



UKRAINE

**STATEMENT BY DR KATERYNA BILA
HEAD OF THE SECRETARIAT OF THE NATIONAL AUTHORITY ON THE
IMPLEMENTATION OF THE CHEMICAL WEAPONS CONVENTION OF THE
MINISTRY OF FOREIGN AFFAIRS OF UKRAINE AT THE FIFTH SPECIAL
SESSION OF THE CONFERENCE OF THE STATES PARTIES TO REVIEW THE
OPERATION OF THE CHEMICAL WEAPONS CONVENTION**

Mr Chairperson,

Allow me to join previous speakers in extending congratulations upon your assumption of Chairpersonship of the Fifth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (Fifth Review Conference). I would like to assure you that the delegation of Ukraine will support all your efforts to ensure a successful and meaningful outcome of our work during this session.

I would also like to thank H.E. Ambassador Lauri Kuusing of Estonia for his contribution as Chairperson of the Open-Ended Working Group, as well as OPCW Director-General Fernando Arias and the Technical Secretariat staff for their continued efforts in ensuring progress in implementation of the Convention and raising awareness about its important role in global multilateral disarmament and non-proliferation.

I would like to state that Ukraine fully associates itself with the statement delivered by H.E. Ambassador Marjolijn van Deelen on behalf of the European Union.

After 26 years since the entry into force the Chemical Weapons Convention (“the Convention”) is widely recognised as the first multilateral instrument, banning an entire class of weapons of mass destruction under strict and efficient international control and compliance mechanism. The Convention has made a major contribution to strengthen international peace and security by setting up the new standards for global disarmament and non-proliferation, and by providing assistance and protection against chemical weapons.

International cooperation in the peaceful use of chemistry, as an important pillar of the Convention, was designed to be powerful incentive for effective universality and comprehensive compliance with Convention’s provisions at the national level.

The Convention is first of all a disarmament treaty, its fundamental purpose is “to exclude completely the possibility of the use of chemical weapons”. Achieving this goal implies complete destruction of chemical weapons stockpiles. The figures associated with the demilitarisation agenda are impressive.



Being the most accepted international legal instrument in the area of disarmament and non-proliferation, the Convention with its 193 Member States is a unique political phenomenon and a showcase of synergy of the political will and common sense.

Despite the fact that we have to be proud of our achievements, this Fifth Review Conference comes at a crucial time in the history of the Convention and this Organisation.

The repeated use of chemical weapons in Syria, Iraq, Malaysia, and in the United Kingdom is a direct challenge to the global non-proliferation and disarmament architecture. After 26 years of the entry-into-force of the Convention, it is deeply shocking that the international community is still confronted with this issue. Ukraine condemns, in the strongest terms, any use of chemical weapons, including the use of any toxic chemicals as weapons, by anyone, be it a State or a non-State actor, anywhere, and under any circumstances. The use of chemical weapons is unacceptable. The international community must ensure accountability and continue to take a clear stance against impunity for such abhorrent acts.

Any such act cannot be left unanswered since it undermines not only the basic sense of justice but also leads to the erosion of the non-proliferation and disarmament regime and as a consequence it undermines the security of all of us. These developments demand a response. Let us hope that our steps towards attribution will help prevent such attacks from now on, let's hope the norm against the use of chemical weapons will be restored and upheld.

Universality of the Convention has long-term implications for its credibility and is indispensable to ensure the irreversible character of chemical disarmament and its global dimension. Ukraine highly appreciates the efforts undertaken by the OPCW in this sphere.

We strongly believe that in order to create the atmosphere of international trust, transparency and mutual responsibility, and with aim to give a further credibility to the OPCW, we need the highest degree of participation in the Convention. Since some States have not yet made their choice in favour of Convention, we also believe that it is a common task to use all possible political instruments to convince them to join the Convention in order to achieve its ultimate goal - to make the world free of chemical weapons. The Ukraine Government appeals to those four remaining States which have not signed or ratified the Convention to accede without delay.

The importance of universality of the Convention becomes even more crucial now in today's complex international environment, with a growing threat of a "chemical terrorism". In this context we salute and mark the enhancement of global chemical security in all stages of the chemical life cycle, for instance, throughout the stages of research and development, manufacture, transport in the supply chain, storage, and disposal of toxic chemical waste, and has continued to serve as a useful framework for considering the OPCW's further contribution to global efforts to prevent chemical terrorism.

We believe that the valuable effort in averting possible chemical terrorist acts would be the establishment on the regional and national levels of the effective preventing mechanisms based on closer cooperation between the interested States.

The OPCW has already proved its ability to ensure the implementation of the Convention - the process, which is based on three main pillars - disarmament, non-proliferation and international co-operation. Achieving the principal goal of the Convention, i.e., total elimination of chemical weapons, is an important instrument to consolidate global and regional stability and security.

We are satisfied that many countries completed the destruction of their declared chemical weapons arsenal and today only one country remains to completely rid of its chemical weapons. We have no doubt that the destruction will be completed on time.

Since the OPCW refocused its efforts to preventing the re-emergence of chemical weapons, the Organisation must better position itself to fulfil its verification functions to address the threat by the efforts of the non-State actors, and to support the implementation of Article VII, X, and XI through international cooperation and assistance, including capacity building.

The Secretariat also should further maintain readiness to conduct different types of inspections, including investigations of alleged use of chemical weapons and challenge inspections, and of providing technical assistance including through technical assistance visits (TAVs) to States Parties at their request.

Implementation of the Convention is one of the most important areas of our State's policy in the field of arms control and non-proliferation of weapons of mass destruction. This issue is under the close oversight of the President of Ukraine and the Ukrainian Government. That being said, we can assure you that Ukraine would never use any chemicals as a means of warfare. Ukrainians will never allow a Chernobyl-type disaster to happen again, which can pollute our planet and deprive future generations from enjoying it.

Ukraine has always displayed utmost responsibility in abiding by its obligations under the international treaties, specifically in the field of arms control and disarmament. Ukraine has never possessed chemical weapons and has never intended to develop, produce, accumulate or use them. The unconditional compliance with the Convention is a political priority for Ukraine in the field of arms control and non-proliferation.

Unfortunately, a few countries, most notably Russia, continue to threaten the international prohibition on the use of chemical weapons. In light of recent Convention violations, we must stand strong in our efforts to hold perpetrators accountable and to defend and uphold the Convention and our common security. Russian troops are systemically violating the norms of international humanitarian law and international human rights law in Ukraine.

It is widely recognised that Russia is an aggressor State, as evidenced by the United Nations General Assembly resolution of 2 March 2022 entitled "Aggression against Ukraine", as well as several other resolutions, the latest of which is dated 23 February 2023. It directly condemns Russia's illegal aggression and demands its immediate, complete and unconditional cessation. In addition, the order of the International Court of Justice of the United Nations dated 16 March 2022 ruled that the Russian Federation should immediately stop the military operation started on 24 February 2022 on the territory of Ukraine.

On 17 March 2023, Pre-Trial Chamber II of the International Criminal Court issued arrest warrants for two individuals in the context of Russia's war of aggression against Ukraine. Vladimir Putin and Maria Lvova-Belova are allegedly responsible for the war crime of unlawful forced transfers and deportations of civilians (children) from temporarily occupied territories of Ukraine to the Russian Federation (under articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute).

On 4 April 2023 the Human Rights Council adopted the resolution on the situation of human rights in Ukraine stemming from the Russian aggression. The Council urged the Russian Federation to cease the unlawful forced transfer and deportation of civilians within Ukraine or

to the Russian Federation, respectively, in particular of children, including those from institutional care, unaccompanied children and separated children, and demanded that the Russian Federation grant representatives and staff of established international human rights and humanitarian mechanisms unhindered, immediate, sustained and safe access, provide reliable and comprehensive information about the number and the whereabouts of these civilians, and ensure their dignified treatment and their safe return.

It is important to recognise that Russia, as an occupying State and aggressor, resorting to terrorism and using barbaric methods, should no longer dictate the international agenda, including within the framework of this Organisation. It is impossible to work together for a world free of chemical weapons with a country that constantly threatens it. If Russia's only intention is to disrupt the work and hinder the OPCW's activities, then its destructive influence on the Organisation should be limited.

The only way to ensure international peace and security is to immediately stop Russia's war of aggression against Ukraine. In order to find a solution, in November 2022, the President of Ukraine, Volodymyr Zelenskyy, presented a ten-point 'Peace Formula', which covers various areas, including the restoration of nuclear, food and energy security in the interests of the entire international community, and is based upon the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognised borders, extending to its territorial waters. Once implemented, this formula will bring a just and lasting peace to Ukraine and guarantee security around the world.

The key elements of this formula were reflected in the resolution of the United Nations General Assembly entitled "Principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine", adopted by an overwhelming majority of 141 votes on 23 February 2023. Therefore, we encourage the OPCW and its Member States to join international efforts to implement the 'Peace Formula' of the President of Ukraine Volodymyr Zelenskyy, as this will undoubtedly reduce the risk of chemical weapons use and bring the Organisation closer to its main goal - to build a world where chemistry is used in the service of peace, progress and prosperity.

We call on Russia to immediately, completely and unconditionally withdraw its military forces from the territory of Ukraine, cease its attacks and stop killing innocent Ukrainian people. Ceasefire without withdrawing Russian troops from the territory of Ukraine will only give the possibility for Russia to rest and for new attacks. Peace talks without withdrawal of Russian troops from the territory of Ukraine will lead to the conservation of the temporarily occupation of Ukrainian territories by Russia and will be used by Russia for a new wave of aggression later. Russia is an aggressor and terrorist State, Ukraine is a victim of aggression. That is why any proposals for the peace talks should be based on the understanding that the only way to secure a comprehensive, just and lasting peace is the full restoration of Ukraine's territorial integrity and for Russia to be made accountable for its crime of aggression.

Unfortunately, Russia, which usurped the place of the USSR in the United Nations Security Council 31 years ago, ignores and neglects the decisions of international bodies. It also abuses its veto power in the Council to circumvent Article 4 of the United Nations Charter and avoid any responsibility. We must put an end to this unacceptable situation by expelling Russia from the United Nations Security Council. This would guarantee the integrity and credibility of the decisions taken by this institution, which is supposed to promote international peace, security and cooperation.

Since the beginning of the unprovoked and full scaled Russian aggression, Ukraine, together with the OPCW Technical Secretariat (“the Secretariat”) and other Member States has been closely monitoring the situation within the scope of the Convention.

The continued Russian missile terror against the population of Ukraine and the destruction of energy infrastructure and chemical industry facilities raised our concerns about Russian hostile intentions. The shelling poses a serious threat of release of large quantities of toxic chemicals.

We are deeply concerned by evidence coming to light of Russian military forces using riot control agents against Ukrainian defence units. Each State Party undertakes not to use riot control agents as a method of warfare as stated under Article 1 of the Convention. Ukrainian authorities continue to gather facts related to all potential violations of the Convention. The Secretariat and the States Parties will be informed about the progress of the investigation in due course.

All governmental bodies and agencies of Ukraine involved in the process of the Convention implementation. It also manages the timely preparation of national declarations, escort of the OPCW inspection teams, export control procedures, establishment and functioning of the State analytical laboratory, personnel training, international cooperation in the field of the Convention as well as ensures confidentiality of information.

Ukraine is among those States which have a significant potential for cooperation in the framework of Articles X and XI of the Convention, taking into account its human and technical resources, high scientific and technological capacities.

The Convention sets out the basic obligations of each State Party to put into force adequate national legal instruments that are necessary to implement its duties. Ukraine has adopted appropriate legislation, which provides the legal framework for Convention implementation. The Government of Ukraine strictly controls all export-import operations and transfers of scheduled chemicals.

A comprehensive and timely implementation of the Convention is the only way to succeed in achieving the Convention aims. We note with satisfaction the progress that has been made in this respect by the States Parties and the OPCW Secretariat during the review process. Nevertheless, various problems in the implementation process should not escape our attention. One of them is a timely submission of annual declarations on past activities. We note with concern that not all Member States follow the deadline for submission of declarations as stipulated by the Convention. This hampers the effectiveness of the verification regime and causes a misbalance in the implementation of the Convention by the States Parties.

We also do believe that due attention should be paid to the issues of providing the Secretariat with the information on national measures for the Convention implementation, including update on national chemical weapons protection programmes, and enactment of the relevant legislative acts.

Ukraine sees this Review Conference as an important opportunity to reflect on the contribution the Convention has made to disarmament, non-proliferation, and security around the globe over the past five years. More importantly, it is also the time to deliver guidance on how this Organisation should contribute to the world’s security and stability over the next five years.

Ukraine recognises that the next five-year period we will see further rebalancing of efforts and resources from destruction to preventing proliferation, the re-emergence of chemical weapons, and the acquisition of toxic chemicals by non-State actors. We believe that it would be of value to the OPCW for States Parties to set targets and results for its activities over the coming five years, as a benchmark against which its effectiveness can be measured.

The convergence of chemistry and biology also pose challenges to the Convention. The dissemination of advances in science and technology could place the acquisition of chemical weapons and toxic chemicals more easily within the reach of non-State actors. Therefore, we fully support strengthening the OPCW's role to identify, monitor and report on relevant developments in science and technology.

In this context we strongly support a very important and relevant decision to upgrade the OPCW Laboratory and Equipment Store to a Centre for Chemistry and Technology. The establishment of the ChemTech Centre will enhance verification capabilities of the Secretariat by supporting the training of inspectors including through transfer of knowledge and skills, addressing the emerging science and technology challenges and opportunities. Ukraine recognises the crucial role that the ChemTech Centre will have in further promoting international cooperation in the field of chemical activities for purposes not prohibited under the Convention including by improving the capacity building of the States Parties through scaling up of international cooperation and assistance programmes. We also wish to commend Director-General Arias and the Secretariat for their efforts on this project implementation.

We are also confident that the capabilities of the Secretariat must be further strengthened due to the new challenges the OPCW is facing and the new environment it operates in.

The delegation of Ukraine is ready to fully co-operate with the OPCW Secretariat and the delegations of other States Parties to ensure the fruitful and comprehensive outcome of this Review Conference.

Thank you, Mr Chairperson, and I would like to request that this statement be treated as an official document of the Fifth Review Conference.

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