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**SWITZERLAND**

**STATEMENT BY H.E. AMBASSADOR HEINZ WALKER-NEDERKOORN  
PERMANENT REPRESENTATIVE OF THE SWISS CONFEDERATION TO THE  
OPCW AT THE NINETY-SIXTH SESSION OF THE EXECUTIVE COUNCIL  
UNDER AGENDA ITEM 14**

Mr Chairperson,

Switzerland, as one of the core sponsors of the draft decision before the Executive Council (“the Council”) entitled “Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes”, calls on all members of the Council to adopt this decision and thereby recommend that the Conference of the States Parties (“the Conference”) address the same issue at its next regular session in November 2021. The draft decision EC-92/DEC/CRP.9/Rev.6\* has been submitted by more than 30 States Parties. The new language of subparagraph 2(c) addresses our long-standing concern regarding the military use of central nervous system-acting chemicals.

At the outset, I would like to take a minute to go back to the long-standing concerns of my country about 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 Conference to Review the Operation of the Chemical Weapons Convention (“the Convention”) in 2008. In the years following, Switzerland has consistently called on the OPCW to take a clear stance with regard to the use of these chemicals in the context of law enforcement. Starting in 2014, Australia became another leading advocate for action on this important matter and joined our efforts, 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 on central nervous system-acting chemicals at the OPCW, the United States of America, Australia, and Switzerland initiated a process with the aim of adopting two decisions, one by the Council and one by the Conference, to address our long-standing concerns with regard to 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 purposes. Over 30 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 Council 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 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 decision. We believe that 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 global norm against the use of toxic chemicals for purposes prohibited under the Convention.

Thank you, Mr Chairperson.

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