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RUSSIAN FEDERATION

**STATEMENT BY H.E. AMBASSADOR A.V. SHULGIN
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE OPCW
AT THE EIGHTY-FIFTH SESSION OF THE EXECUTIVE COUNCIL
UNDER AGENDA ITEM 9**

Mr Chairperson,

We have previously stated and now wish to reiterate that in general, we welcome the initiative to have the Executive Council (hereinafter “the Council”) adopt a decision on countering the threat of the use of chemical weapons by non-State actors. However, we cannot agree with the approach to the development of this document upon which its authors are insisting.

Unfortunately, at literally the last minute before the session began, an updated draft of this document was submitted. This meant that neither the delegations nor the capitals had sufficient time to review it properly. Furthermore, the initiators apparently did not find it necessary to take note of our repeated calls to hold a broad and open discussion of the draft, thus providing an opportunity to obtain a consensus on the text. And while they took into consideration the comments voiced by other delegations, it was all done behind the scenes, without a proper dialogue. It remains unclear to us why certain important Russian proposals on amending the text were not taken into consideration. We are left with no choice but to state that many questions remain with regard to the contents of this document. And we find this “take it or leave it” approach to work absolutely unacceptable.

We do not want to force the honourable members of this Council to linger too long on the details (that is for the experts to do), but all the same, we would like to give just one example of something that needs to be dealt with. In paragraph 14 of the draft, the following text has been proposed: “any chemical weapon seized from a non-State actor should be secured, reported, and destroyed in accordance with objective of the Convention”. But let us take a closer look between the lines of what appears to be perfectly acceptable phrasing. In particular, the altogether unconventional concept of “seized” chemical weapons is introduced here. But it was by no accident that the founding fathers of the Chemical Weapons Convention (“Convention”) provided an entire section of definitions for this international treaty—in which there is no such term. The qualification of chemical weapons is important in order to determine the level of a State Party’s responsibility relative to one or another type of chemical weapon: are weapons from a declared national stockpile, “old”, “abandoned”, or manufactured before or after 1946?

The question then arises as to how to read between the lines of the phrase: “destroy terrorist weapons in accordance with the objectives of the Convention”. Does this not in fact diminish



the principles according to which all chemical weapons are to be handled and destroyed in strict compliance with the rules and procedures clearly set out in the Convention? Chemical weapons must be immediately declared to the OPCW, not post factum after their destruction; the elimination of these weapons must be carried out under the rigid control of the Technical Secretariat's inspectors, and so on.

We are being asked to approve a draft with raw, "unpolished" content. But this is not simply a statement; it is a decision of the Executive Council of the OPCW that must be implemented. It is important to look at this document from the viewpoint of its full implementation. And for that, an in-depth expert-level discussion is necessary. The results of such a discussion would clarify whether or not the tools we currently have at our disposal are sufficient for the fight against chemical terrorism, or if something is still lacking.

In summary, I would like to emphasise that we believe it is essential to bring this draft into alignment with the provisions of the Convention and with due consideration for the actual—and not declarative—state of affairs within the OPCW, specifically relative to its antiterrorist efforts. We confirm our readiness to discuss this matter within an expert-level format. Further, we proposed that the Sub-Working Group on Non-State Actors, led by Honourable Ambassador Infante of Chile, would be the best suited forum for such a discussion.

Thank you, Mr Chairperson.

We request that this statement be circulated as an official document of the Eighty-Fifth Session of the Council.

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