



OPCW

Executive Council

Sixty-Sixth Session
4 – 7 October 2011

EC-66/NAT.9
4 October 2011
ENGLISH only

KENYA

**STATEMENT ON BEHALF OF THE AFRICAN GROUP OF STATES PARTIES
AT THE SIXTY-SIXTH SESSION OF THE EXECUTIVE COUNCIL**

Mr Chairperson,

1. The African Group of States Parties to the Chemical Weapons Convention would like to welcome you back to the Chair of the Council. We look forward to working closely with you in ensuring that the Council gives substantive consideration to the issues before it and bring them to a successful conclusion.
2. The African Group of States Parties associates itself with the statement made on behalf of the Non-Aligned Movement and China by the Permanent Representative of Cuba.
3. The Group has also taken note of the opening statement by the Director-General on the activities of the Organisation and the reports of the Council by the Vice-Chairpersons on the work that they have undertaken since the last meeting of the Executive Council. We are pleased to see the Bureau of the Council and the facilitators working diligently to maintain the momentum that had been achieved to address:
 - (a) The issues that have been identified for focussed facilitation; and
 - (b) The list of outstanding matters that had been accumulating since the Convention entered into force.

These issues require a sustained effort and momentum in order to achieve the expected outcomes as soon as possible.

4. We have taken note of the presentations and reports made on the destruction of chemical weapons stockpiles, of old chemical weapons and of abandoned chemical weapons, and would like to commend the States Parties concerned on the progress that they continue to make. The African States Parties believe that the destruction of all chemical weapons is one of the core objectives of this Organisation, not least because of the fact that the continued existence of chemical weapons is a threat to international peace and security.



5. We have also taken note of the report of the Director-General on the progress that has been made in meeting the revised deadlines for the destruction of chemical weapons. While we acknowledge the progress that is being made, the African Group wishes to reiterate its concern at the probability that the major possessor States Parties will not meet the destruction deadline of 29 April 2012.
6. In this context, and in view of the probability that the final extended deadline will in fact not be met by the possessor States concerned, we have noted that the Sixty-Fourth Session of the Executive Council adjusted the mandate that has been given to you Mr Chairperson for the informal consultations that are being conducted on the issue. In EC-64/6, the Chairperson is now requested to:

“... conduct further consultations, with a view to finding a solution and submitting recommendations to the Conference for consideration at its Sixteenth Session.”
7. With the agreement that was achieved on this new mandate, it is clear that the time has now come to conclude our work. The African Group is satisfied with the progress in consultations that have been taking place and we believe that the changed approach that you have followed has brought us to the verge of an agreement. By focusing on an approach that seeks to identify the area where consensus could be best achieved, the interests of all States Parties have been taken into account. We call upon all Members of the Executive Council, and particularly upon the possessor States Parties concerned, as well as on the States Parties that have particular concerns in this regard, to work constructively with you and to be prepared to show the necessary flexibility that will allow us to meet the mandate provided by the Sixty-Fourth Session of the Executive Council (EC-64). The consensus decision-making mechanism that is followed by the Council, and which we continue to see as the only mechanism that allows us to successfully undertake all of our work, means that it is not possible for any side to the debate to demand that their interests must be maximised. This is the nature of multilateralism and it is what allows all of us to protect our interests. It is on this basis that the African Group supports the proposal for a decision by the Conference of the States Parties that you have presented to the Council today. The text of this decision has not only been formulated in such a way that all of the key issues are addressed, but it also remains loyal to the Convention. You have also crafted the wording in the decision in such a way that the delegations that have particularly strong views are able to interpret the text in a way that is positive from their perspective.
8. To ensure that the Executive Council is able to successfully address all of the issues surrounding the 29 April 2012 deadline issue, the African Group also believes that the Council will also need to address the issues of “abandoned chemical weapons” and of “old chemical weapons”. We look forward to the delegations involved coming forward at an early time with draft decisions that would address the question of 29 April 2012 as it relates to them in a satisfactory way.
9. The African Group took note of the informal meeting that took place on 1 September 2011 with regard to the Libyan concerns about the security of the chemical weapons stockpile in Libya and their request for OPCW assistance. As mentioned in the previous statements of the Group to the Council we are satisfied with the adoption of EC-M-30/DEC.1 by the Thirtieth Meeting of the Executive Council

and with the extension of the Category 1 and Category 2 chemical weapons destruction deadlines for Libya until the final extended deadline of 29 April 2012 as had been requested by Libya in EC-M-30/NAT.1. In this context, we would like to reiterate our call as in those previous statements made to the Council by the Group, which urged Libya to take every necessary step to ensure the safety of the weapons in its possession and an eventual process of verified destruction in accordance with the provisions and obligations of the Chemical Weapons Convention as soon as circumstances permit. The Group would also like to express that it has no doubt that Libya as the possessor State Party is committed to its obligations in terms of the Convention for the safety and security of its chemical weapons stockpiles. The African Group welcomes and appreciates any form of support in response to the Libyan request for assistance.

10. The Group reiterates its call for a speedy resolution of the matter related to the conversion of chemical weapons production facilities, which has been deferred several times. Of particular relevance in this regard is the Director-General's certification of the conversion of these facilities, which should be the guiding principle in any decision on this matter. It is our view that a decision in this regard should be based on a combination of elements that would, for example, include the certification by the Director-General, declarations by States Parties on the facilities concerned, the prospect of Council decisions based on recommendations from the Technical Secretariat on further verification measures (including inspections) and Article VI inspections where the selection methodology is influenced by any additional risk factor/s due to its position as converted facility.
11. The African States Parties attach great value to the implementation of Article X, which provides for assistance and protection to States Parties against chemical weapons. It is important in this regard to ensure practical capacity building as well as the transfer of material and equipment to deal with chemical incidents on a regional and subregional basis. The movement of chemicals across borders in Africa also calls for a responsive Organisation that is able to address a wide range of chemical incidents. In this regard, we took note and welcomed the discussions during the informal consultations that took place in September 2011 on the regional assistance and protection concept—Chemical Weapons Convention assistance-and-protection centres and regional networking—and on the establishment of the International Support Network for the Victims of Chemical Weapons. We look forward to fruitful deliberations on the development of measures for emergency assistance to States Parties in need and to the victims of chemical weapons. While noting the unequal geographical distribution of offers of assistance and protective resources among regions, the African Group calls for the enhancement of protective capabilities in Africa through a regional centres mechanism.
12. We would also like to continue to encourage States Parties to fully support the ongoing informal consultations on Article XI. We urge all States Parties to move expeditiously in finalising the development of concrete measures and recommendations to ensure the full, effective and non-discriminatory implementation of Article XI through an agreed and suitable framework. The various proposals made in the report of the workshop held in November 2010 should continue to inform the identification of practical proposals that will assist to realise meaningful implementation of Article XI. We once again call on the Organisation to look into a

realistic budget allocation that supports the objectives of this important article of the Convention in order to implement recommendations that will be agreed upon. The Group believes that the full, effective and non-discriminatory implementation of Article XI will ensure that the Convention remains relevant to all of us regardless of our geographic locations. In this regard we welcome the draft decision presented by the facilitator and urge all States Parties to work together in finalising the text of the draft decision in order to fully implement the provisions of this important part of the Convention.

13. Bearing in mind that the OPCW is not an anti-terrorism organisation, the African Group welcomes the appointment of H.E. Ambassador Rono of Kenya as the facilitator of this issue and looks forward to the resumption of the deliberations in the Open-Ended Working Group as it will continue the efforts to further cooperation between the OPCW and international organisations and partners in support of the global efforts against terrorism. We therefore call for active participation amongst States Parties to develop concrete activities that will tremendously prevent potential threats of use of chemical weapons and toxins. The African Group also continues to encourage positive collaboration and cooperation between the OPCW, States Parties and regional centres for counter-terrorism, such as the African Centre for the Study and Research on Terrorism in Algiers.
14. The African Group also remains committed to meeting all its obligations in full by implementing their national obligations under the Convention and to continue to work with the Organisation in order to make progress on the implementation of their national implementation measures. We also continue to call on the Organisation to assist the States Parties that have never possessed chemical weapons and that do not have declarable chemical activities to develop their chemical capacity and industry. This will significantly enhance their ability to contribute to the maintenance of regional and international peace and security and highlight the contribution which the safe and peaceful use of chemicals can make in meeting their developmental needs.
15. The African Group of States Parties is pleased by the continued implementation of the Programme for Africa by the Technical Secretariat. In this regard we look forward to continued cooperation with the Secretariat in the work that they have undertaken and are planning to strengthen the Programme by developing new actions and projects. A targeted programme strengthens the implementation of the Convention and will in turn contribute towards capacity building and a transfer of skills to African States Parties.
16. On the issue of the composition of the staff of the Organisation, we continue to urge the Technical Secretariat to ensure, through its recruitment processes, equitable geographical and gender representation in the professional ranks of the Organisation, particularly in the senior and management cadres. With respect to the tenure policy, we note the discussions taking place and we look forward to its finalisation. As mentioned in our statement to the last session of Council, we note the importance of a flexible tenure policy due to the need to continue with verification activities beyond the final extended deadline of 29 April 2012, a situation that was not envisaged in the Convention and that was also not foreseen when the Organisation was established. We should therefore move expeditiously in finalising the draft decision that has been subject to discussions in informal consultations by States Parties in this regard.

17. With regards to the proposed programme and budget of the Organisation for 2012, we welcome the proposed budget and we look forward to a successful conclusion of the budgetary process. We appreciate the continued commitment by the States Parties in the form of assessed contributions and other voluntary contributions to the priorities and programmes of the Organisation, including the allocation of required resources for the international cooperation and assistance projects. Bearing in mind that the International Cooperation and Assistance programme is one of the core objectives of the Organisation and that the future priorities are dynamically shifting, we will continue to actively engage with other States Parties and the Technical Secretariat in order to adequately fund and sustain the key capacity-building activities and programmes geared towards promoting and maintaining international chemical safety and security.
18. The African States Parties welcome the report of the Advisory Panel on future priorities of the OPCW established by the Director-General. The Group believes that the importance of the discussion on a natural progression in the priorities of the Organisation cannot be overemphasised as it is relevant for its future direction and we are hopeful that the outcome of the deliberations in this regard, including the recent Ambassadors retreat convened by the Director-General on 22 September 2011, will positively contribute to the discussions among the States Parties on the future priorities of the Organisation and will ensure that the Organisation remains relevant to all States Parties. The Group also wishes to advise that the recommendations of the Advisory Panel should be dealt with in a holistic manner.
19. During the retreat the question of improving the method of work of the Executive Council was raised. While the African Group would not support an approach that would move away from “consensus” as the norm for decision making, we have also previously registered our concerns at the method of work. During the Sixty-First Session of the Executive Council, the African Group made a detailed and substantive evaluation of the problems that we see in the Executive Council and also of the solutions that could be utilised to attempt to resolve these concerns. To contribute further to this debate, the African Group has prepared a paper entitled “Working Paper by the African Group: Functioning of the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW)” and we request that this document be circulated as a working paper of the Executive Council. For ease of reference, a copy of the paper has also been attached to the African Group statement that is being circulated in the Council.

Mr Chairperson,

20. We would like to request that this statement be circulated as an official document of the Sixty-Sixth Session of the Executive Council.

I thank you.

--- 0 ---