



**OPCW**

**Executive Council**

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Sixty-Third Meeting  
25 February 2019

EC-M-63/NAT.3  
27 March 2019  
ENGLISH and RUSSIAN only

**RUSSIAN FEDERATION**

**REQUEST FOR CIRCULATION OF A DOCUMENT**

The Permanent Representation of the Russian Federation to the Organisation for the Prohibition of Chemical Weapons (OPCW) has requested the Technical Secretariat of the OPCW to circulate the attached note verbale as an official document of the Sixty-Third Meeting of the Executive Council.

Annex: Note Verbale No. 547 from the Permanent Representation of the Russian Federation to the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons, dated 27 March 2019



**Annex**

**NOTE VERBALE NO. 547 FROM THE PERMANENT REPRESENTATION  
OF THE RUSSIAN FEDERATION TO THE TECHNICAL SECRETARIAT  
OF THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS  
DATED 27 MARCH 2019**



PERMANENT REPRESENTATION  
OF THE RUSSIAN FEDERATION  
TO THE ORGANISATION FOR THE PROHIBITION  
OF CHEMICAL WEAPONS IN THE HAGUE

No. 547

The Permanent Representation of the Russian Federation to the Organisation for the Prohibition of Chemical Weapons (OPCW) presents its compliments to the Technical Secretariat of the OPCW (hereinafter “the Secretariat”) and, with reference to the results of the Sixty-Third Meeting of the OPCW Executive Council, as well as Note Verbale from the Secretariat NV/ODG/PMO/218393/19, dated 26 February 2019, has the honour of stating the following.

Paragraph 5 of Article XV of the Chemical Weapons Convention (hereinafter “the Convention”) sets out a special procedure for making changes to the Schedules of Chemicals in the Annex on Chemicals to the Convention. In line with this procedure, the Executive Council of the OPCW, having examined a relevant proposal, is to recommend that the States Parties either adopt or reject it. Furthermore, sub-paragraph 5(d) of Article XV of the Convention provides for two cases: either the Executive Council “recommends to all States Parties that the proposal be adopted”, or it “recommends that the proposal be rejected”. Neither the Convention nor the Rules of Procedure of the Executive Council contain any grounds to conclude that a situation in which the Executive Council votes against a draft decision

recommending the adoption of a proposal automatically qualifies as a negative recommendation.

In this regard, both positive and negative recommendations of the Executive Council formulated in line with paragraph 5 of Article XV of the Convention should be drawn up as separate documents and then circulated to all States Parties to the Convention in line with the aforementioned sub-paragraph (d).

In light of the above, the Russian Federation proceeds from the fact that the conclusions of the Secretariat in the aforementioned note do not comply with the Convention or the Rules of Procedure of the Executive Council, since, as per the results of the vote, the latter only rejected the draft decision of the Russian Federation with a positive recommendation on that matter. The Secretariat is not authorised to interpret decisions of the Executive Council or the results of the debates that take place there. Consequently, it is improper that the Secretariat started the 90-day procedure with regard to the proposals of the Russian Federation to enter changes to the Annex on Chemicals to the Convention as set out in sub-paragraph 5(d), during which the States Parties are to make a decision regarding the recommendation of the Executive Council to reject these proposals. The Executive Council of the OPCW did not submit such a recommendation. Thus, it is obvious that based on the results of its Sixty-Third Meeting, the Executive Council did not fulfil its function under the Convention.

The Russian Federation requests that the Secretariat inform the States Parties of the contents of this note verbale and circulate it as an official document of the Sixty-Third Meeting of the Executive Council and publish it on the OPCW website.

The Permanent Representation avails itself of this opportunity to renew to the Secretariat the assurances of its highest consideration.

[initials]

The Hague, 27 March 2019

[official seal of the Embassy  
of Russia to the Netherlands]

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