

**Statement by H.E. Ambassador Shujjat Ali Rathore,
Permanent Representative of Pakistan to the OPCW
at the 94th Session of the OPCW Executive Council
(7-10 July 2020)**

Mr. Chairman

In welcoming you as the new Chairman of the Executive Council, my delegation recognises your eminent qualifications for this important responsibility. We assure you of Pakistan's full cooperation and support.

My delegation aligns itself with the statement made by the distinguished Ambassador of the Republic of Azerbaijan on behalf of the States Parties belonging to the Non-Aligned Movement and China.

Mr. Chairman

The very format and structure of this session of the Executive Council are reflective of the extraordinary times we are living through. The global Covid-19 pandemic has claimed so many precious lives and massively disrupted the socio-economic order that provided assurances of livelihood and well-being to millions of people around the world. While we anxiously await the beginning of a post Covid-19 era and prepare for its new normal, it is creditable for the Secretariat to have striven for business continuity as best as it could of which holding this session of the Executive Council is an obvious example. It is our hope that efforts will continue for the effective restoration of the essential supervisory and consultative responsibilities of the Executive Council.

One of the key benchmarks of our progress has been the success in verifiably eliminating declared stockpiles of chemical weapons. Unfortunately, but

understandably there has not been an advance since the last reported figure of 97 percent destruction in December 2019.

In the face of the pandemic showing little sign of reversal, it stands to reason that the destruction of the remaining 3 percent of chemical weapons will be affected. This together with other critical aspects of the work of the OPCW constitute important subjects for review in order to create a reasonable road map of how the OPCW will continue to function during this time of crisis.

Mr Chairman,

These past few years the OPCW has remained preoccupied with the incidents of use of chemical weapons. The attention to this appalling reality is justified even as some of the means adopted to tackle it are not.

In taking note of the release of the first report of the Investigation and Identification Team, Pakistan recalls its position, key aspects of which have been articulated in our previous national statements.

First, the decision came in the wake of the inability of the United Nations Security Council to deal with allegations of use of chemical weapons in Syria. Be that as it may, the legal framework laid out in the UN Charter as well as the CWC does not allow for the creation of any mechanism that infringes on established processes. The creation of the IIT is tantamount to reversing the order of referral mandated in the Chemical Weapons Convention wherein matters of particular gravity, once so determined by OPCW policy making organs, are to be referred to the United Nations for further action in accordance with the UN Charter's rules for the restoration of international peace and security. It is unprecedented for an international mechanism to imitate these essential prerogatives of the United Nations Security Council.

Second, a carefully crafted and balanced framework exists in the Chemical Weapons Convention (CWC) wherein judgements concerning questions of compliance or otherwise rest solely and exclusively with the policy making organs of the OPCW and not the Secretariat or any of its appendages. As a general principle, any reports, conclusions or judgements that contravene the applicable provisions of the Convention remain ultra vires. Third, the decision breached the time-honoured tradition of consensus on substantive issues that has underwritten the success of the OPCW. The mechanism was thus created in controversial circumstances. There is little benefit that can come in persisting in such a course of action. As a matter of fact, some States Parties might feel compelled to consider their approach towards the OPCW if its functions are deemed to exceed the carefully crafted balance of rights and responsibilities prescribed in the Convention.

The provisions of the Convention by virtue of their acceptance by all States Parties cannot be considered subservient to a decision that was voted upon. Therefore, without prejudice to our position on the legitimacy of the mechanism, we reserve our judgement on the substantive aspects of the Report given that much of what has been said is based on information that remains shrouded in mystery and ambiguity. Considering the already dire state of global disarmament where instead of further progress, the trend is that of one reversal after another, it would be tragic indeed if the CWC were to follow suit simply because some countries continue to believe that they can vote to modify the application of the Convention at will and without given much thought to the consequences of sustaining such discord.

Pakistan's commitment to the CWC which goes beyond the rhetorical for the Convention has contributed to promoting security in our region and the world. For

the same reason our condemnation of any use of chemical weapons remains unequivocal. We remain convinced that the goals of the Convention can only be promoted through strict adherence to its provisions and those of the UN Charter.

We will also continue to recognise the impartiality and professionalism of the OPCW Technical Secretariat headed by Director-General Ambassador Fernando Arias. The OPCW must at all times afford them a professionally and ethically sound environment.

We have taken note of the Director General's Report on Progress in the Elimination of the Syrian Chemical Weapons Programme. Here too the impact of the Covid-19 pandemic is evident in that some planned activities, and more crucially the intended dialogues, have had to be postponed. It is our hope that conversations between the Secretariat and the State Party will resume at the earliest in order to find ways and means of resolving outstanding issues.

Before concluding I wish to also mention the importance of further consultations and forging consensus on the draft decision titled "OPCW Advisory Body on Administrative and Financial Matters – Rules of Procedure" submitted by delegations of Bulgaria, Canada, Czech Republic and others which is once again on the Council's agenda. This matter needs to be considered fully in the light of precedence that has for years been accepted in this Organisation. Change for the sake of change cannot be an adequate justification. The reasons compelling it need to be of general interest to all States Parties and not triggered by isolated and particular interests.

Mr. Chairman,

This session of the Council is unprecedented for the constraints we face as imposed by circumstance. We remain ready to contribute fully in facilitating your

task of bringing it to a successful conclusion and thereby setting the tone for our work to follow until hopefully we can all return to the familiar modes of interaction, debate and discussion.

Thank you