to be reflected in the report of the policy-making organs. We also request the Secretariat to provide a comprehensive report on the gaps and challenges on the effective implementation of decision C-16/DEC.10, dated (1 December 2011), which is still applicable.

We appreciate the efforts made so far by the Article XI facilitator and encourage the continuation of inclusive outreach and constructive dialogue with all States Parties. We note with appreciation that the Drafting Committee has completed its work to streamline the list of ideas that emerged from the above-mentioned Review and Evaluation Workshops, and we look forward to fruitful discussions in ongoing Article XI facilitations.

We reiterate that a comprehensive discussion in the policy-making organs on the implementation of decision C-16/DEC.10, is the effective way to formulate an OPCW strategy for the full, effective, and non-discriminatory implementation of Article XI. In this regard, we strongly call on all States Parties and the Secretariat to take into consideration also the NAM States Parties to the Convention and China proposals (C-12/NAT.1, dated 6 November 2007) on the implementation of Article XI of the Convention, including the Plan of Action.

The NAM States Parties to the Convention and China emphasise the imperative of the policy-making organs of the OPCW to preserve permanently and allocate substantial financial, technical and human resources in the realisation of international cooperation activities in States Parties in developing countries, considering national and regional needs, realities and challenges. We note that the challenges have been accentuated due to the COVID-19 pandemic since 2020.

The NAM States Parties to the Convention and China have taken note of the Note by the Director-General and welcome addressing the matter of transfer of funds out of the International Cooperation and Assistance (ICA) Programmes during the Ninety-Eighth Session of the Council and the Twenty-Sixth Session of the Conference of the States Parties (“the Conference”). We note the recommendation made by the decision on the biennial Programme and Budget of the OPCW for 2022–2023, adopted by the Conference at its Twenty-Sixth Session, which called upon the Secretariat and States Parties to work collectively with a view to achieving the full and effective implementation of the ICA programmes, by ensuring that the relevant OPCW’s budgetary requirements are effectively met and programme delivery is promptly executed, in order to avoid or reduce the need for transfers between major programmes, including consideration of the retention of unspent funds for ICA in a special fund. We look forward to the full implementation of the above recommendation and remain ready to engage in any further consultations on this matter.

The NAM States Parties to the Convention and China welcome the progress made under the fifth phase of the OPCW Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention, as reported in the Note by the Director-General EC-101/DG.12 C-27/DG.8 (dated 7 September 2022), despite the public health challenges posed by the COVID-19 pandemic.

We further welcome the outcome of the meeting of the Steering Committee, held on 24 June 2022 and the meeting of National Authorities of States Parties in Africa held from 31 May to 2 June 2022. We note the ongoing consultations concerning the conception of the sixth phase of the Africa Programme and look forward to its launch, building on the

achievements made under the current phase of the Programme. To guarantee its sustainability, the NAM States Parties to the Convention and China underline the importance of funding future phases of this Programme under the regular budget of the OPCW.

The NAM States Parties to the Convention and China support the upgrading of the current OPCW Laboratory to an OPCW Centre for Chemistry and Technology to strengthen science and technology capabilities of the Secretariat in responding to the object and purpose of the Convention, as well as to support capacity building in States Parties in full conformity with its mandate. We welcome the steady progress of this Centre and urge that its modalities, mandate operational needs, and budgetary cost-benefit analysis should be considered and adopted by the policy-making organs. We also stress the importance of transparency and efficiency in the establishment, as well as the future work and programmes of the Centre. The Centre should contribute towards further development of capabilities of States Parties.

The NAM States Parties to the Convention and China wish to underscore the importance of obtaining designated laboratories in all regions and encourage the OPCW to continue its capacity-building efforts towards this objective.

The NAM States Parties to the Convention and China stress the need for all States Parties to fully implement their obligations under Article X. We urge States Parties and in particular those in a position to do so, to contribute to the Voluntary Fund for Assistance to ensure the ability of the Secretariat to develop a state of readiness to provide timely, adequate, and effective assistance to respond to the increasing demand of States Parties.

The NAM States Parties to the Convention and China pay profound respect to victims of chemical weapons and their families, and in light of the decision adopted by the Conference at its Sixteenth Session (C-16/DEC.13, dated 2 December 2011), appreciate the States Parties for their contribution to the trust fund for the International Support Network for Victims of Chemical Weapons and urge all the States Parties to actively contribute to the trust fund. We underline that insufficient contribution to the Voluntary Fund for Assistance, as a serious challenge sustained for years, will considerably limit the capacity of the OPCW to provide essential medicines and necessary medical assistance to the victims of chemical weapons.

The NAM States Parties to the Convention and China would like to draw the Council's attention to the continuing challenges posed by the COVID-19 pandemic. In this regard, the vulnerability of the chemical weapon's victims to COVID-19 requires specific and urgent assistance of all States Parties, in particular the developed countries. Furthermore, the NAM States Parties to the Convention and China underline that taking into account the specific situation of the victims of chemical weapons and the need to help to alleviate the adverse impact of COVID -19 on the victims of chemical weapons, the Scientific Advisory Board (SAB) could play an important role in this regard.

Furthermore, the NAM States Parties to the Convention and China call upon the OPCW Secretariat to explore mechanisms including cooperation with the World Health Organization to contribute in assisting the victims of chemical weapons.

The NAM States Parties to the Convention and China underline the responsibility of the States Parties and the Secretariat of the OPCW to assist the victims of chemical weapons and to coordinate and deliver to them the needed equipment, materials, and medicines, in accordance with Article X. We are of the view that any restrictions, including unilateral measures, imposed

by some States Parties against other States Parties, which impede assistance to the victims of chemical weapons, are contrary to the letter and spirit of the Convention.

The NAM States Parties to the Convention and China urge States Parties to take concrete measures including, inter alia by providing materials and equipment-related assistance available to those States Parties which are in need, without any restriction. In this regard, we welcome the efforts by the Director-General for his good offices to facilitate assistance to the victims of chemical weapons. In order to reach a positive outcome on this matter, we encourage the Director-General to continue and intensify his efforts and inform the Council about the latest developments in its regular meetings.

The NAM States Parties to the Convention and China encourage States Parties and the Secretariat to continue providing appropriate, effective, and tailor-made technical assistance and support to States Parties in enhancing their national capacities and in carrying out their national implementation measures in the context of Article VII, and provide the necessary financial support to do so. We firmly believe that Article VII obligations necessitate full and effective measures by all States Parties to implement all provisions of the Convention and encourage them to continue working towards this end.

The NAM States Parties to the Convention and China take note of the ongoing facilitations on the organisational governance of the OPCW. We reiterate that the recruitment of personnel in the Secretariat must be fair, transparent, and must ensure equitable geographic distribution, as mandated by paragraph 44 of Article VIII of the Convention, and gender balance at all professional levels of the Organisation. We emphasise that any amendment to the tenure policy shall not change the non-career nature of this Organisation. Furthermore, we call upon the Secretariat to devise as soon as possible appropriate modalities of a funded internship and Junior Professional Officer Programme, which will enable candidates from developing States Parties, to have equitable access to professional positions in the Secretariat.

The NAM States Parties to the Convention and China urge the Secretariat and States Parties to embody in organisational governance, required policy, programmes, and structural necessities to contribute to the full, effective, and non-discriminatory implementation of all provisions of the Convention, in particular Articles X and XI, while preserving the OPCW's experiences, expertise, and organisational governance on the destruction elimination of chemical weapons and to further strengthen the Convention in its entirety, taking into account the Convention as a unique multilateral negotiated disarmament instrument and ensuring the OPCW relevance.

The NAM States Parties to the Convention and China take note with appreciation the continuing efforts to promote gender equity within the OPCW and call for enhanced cooperation to promote the role of women and girls in the peaceful uses of chemistry. In this regard, we welcome the organisation of an online Symposium on Women in Chemistry on 1 July 2021 and look forward to the continuation of efforts to engage and represent women to promote the full and effective implementation of the Convention.

The NAM States Parties to the Convention and China reiterate that the discussions on the draft decision on the OPCW Advisory Body on Administrative and Financial Matters (ABAF) Rules of Procedure should be conducted in an open and inclusive manner, while preserving its independence and avoiding issues that may lead to its politicisation and polarisation. Bearing in mind that the ABAF is an open-ended body without decision making powers, the NAM States Parties to the Convention and China hold the view that every State Party has the right to

nominate an expert it deems qualified and appropriate as a member of the ABAF. We consider that broad geographical distribution and composition of experts with diversified and balanced backgrounds will benefit the optimised functioning of the ABAF.

NAM States Parties to the Convention and China call for efforts to address the issue of the aerosolised use of central nervous system-acting chemicals (CNS-acting chemicals) for law enforcement purposes that was adopted by vote at the Twenty-Sixth Session of the Conference through dialogue and consensus, which is important, in a comprehensive and constructive manner, to be considered in accordance with the Convention.

We note the ongoing consultations of the Open-Ended Working Group for the Preparation of the Fifth Review Conference to be held in May 2023. We emphasise the importance of this Working Group and encourage its close cooperation with all States Parties and regional groups to make all efforts to achieve consensus.

In conclusion Mr Chairperson, the NAM States Parties to the Convention and China encourage States Parties to work in the spirit of goodwill and cooperation for the successful conclusion of this session. We reiterate that the practice of consensus-based decision making by the policy-making organs is the right approach for achieving the object and purpose of the Convention. We urge all States Parties to neither polarise nor politicise the work of the Organisation. We further reaffirm the centrality of the policy-making organs in the evaluation and implementation of all issues related to the Convention, in accordance with their respective mandates.

Thank you.

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