



OPCW

Conference of the States Parties

Third Review Conference
8 – 19 April 2013

RC-3/NAT.28
9 April 2013
ENGLISH only

GERMANY

**STATEMENT BY AMBASSADOR ROLF WILHELM NIKEL
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FOR DISARMAMENT AND ARMS CONTROL
AT THE THIRD REVIEW CONFERENCE**

Mr Chairman,

Germany fully aligns herself with the statement of the European Union delivered by Ambassador Bylica yesterday.

Let me join previous speakers in congratulating you upon your election as Chairperson of this important conference and assure you of my delegation's full cooperation and support.

I would also like to pay tribute to the excellent work of Her Excellency Ambassador Baghli of Algeria in her capacity as Chairperson of the Open-Ended Working Group in preparation of this Conference. Likewise I should like to congratulate the Director-General, His Excellency Ambassador Ahmet Üzümcü, for his able stewardship of the OPCW and its Technical Secretariat.

In the following, I would like to highlight a number of issues which are of particular importance for Germany:

Verifying the destruction of declared chemical weapons is the core mandate of the Organisation. We welcome that the destruction of chemical weapons by the remaining possessor States is progressing. We appreciate their continued political commitment to destroy their stockpiles as quickly as possible.

We acknowledge that the destruction process has turned out to be far more challenging than envisaged at the entry-into-force of the Convention. Nonetheless, we call upon all possessor States to speed up destruction as much as possible.

The object and purpose of the Convention is to eliminate completely the possibility that chemical weapons are ever used again. That is why, side by side with destruction of declared chemical weapons, universal adherence to the Convention is crucial. We call upon the eight remaining States not Party to ratify or accede to the Convention without delay.

This Review Conference is taking place at a time at which Syria, a State not Party, has admitted to possess chemical weapons. These chemical weapons constitute a serious threat for the people in Syria and beyond.



These weapons must never be used under any circumstances. Their use would be a crime against humanity. It would be a grave violation of the 1925 Geneva Protocol and other rules of customary international law. They must be destroyed by Syria as quickly as practicably possible under international verification. This applies to both the current Government in Damascus and to the opposition when they come to power.

The recent reports of alleged use of chemical weapons in Syria are very alarming and need to be clarified as soon as possible. Therefore, we welcome the decision of the United Nations Secretary-General to investigate the possible use of chemical weapons in Syria. We demand that the Syrian Government immediately allows the United Nations inspection mission to begin its investigation and that it provides safe and unrestricted access to all relevant sites.

As all States Parties here at the Review Conference are united in their determination to achieve a chemical weapons free world, Germany considers it of utmost importance that the Review Conference of this unique disarmament treaty addresses this question in its final declaration.

The Convention is designed to completely eliminate chemical weapons once and forever. This is why the destruction of existing chemical weapons is not sufficient. The Convention also requires the prevention of their future re-emergence. This can only be achieved if all States Parties fully implement their obligations under the Convention. Full implementation is necessary to prevent proliferation of toxic chemicals that can be used to produce chemical weapons.

Furthermore, we need not forget the implementation of the provisions on protection and assistance against chemical weapons. Likewise, Germany will continue her programs to foster international cooperation for peaceful purposes, namely through the Associate Programme.

In Germany's view States Parties at this Conference also need to consider ways to prevent that new chemical weapons may be developed or produced under the guise of permitted purposes, such as law enforcement.

The authors of the Chemical Weapons Convention wrote the Convention in such a way as to guarantee a comprehensive prohibition of all toxic chemicals unless they are for purposes that are specifically laid out in the Convention.

In the past years the issue of "toxic chemicals for law enforcement" has been extensively discussed in various fora outside the OPCW. These chemicals are commonly called "incapacitating chemical agents". There is now a substantial body of scientific analysis on developments that have taken place since the entry-into-force of the Convention.

The Convention gives the Review Conference the specific mandate to "take into account any relevant scientific and technological developments". This is why, in Germany's view, the Review Conference should through its final declaration initiate discussions on the issue of "toxic chemicals for law enforcement".

Germany, in her national implementing legislation, explicitly restricts the use of toxic chemicals for law enforcement purposes to those that fall under the definition of riot control agents.

Germany considers that this interpretation of the Convention is fully in line with its object and purpose. It also avoids a gradual erosion of the historic political and legal decisions to forego chemical weapons once and for all. Consequently, Germany only holds chemicals for law enforcement purposes that meet the definition of riot control agents.

Mr. Chairman, the task of this Review Conference is to set out the path for the OPCW for the next five years to bring us closer to fulfilling the goals of the Convention. Against the background of current challenges this is an ambitious undertaking. I am confident that all together, as countries who signed up to this Convention, we will join forces to attain these goals.

I request that this statement be issued as an official document of the Third Review Conference.

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