



MALAYSIA

**STATEMENT BY H.E. DR FAUZIAH MOHAMAD TAIB,
PERMANENT REPRESENTATIVE OF MALAYSIA TO THE OPCW
AT THE THIRD SPECIAL SESSION OF THE CONFERENCE OF STATES PARTIES TO REVIEW THE
OPERATION OF THE CHEMICAL WEAPONS CONVENTION (THIRD REVIEW CONFERENCE), THE
HAGUE, 8 - 19 APRIL, 2013.**

Mr Chairman,
Mr Director General
Mr Secretary General of the United Nations,
Distinguished Delegates,

The OPCW is a relatively young organisation, yet through the Chemical Weapons Convention - which came into force 16 years ago - it has made a lasting contribution to world peace and security. This disarmament treaty has singlehandedly destroyed more than 70 percent of the world's declared chemical weapons stockpile. Its success has attracted almost universal membership, with only eight countries remaining outside the Convention. Never has an organisation achieved so much over such a short period of time.

The success of this Organisation is attributed to the State Parties themselves. Since 1993, we have climbed the mountain not to plant our flag, but to embrace the challenge. We have climbed it so that we can see the world, not so that the world can see us.

That is why we have been successful. And we have been successful because we never ceased to evaluate ourselves. As we move forward in the coming hours and days of this Third Review Conference, it is worth considering whether the debates and negotiations we will wage, the compromises we will make is worthy of the ideals embodied in the Convention.

Mr Chairman,

I believe that the Chemical Weapons Convention is a beautiful piece of work. Its drafting is perfection in motion, and its words ambiguity in action. The Framers left as their legacy a Convention that should serve as a guide for future disarmament experts. They even took into account that there would not be the same number of States Parties in each region, and therefore included paragraph 25 of Article VIII, making it possible for a review of the composition of the Executive Council to take place.

Unfortunately, the Framers did not count on our ingenuity in interpreting deadlines. To all intents and purposes, the full implementation of Articles IV and V should have occurred, paving the way for justice in representation to take place.

We now need to find a way to ensure that all regions are heard equitably. We cannot keep using an unchanged blueprint forged in a world when Czechoslovakia was one country, when there were only 12 EU members, and the Big Bang Theory was not yet a sitcom.

Today, there are 51 member states of Asia as compared to 19 when the Convention came into force. Asia accounts for 52.2 per cent of the world's chemical industries, more than all the other regions combined. Even if it counts China out, it still has more, including more inspections than the rest of the regions. It is a region where political and security concerns are at its highest and where the potential threats of the use chemical weapons are high. But more than that, Asia – with its myriad of clamouring interests, cannot be considered homogenous enough to merit only a few seats to represent its divergent interests.

It is for this reason that my delegation believes that the time is ripe for us to revisit Article 8 (23) of the Convention so that the principle of equitable representation is upheld. Asia needs more seats in the Executive Council to enable it to assume a more meaningful role.

Mr Chairman,

To the perennial question, "Which comes first, the music or the lyrics?" Ira Gershwin always responded, "The contract." The Chemical Weapons Convention is a contract that is sacrosanct to those who penned it. Yet it is a sad fact that the Third Review Conference will witness that a significant number of State Parties have not implemented their obligation to establish the national legislative and administrative preconditions required of them by the Convention.

National implementation is not merely about setting up a National Authority. It touches upon all aspects of the Convention – on declarations, on providing information on national programmes related to protective purposes, as much as on the undertaking to review their existing trade legislation under Article XI of the Convention.

The task of this Third Review Conference is to address the issues related to compliance. Non-compliance should not have a hierarchy. Let us remind ourselves that under the 1969 Vienna Convention on the Law of Treaties, failure to enact implementing legislation does not excuse the State from respecting its treaty obligation.

State Parties must therefore undertake the necessary measures to implement the Convention in accordance with its constitutional processes. True, it involves a lot of hard work, but by signing on to the Convention, we have committed ourselves to a world free of chemical weapons. Surely, if we want to see the rainbow, we have to put up with a little rain.

Mr Chairman,

I am obliged to report to the Third Review Conference that since its inception in 2006, my National Authority has achieved the following milestones:

- i) Conducted 75 awareness programmes for stakeholders in Malaysia to increase their awareness of Malaysia's obligations under the Chemical Weapons Convention;
- ii) Attended 81 seminars, workshops and meetings organised by the OPCW and by individual State parties,
- iii) Assisted in 12 inspections conducted by the Technical Secretariat.

With 48 members from 14 agencies, the Malaysian National Authority is a vibrant and pro-active entity and it stands ready to cooperate with the Technical Secretariat and State Parties on issues that are mutually benefiting.

Mr Chairman,

The request by the Secretary General of the United Nations for the OPCW to investigate the possible use of chemical weapons in Syria is timely. My delegation lends its support to this noble cause and trusts that a comprehensive and impartial report on the use of chemical weapons in Syria will soon be forthcoming, for our collective consideration.

Allow me to end my statement with a poem by the German poet and playwright Bertolt Brecht.

“The first time it was reported that our friends were being butchered there was a cry of horror.
Then a hundred were butchered.
But when a thousand were butchered and there was no end to the butchery, a blanket of silence spread.
When evil doing comes like falling rain, nobody calls out "stop!"
When crimes begin to pile up they become invisible.
When sufferings become unendurable the cries are no longer heard. The cries, too, fall like rain in summer.”

The premise upon which the United Nations was established was the rallying cry of “Never again!” When the death toll in Rwanda started mounting, again the international community cried “Never again!” but stood by and did nothing. The OPCW has a stated goal of “preventing chemistry from ever again being used in warfare”, and that is the standard to which we must step up. We must play our part in ensuring that the cries are not silenced.

Mr Chairman,

The future has taken root in the present. Let us come back in five years to see how much more we have done by then. Thank you, and may I request that this statement be circulated as an official document of this Conference.