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5 November 2021

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UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

**REQUEST FOR CIRCULATION OF A DOCUMENT
AT THE NINETY-NINTH SESSION OF THE EXECUTIVE COUNCIL**

The Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the OPCW has requested that a note verbale addressed to the Technical Secretariat, dated 5 November 2021, be circulated as an official document of the Ninety-Ninth Session of the Executive Council.

Annex: Note Verbale No. 109/2021 from the Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the OPCW Addressed to the Technical Secretariat, Dated 5 November 2021



Annex

**NOTE VERBALE NO. 109/2021 FROM THE PERMANENT REPRESENTATION OF
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO
THE OPCW ADDRESSED TO THE TECHNICAL SECRETARIAT,
DATED 5 NOVEMBER 2021**

Note No. 109/2021

Her Britannic Majesty's Permanent Representation to the Organisation for the Prohibition of Chemical Weapons (OPCW), on behalf of 45 States Parties (Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America), presents its compliments to the Technical Secretariat of the OPCW and has the honour to request it to convey to the Russian Federation's Permanent Representation to the OPCW, the following response to Note Verbale No. 44 received via the OPCW Technical Secretariat (NV/ODG-155/21) on 8 October 2021.

The 45 States Parties recall the provision in Article 9, paragraph 2 of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, which requires a State Party that has received a request for clarification to provide a response with 'information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter', not later than 10 days after the request.

The 45 States Parties do not consider that Note Verbale No. 44, along with its annexes, answers the specific questions or answers the doubts and concerns raised in Note Verbale No. 093/2021. The 45 States Parties urge the Russian Federation to provide answers to the questions in accordance with its obligations under the Chemical Weapons Convention. For the sake of clarity the questions are set out below:

Questions:

- 1. We request that the Russian Federation describe, in detail, what actions it has taken since 20 August 2020 to address this incident in light of its obligations under the CWC, including Article VII.
Article VII, 1. States: "Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall:**
 - (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity**

- (b) Not permit in any place under its control any activity prohibited to a State Party under this Convention; and
- (c) Extend its penal legislation enacted under subparagraph (a) to any activity prohibited to a State Party under this Convention undertaken anywhere by natural persons, possessing its nationality, in conformity with international law.
2. We request that the Russian Federation share with the OPCW States Parties the results and conclusions of the actions taken described in Question 1, including an explanation for the findings in the cited OPCW TAV report (S/1906/202, 6 October 2020)
3. We request that the Russian Federation explain what further steps are envisaged to address this incident.
4. We ask the Russian Federation to explain in detail the state of play of the envisaged cooperation with the OPCW, especially with regard to the invitation for a TAV to Russia, as announced in October 2020. In particular, why the Russian Federation has been unable to accept the standard modalities for such a visit.

The United Kingdom would be grateful if the Technical Secretariat could circulate a copy of this Note Verbale to all States Parties and make it available on the OPCW public website and Catalyst as an official document of EC-99.

The Permanent Representation of the United Kingdom of Great Britain and Northern Ireland to the OPCW avails itself of the opportunity to renew to the Technical Secretariat of the OPCW the assurances of its highest consideration.

British Embassy

The Hague

05 November 2021

