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MALAYSIA

STATEMENT BY H.E. AMBASSADOR AHMAD NAZRI YUSOF PERMANENT REPRESENTATIVE OF MALAYSIA TO THE OPCW AT THE EIGHTY-SEVENTH SESSION OF THE EXECUTIVE COUNCIL

Mr Chairperson,
Mr Director-General,
Distinguished delegates,
Ladies and gentleman,

I am pleased to join other distinguished delegates in congratulating and thanking you, Mr Chairperson for your excellent stewardship, throughout all sessions of the Executive Council.

My delegation would also like to express our appreciation to the Director-General, His Excellency Ambassador Ahmet Üzümcü for his informative opening statement, and to the Technical Secretariat for their relentless effort in making sure all the preparations for this session are well in place.

Malaysia associates itself with the statement delivered by the Permanent Representative of the Bolivarian Republic of Venezuela, Her Excellency Ambassador Haifa Aissami Madah, on behalf of the NAM CWC States Parties and China.

Yesterday, it was exactly a year and a month since the incident involving the use of VX nerve agent that occurred on 13 February 2017 at the Kuala Lumpur International Airport 2 (KLIA2), which had caused the death of one North Korean national, Mr Kim Jong Nam.

As informed by our delegation during the Twenty-Second Session of the Conference of the State Parties, Malaysia would share with the States Parties the full details of the case, at this session of the Executive Council. Regrettably, we are unable to do so as the criminal trial of the case has not been completed, and is now still on-going.

Despite the anticipation for the trial to be over by the end of February 2018, it has been prolonged given the large number of witnesses and cross-examinations by both, the prosecutor and the defence. The Malaysian legal system allows appeals to the Court of Appeal and to the Federal Court, which is the highest court for appeal. Hence, it is now expected that the legal process could take up longer time.

In the absence of the full report, Malaysia wishes to take this opportunity to provide an update on the progress of the case. The judicial process involving the two women accused of



murdering Mr Kim Jong Nam has since begun at the High Court of Malaysia on 2 October 2017.

A senior chemist from the Chemistry Department of Malaysia was among the main witnesses that presented testimony at the court in October 2017. He confirmed the degradation products of VX and presence of precursors of VX on the skin and clothes of the deceased and accused.

During the course of the investigation, the lab received a total of 102 samples which included samples from the accused, the victim, environmental samples and others. The overall findings included, a nerve agent VX, three precursors of VX, four degradation product of VX, one metabolic of VX and one protein bound VX, in different types of samples. The testimony was used to back the prosecution's position, that VX was used in the murder and was the sole cause of death of the victim. The senior chemist has again been summoned by the defence for further cross examination on 23 March 2018.

Whilst the case is being prosecuted at the Malaysian High Court, Malaysian police is still pursuing an investigation on the four North Korean suspects who fled Malaysia on the day of the killing. The Malaysian Police has sought the assistance of INTERPOL to apprehend the four suspects, for questioning. A Red Alert has been issued on the suspects by INTERPOL.

This is the only information that we are allowed to share at this point. As the legal process has yet to be completed, any further sharing of information on the case or arriving at any conclusion may pose the risk of sub judice.

My delegation wishes to reiterate that the Government of Malaysia will fully cooperate with the OPCW by sharing all relevant information pertaining to the case once the legal process is completed.

Malaysia reaffirms that it does not produce, stockpile, import, export or use any Schedule 1 toxic chemicals including VX, and has made annual declarations, to that effect to the OPCW. Regular national and international inspections have been carried out to verify its declarations.

My delegation also wishes to register that Malaysia has benefitted immensely from the training courses provided by the OPCW these past years, that has enhanced our capacity and nurture our technical sophistication in chemical emergency response. We would like to thank the OPCW for this important contribution and partnership.

Once again, Malaysia reiterates its long-standing uncompromised position of opposing the use of chemical weapons by anyone, anywhere and under any circumstances, and that the perpetrators must be held accountable.

I thank you for your attention, and request that this statement be included as an official document of this meeting and be posted on the website.

Thank you.

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