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**Conference of the States Parties**

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ENGLISH and FRENCH only

**SWITZERLAND**

**STATEMENT BY H.E. AMBASSADOR HEINZ WALKER-NEDERKOORN  
PERMANENT REPRESENTATIVE OF THE SWISS CONFEDERATION  
TO THE OPCW AT THE TWENTY-SIXTH SESSION  
OF THE CONFERENCE OF THE STATES PARTIES  
UNDER AGENDA ITEM 26**

Mr Chairperson,

Switzerland, as a co-sponsor of the draft decision before the Conference of the States Parties (“the Conference”) entitled “Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes”, calls on all members of the Conference to adopt this decision. The draft decision (C-26/DEC/CRP.1/Rev.1) has been submitted by more than 50 States Parties.

At the outset, I would like to take a minute to go back to the long-standing concerns of my country about aerosolised central nervous system-acting chemicals in the context of law enforcement and our repeated efforts to address this challenge. Indeed, Switzerland first raised this issue officially at the OPCW in a national working paper during the Second Review Conference of the Chemical Weapons Convention (“the Convention”) in 2008. Over the following years, Switzerland consistently called on the OPCW to take a clear stance with regard to aerosolised central nervous system-acting chemicals in law enforcement. Starting in 2014, Australia became another leading advocate for action on this important matter and joined efforts with us, including by issuing a joint paper supported by many States Parties during the Fourth Review Conference in 2018.

After more than a decade of informal discussions at the OPCW on aerosolised central nervous system-acting chemicals, the United States of America, Australia, and Switzerland initiated a process with the aim of adopting two decisions—one by the Executive Council (“the Council”) and the other by the Conference of the States Parties (“the Conference”)—to address our long-standing concerns about the aerosolised use of central nervous system-acting chemicals for law enforcement purposes. This initiative builds on the work previously conducted over many years by a group of States Parties, but also on the efforts of the scientific community and civil society. Of particular importance is the extensive work of the Scientific Advisory Board (SAB) in characterising and identifying riot control agents (RCAs) and underlining that, in contrast to RCAs, aerosolised central nervous system-acting chemicals cannot currently be used safely for law enforcement. Last March, the Council adopted this decision by a qualified majority. Fifty States Parties have now joined us as co-sponsors of the decision, and many more support this endeavour. I would like to thank them all.



The draft decision before the Conference reaffirms our understanding of the application of the Convention—namely, that the aerosolised use of central nervous system-acting chemicals is inconsistent with law enforcement purposes as a “purpose not prohibited” under the Convention. It does not create new legal obligations for States Parties or impose any restrictions on purposes not prohibited under the Convention, for example in the fields of research or for medical or pharmaceutical uses. We have sought to have an open dialogue with delegations through numerous meetings and consultations, which led to the current revised draft. We believe this draft is balanced and should be acceptable to all, while addressing this very important challenge in an appropriate manner.

More than ever, Switzerland is convinced that acting now on the issue of the aerosolised use of central nervous system-acting chemicals for law enforcement purposes is necessary in order to safeguard the integrity of the Convention and to prevent the weakening of the norm against the use of toxic chemicals for purposes prohibited under the Convention.

We regret that an adoption by consensus does not seem to be possible. Considering the importance of this topic for us, and in view of the many years of discussions that we have led within this Organisation, we considered it justified and reasonable to request a vote on the draft decision. Accordingly, Switzerland requests that draft decision C-26/DEC/CRP.1/Rev.1 now be subject to a roll-call vote by the Conference.

Thank you, Mr Chairperson.

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