



**11th SESSION OF THE CONFERENCE OF STATES PARTIES
OF THE OPCW**

**STATEMENT BY
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TO THE ORGANISATION FOR THE
PROHIBITION OF CHEMICAL WEAPONS**

THE HAGUE, 6 NOVEMBER 2006

(Please check against delivery)

Mr. Chairman,

1. Allow me first of all to congratulate you on your election to the Chair. I am confident that with your wide experience and diplomatic skills you will guide this conference as competently and efficiently as you had chaired the Executive Council. Please be assured of the support and cooperation of Malaysia's delegation in accomplishing your task. I wish to also congratulate the new members of the Bureau on their election and to express my delegation's gratitude to the outgoing Chairman, His Excellency Ambassador José Antonio Arrospe for his outstanding stewardship of the 10th Conference of States Parties. Ambassador Arrospe who will soon be completing his assignment in the Netherlands, has made many friends within the OPCW fraternity as well as the Diplomatic community in The Hague. He will be missed by all his friends and colleagues. On behalf of my delegation I would like to wish him all the best in his future endeavours. Our thanks are also due to the Director-General, Ambassador Rogelio Pfirter for his informative and comprehensive report which will greatly assist us in our deliberations this week.

2. My delegation wishes to associate itself with the joint statement of the NAM CWC States Parties and China which was delivered by His Excellency Ambassador Oscar De Los Reyes Ramos of Cuba yesterday.

Mr. Chairman,

3. The membership of our organisation today stands at 181. My delegation wishes to join the other delegations in welcoming the new member States who have joined the OPCW since the 10th CSP. The increasing number of ratifications and accessions to the CWC is an important indicator of the global acceptance of its disarmament and verification regimes.

4. This impressive number is also testimony to the effective implementation of the Plan of Action on Universality. Malaysia is fully supportive of the Action Plan and the Secretariat's efforts to implement the Plan. In particular, Malaysia is pleased to note that the Organisation is intensifying its efforts to attract new members from regions where political tensions persist. In this context we wish to commend the

Director-General for his efforts to promote the universality of the Convention in the Mediterranean Basin and the Middle East. These efforts include the organisation of the regional workshop for States not party from this region which was held in Rome from 25 – 27 October 2006, personal visits to this region as well as contacts with the diplomatic missions based in The Hague and Brussels of the States concerned. We hope that these efforts will achieve the desired objective of bringing in these countries into the OPCW in the near future.

5. On Malaysia's part it has participated in many universality-related activities organised by the OPCW, such as the Asian regional meetings on National Authorities and the Meetings of National Authorities in The Hague ever since it became a State Party in May 2000. The most recent regional National Authority meeting which we participated in was the Asian regional meeting which was held in Jakarta, Indonesia from 5 - 7 September 2006. As usual we found it very useful to be able to exchange national experiences with the other participants and learn from one another. In the Asian region, the Convention has been accepted by nearly all the countries. The two notable exceptions are the Democratic People's Republic of Korea and Myanmar. We hope that it will not be long before these two States will join the ranks of OPCW Member States.

6. As we review the implementation of the Plan of Action on Article VII of the CWC, Malaysia is heartened with the progress that States Parties have made in implementing their Article VII obligations. It is a source of satisfaction to us all that there has been a significant increase in the number of States Parties that have designated or established their National Authorities since the 10th CSP. As at the reporting cut-off date of 29 September 2006 when there were 179 States Parties, only 9 States Parties had yet to designate or establish their National Authorities. However, according to the Director-General's report nearly all of the States Parties concerned are taking steps to fulfil their obligation.

7. The number of States Parties that have yet to enact legislation or adopt administrative measures to implement the Convention has decreased to 67 during the same period. From Malaysia's own experience, even when a State Party has the necessary legal expertise in drafting laws, the enactment of legislation can still

be a protracted process especially in situations of competing legislative drafting priorities, the need for public consultations with relevant interest groups, and in political systems with a bicameral legislature and which requires the assent of the head of State before laws passed by the legislative body can come into force, the process may take even longer. We would therefore urge greater understanding of the different situations prevailing among States Parties.

8. Malaysia is fully supportive of the approach that the Organisation is taking of providing assistance, on request, to States Parties to meet their obligations under the Action Plan. We also support the draft decision to extend for another year the provisions of C-10/DEC.16. We are confident that with the present pro-active approach adopted by the Secretariat to make contact with each and every one of the States Parties concerned to offer technical assistance in drafting or offering comments on draft legislation as directed by the 10th CSP, the number of States Parties who are lagging behind will steadily decrease.

9. Malaysia has benefited from such assistance from the Secretariat in the preparation of its implementing legislation which meets all the criteria used by the Secretariat. The Secretariat's comments on our draft legislation was extremely helpful. Our Chemical Weapons Convention Act came into force on 1 September this year. The Act will greatly facilitate our efforts to implement our obligations under the Convention fully and effectively. We are pleased to note that in Appendix I to the Director-General's report on the status of implementation of Article VII of the Convention by States Parties, Malaysia has satisfied all the indicators used in the reports on the Article VII Plan of Action. We wish to place on record our gratitude to the Secretariat for the valuable support and assistance rendered in the preparation of our implementing legislation as well as in the capacity building of our National Authority.

10. Malaysia is supportive of the OPCW's efforts to oversee the implementation of the Convention. We consider it important to facilitate the work of the OPCW especially in areas where we can make a contribution. In this regard Malaysia was pleased to co-organise with the Secretariat an Asian regional meeting on Assistance and Protection against Chemical Weapons which was held in Kuala Lumpur from 8 –

12 May 2005. A total of 83 participants from 17 Asian countries as well as 5 resource persons from the Secretariat participated in the meeting.

Mr. Chairman,

11. The destruction of chemical weapons and associated facilities is the central objective of the CWC. Although we understand and appreciate the difficulties and challenges faced by some possessor States in meeting their destruction deadlines, we nevertheless believe that it is important for the credibility of the Convention that possessor States should do their utmost in ensuring that the final deadline of 2012 is met.

12. Malaysia is pleased to note the report of the Director-General that in the three years since the tenure policy has been implemented, initial problems encountered have been largely overcome and that there has been no noticeable decline in the degree of professionalism of staff in general. We are also pleased to note that an unexpected benefit of the policy on tenure has been to bring the Secretariat closer to meeting the goal of broader geographical representation and gender balance of its staff. Malaysia also believes that where circumstances require, policies should be adjusted to accommodate new and unanticipated developments. In the case of the tenure policy we are of the view that the Director-General's exceptional authority to extend staff member's contracts beyond the seven years total length of service provided for in staff Regulation 4.4 (b), should be extended to 29 April 2012, in order to avoid compromising the operational effectiveness of the OPCW. The extension of the Director-General's exceptional authority to the aforementioned date is logical given the April 2012 final destruction deadline established under the Convention. Malaysia is therefore happy to support the Draft Decision on the future implementation of the tenure policy.

13. On administrative and financial issues, we wish to commend the Secretariat on the cost-saving measures that it has adopted in carrying out its activities in 2006. With respect to the proposed programme and budget for 2007, whilst Malaysia welcomes a zero nominal growth budget, we do not see the usefulness of a reduced budget, in this case, a reduction of 1.7 percent in real terms. In Malaysia's view, the

savings resulting from cost-saving measures could be more usefully channelled to ICA programmes and activities, particularly capacity-building activities to assist developing States Parties in fully implementing the provisions of the Convention.

Mr. Chairman,

14. I would like to take this opportunity to pay tribute to the Director of the International Cooperation and Assistance Division, Mr. John Makhubalo, who will be leaving the Secretariat early next year. During his tenure, Mr. Makhubalo has succeeded in building this division into a strong and effective deliverer of ICA programmes and services which have benefited so many States Parties including my own country. We wish him well in his new career.

15. In concluding, I wish to reiterate Malaysia's commitment to the goals of the Convention and our determination to work with other States Parties and the policy making organs of the OPCW to ensure the effective implementation of the Convention.