

AT THE OPCW

FAUZIAH MOHAMAD TAIB

A STORY OF

MALAYSIA'S

INTERVENTIONS

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ABOUT THIS BOOK

This book is a story of Malaysia's interventions at the Organisation for the Prohibition of Chemical Weapons (OPCW) from 2008 to 2015. As a State Party to the 1993 Chemical Weapons Convention (CWC), Malaysia is obliged to contribute annually to the running of the Organisation in accordance with the assessed contribution set by the United Nations. In fact, this is a fairly logical reason why Malaysia participates actively at the OPCW. Having contributed its taxpayers' money, it is only fair that the country benefits from its membership in the Organisation. Furthermore, Malaysia is a trading nation and trades extensively in chemical products. As a State Party to the Convention, it is also obliged to receive international inspectors to visit its chemical production sites and industries either on a regular basis or randomly. States in the Executive Council decide how and when inspections take place. This can be seen as an agreed breach of a country's sovereignty but these are but some of the sacrifices a country has to make in order to be part of the global movement towards a world free of chemical weapons.

Many diplomats who are on an average of three or four years assignment in The Hague may realise that it is not that simple to avoid the OPCW, especially when her country is a State Party to the Convention. Of course there are ambassadors who choose not to attend meetings at the OPCW at all despite being Permanent Representatives to the Organisation. They delegate their representation to their deputies and show very little interest on the subject.

This book is intended to interest the uninterested. Participating at the OPCW provides many advantages to the diplomats. The OPCW provides a good starting point to network. Many Permanent Representatives are 'first time ambassadors' and the OPCW provides a place to widen their comfort zone when dealing with other diplomats. With a wide circle of friends, the diplomat begins to acquire knowledge on a subject, which many may think is dry and difficult. As she continues to attend the meetings at the OPCW, the diplomat will begin to develop confidence in her new understanding of the subject and will begin to take the floor to participate, either to ask questions or express her country's or group's position. Before too long, her constant participation increases her country's profile and without realising it, she has developed her multilateral skills in negotiation and public speaking. Taking the floor will become second nature to her as she would realise that she is speaking to a group of familiar people and colleagues. In addition, the diplomat will learn that a multilateral setting is not much different from a bilateral setting in that negotiations require parties to give and take, and along the way make sacrifices for the common good.

I can only write about that which I know, which is why this book is limited to my days at the OPCW, sometimes considered my 'second office'. Following the statements that I made at the sessions of the Executive Council or at the annual Conference of State Parties, several of my colleagues impressed upon me to share my experience in speechwriting, in particular what motivates me to write and from where I draw my inspirations. Thus, I thought it best if I put into writing the particular circumstances that motivated each and every statement I delivered at the OPCW in the years that I was Malaysia's Permanent Representative to the Organisation. This book is therefore a narrative of my experience in crafting speeches at the Executive Council and the Conference of State Parties of the OPCW. But the bigger reason that moved me to write this book is to attract the public to the subject of chemical weapons and in particular to draw the diplomat closer to a subject that they might think is difficult.

The following chapters will touch upon the selected statements that I have prepared and delivered either during the informal consultations, during the Executive Council's sessions and meetings, at the Review Conference, or at the annual Conference of State Parties. The statements are arranged in chronological order so that the issues may be understood sequentially as they developed. Each

chapter will begin with a commentary, highlighting the issues of importance within the statement, the current events that were the subject of the OPCW's preoccupation, or a landmark decision that was the product of a protracted negotiation. The commentary will then be followed by the speech itself, produced in its entirety, as it was delivered on that day.

The landmark events during my assignment as Permanent Representative of Malaysia to the OPCW are also touched upon in more than one chapter. In *The Final Countdown* and *When a No Decision is Not an Option*, I elaborate the circumstances surrounding the issue of extending the mandatory deadline for the destruction of chemical weapons. In the chapter *We Salute Those Who Came Before Us* I describe a momentous occasion for the OPCW - winning the 2013 Nobel Peace Prize. The issue of Syria became a major issue for the OPCW, and one which thrust the Organisation into the limelight, so I have dedicated at least three chapters to the subject - *Burning Your Neighbour's House Down Won't Make Your House Look Any Better*, *When an Enemy of Your Enemy is Not Necessarily Your Friend* and *A Compelling Narrative But Lacks the Legs to Stand On*. In these three chapters, I tell of the Syrian issue as it unfolds, and of the debates at the OPCW as Syria became the 190th State Party to the Convention.

Many factors influenced my choice of what to include in my speeches. But the main point was that it had to be in accordance with the agenda items of the session, meeting or conference. State Parties were allotted between six to eight minutes each to deliver their statements, and the only time I refrained from delivering a statement at the Executive Council was when Malaysia did not sit as a member of the Council.¹ Since it was not possible to talk about *all* the agenda items given the short time-frame, I had to choose the most talked-about topic at that particular time, what was the most controversial, most intriguing and most relevant. I see my purpose of delivering those statements as an opportunity to project my country's image, my group's position, or to advocate a certain view, to provoke the Secretariat into taking a course of action, or simply to hint without having to apportion blame.

1. *Since the Convention on Chemical Weapons came into force in 1997, Malaysia sat as member of the Executive Council from 2004 to 2006; 2007 to 2009; 2011 to 2013; and 2014 to 2016.*

ABOUT THIS BOOK

In preparing my speeches, my deputy would provide me with facts and figures and she would research information that I would need in order to proceed with my draft. A good speechwriter will always try to capture the 'voice' of the person who will deliver the speech – matching her style to that of the speaker. When I used to write speeches for others, this is what I would do. So when it came for me to be the one delivering the speeches, it was my voice or personality that I wanted the audience to capture. And since I believe that the best speeches are those that you prepare yourself, I have a principle of never delivering a speech if it is not my own.

Mindful of my country's broad position on issues, I always tried to keep within the allowable parameters of Malaysia's positions on the matter. Sometimes though, I take my chances to advocate a point of view that I feel strongly about, which I am inclined to believe is acceptable to my political masters.

2

UNDERSTANDING THE OPCW

Diplomats who are assigned to The Hague in the Netherlands are sometimes overwhelmed when they discover that apart from the bilateral nature of their work, they have also to deal with numerous legal and multilateral issues. As the “legal capital of the world” The Hague hosts several international courts such as the International Criminal Court (ICC), the International Court of Justice (ICJ), the International Criminal Tribunal for the former Yugoslavia (ICTY), the Permanent Court of Arbitration (PCA), the appeals court of the International Criminal Tribunal for Rwanda (ICTR), and is the home of over 150 international organisations such as the Eurojust, Europol, the European Patent Office, the Hague Conference of Private International Law (HCCH) and the Organisation for the Prohibition of Chemical Weapons (OPCW).

Diplomats sent to The Hague prioritise their work according to their national interests. However one sees it, a posting to the Netherlands is not merely a bilateral posting. As a trading nation, the Netherlands has many things to offer to many countries and given its technological advancement in many areas, its

academic excellence and expertise in flood management, ports, and agriculture in particular, it attracts States to deal with the Netherlands in many different fields.

But sometimes at the level of the Head of the Diplomatic Mission, the ambassador, over and above her country's national interest, also engages with different parties and authorities in accordance with her personal inclination and background. Multilateral ambassadors who are used to the UN nature of work would opt to participate more at the OPCW or the Assembly of State Parties of the Rome Statute of the ICC. Some ambassadors have legal background and were judges or prosecutors in their former life and would find monitoring issues at the ICC, ICJ or the PCA more to their liking. The Netherlands is also the home and workplace of many foreign nationals who have need of their own embassies for various consular matters. Therefore, some ambassadors find that taking care of their citizens becomes a priority.

A good friend and mentor, retired Indian ambassador Kishen Rana, once said that a diplomat must be both a bilateralist as well as a multilateralist. An ambassador who is merely a multilateralist walks with two left legs. This is indeed true, as even a multilateralist needs to consider the bilateral aspects of relations when he negotiates and decides his country's position at the multilateral level.

The OPCW is an international organisation and it works along the lines of a United Nations entity like the Disarmament Commission or the Human Rights Council in Geneva, although it is itself not part of the UN. Many would not have heard of the OPCW before arriving to take up their assignment in The Hague. They may have very little or no background whatsoever of the subject matter and may find the subject matter challenging at first. Some may just try to avoid the OPCW altogether and concentrate on other issues instead such as bilateral work or consular matters. Some ambassadors use the excuse of their very lean Mission to avoid the OPCW, although it is always possible to find small Missions actively involved in the OPCW such as Cuba for example. And when it is the country's turn to chair the Non-Aligned Movement or the European Union, no matter how small their representation is in The Hague, they cannot avoid taking a leadership role if they are State Parties of the Chemical Weapons Convention.

Writing speeches, delivering statements and making interventions on the subject of chemical weapons may be quite a challenge, especially when the person is new to the scene. It would be odd for a diplomat to diligently sit in at many of the meetings at the OPCW and just listen and watch without saying a word. At some stage she has to get involved, either by participating in small groups of informal meetings or at the formal setting. Multilateral negotiations become more meaningful when one is a player rather than a mere listener.

Some States send their most-abled diplomats to multilateral postings. These

diplomats require very little push and can take the floor at short instances. Some are so skilled that they can formulate language for the official report off the cuff. At the negotiating table, many nowadays no longer prepare scripts in order to take the floor. They simply speak their minds with the help of pointers or short notes in front of them. They can do so because they are well versed on the subject with which they are dealing. But even if they are not, they are confident enough to take the floor and ask for an explanation on points that may seem vague or too technical for them to understand.

But not all states are fortunate to have choices. Some foreign ministries are so small they cannot afford to pick and choose as to whom they want to assign for a particular posting. In cases such as these, the diplomat would have no choice but to hit the ground running. As their country's representative to the OPCW, they need to be seen and to be heard in order to justify to their capital of their presence there.

As a diplomat I would subscribe that the issue of chemical weapons is important to us. In fact, it is so important that the subject should be common knowledge not only to the diplomats but also to students, academicians and the layman. We use chemicals everyday in our lives. We import and export them and use chemicals and chemical products for medicinal, research and industrial purposes – most of which are for peaceful and non-harmful purposes. These chemicals, when made available to the wrong policy maker or devious individuals and groups, can be used, to make weapons of mass destruction, and the lessons of World War I are enough to tell us that we would not want a repeat of its use.

The enabling convention of the OPCW or the 'parent' convention that establishes the OPCW and determines its aims and purposes is the 1993 Convention on the Elimination of Chemical Weapons, or the CWC. Today, 190 states are parties to the Convention. This means it has a universal appeal with only six members of the United Nations remaining outside the Convention². Countries as big as the United States and the Russian Federation engage with small countries like Fiji or Tonga at the annual Conference of State Parties (CSP) of the CWC to ensure the elimination of chemical weapons wherever they may still be. When the CWC came into effect in 1997, Parties to the Convention agreed that all chemical weapons must be fully destroyed by 29 of April 2007. Today, after a negotiated final extended deadline, Possessor States are given some leeway to destroy their weapons in accordance with strict guidelines agreed to by all State Parties to the Convention. These Possessor States - the United States, the Russian Federation, Libya, Syria, and Iraq - are obliged to inform State Parties of the status of their destruction during the sessions and meetings of the Executive Council and the Conference

2. The following States are not members of the CWC: Angola, Myanmar, South Sudan, Democratic People's Republic of Korea, Egypt and Israel. Myanmar has recently ratified the Convention but at the point of writing has not deposited its instrument of ratification at the UN.

of State Parties and Review Conferences. Apart from these states, there are State Parties like China and Japan that possess old and abandoned chemical weapons and they too are also obliged to inform State Parties of the status of their destruction.

In short, the days of chemical weapons are numbered. It is foolhardy for any country in this day and age to use chemical weapons either against its own people or on their enemies. But does it mean that very soon the OPCW would have to shut down, as countries are no longer in possession of chemical weapons? Subsequently, does it also mean that diplomats who are assigned to The Hague can bypass the OPCW Secretariat building and move on to other issues of state importance?

The answer to these questions lies in our understanding of the Chemical Weapons Convention. To-date, 84.95 per cent of the world's chemical weapons – largely in the hands of the United States and the Russian Federation has been destroyed. But it has been reported that a handful of countries outside the Convention also possess chemical weapons and can actively use them since they are not party to the Convention. In addition, there are numerous sites in China where Japan's old and abandoned chemical weapons may reside. Some of these sites have not been identified and although these weapons in their rusty state may not be recycled as chemical weapons, they are still an environmental and health hazard to mankind and must be discovered and destroyed. This exercise may take decades to complete, while the chemical weapons of the Possessor States can be destroyed in a shorter period of time if there is enough political will.

This book is not intended to provide an extensive account of the issues discussed at the OPCW. The history of chemical weapons disarmament, the background to the CWC and the creation of the OPCW have been written in numerous literatures. Two books in particular have relevance: *The Creation of the Organisation for the Prohibition of Chemical Weapons (2007)* edited by Kenyon and Freakes; and *The Chemical Weapons Convention (2014)* edited by Krutzsch, Myjer and Trapp. A quick reading of these two works will go a long way in the understanding of the works at the OPCW. Of course the diplomat will need to read the Convention as well.

3

“EIGHTY PER CENT OF SUCCESS IS IN SHOWING UP”

On 13 August 2008, I presented my credentials to Her Majesty Queen Beatrix at the Noordeinde Palace in The Hague, thus validating me as Malaysia’s 12th ambassador to the Netherlands. This was the bilateral aspect of my work as my King’s representative. Malaysia signed the Chemical Weapons Convention in 1993, so the next week saw me at the OPCW presenting my credentials to the Director General of the OPCW, and thereby validating me as Malaysia’s Permanent Representative to the Organisation with the right to speak on behalf of Malaysia, its citizens and her interests. This was the multilateral aspect of my work, and one that I relished because of the different challenges it presented me. Since the year 2000, Malaysia has always had its ambassador to the Kingdom of the Netherlands play this dual role.

Most of the ambassadors posted to The Hague also carry the duties as Permanent Representatives to the OPCW alongside their bilateral duties, as well as represent their countries to the many international courts in The Hague. There are exceptions, of course. The United States, Germany, Belgium and the Republic of Vietnam have two separate offices and heads – the embassy and the permanent representation office. The Netherlands, as the host country, has a Permanent Representative to the OPCW who operates out of the country’s Ministry of Foreign Affairs.

At the time I presented my credentials to Director General Rogelio Pfrter, an Argentinian diplomat, I had almost zero knowledge of the subject of chemical weapons. It was ironic that in the 1980s when I was a young diplomat at the United Nations in New York, I took the floor for the first time at the General Assembly on the subject of chemical weapons, and 30 years later I am ending my career having to deal with the same subject.

The first time I delivered Malaysia’s statement as its Permanent Representative to the OPCW was at the 13th Session of the Conference of State Parties on 3 December 2008. The meeting was held at the World Forum in The Hague, as it normally is. The Conference of State Parties is the highest governing and decision-making body of the OPCW and is comprised of all the states that have ratified or acceded to the Chemical Weapons Convention. The Conference of State Parties meets once a year, usually towards the end of year, before the Christmas holidays. Even though the Conference of State Parties adopts decisions, it is the Executive Council that discusses in detail the issues relevant to the Convention and then recommends a course of action to the Conference of State Parties. The Executive Council has 41 elected members and meets every quarterly at the OPCW Technical Secretariat. Decisions made at the Executive Council will have to be endorsed by the Conference of State Parties.

As a newcomer to the subject of chemical weapons disarmament, I found the subject overwhelming and somewhat dry and difficult. It was a challenge to decide upon what should and should not be included in my statement and in the process I depended a great deal on what other speakers have said and what my deputies provided me. Delivering the statement was also not a comfortable exercise as I was not familiar with the personalities around me and I could not gauge what was current or out-dated since I was just beginning to understand the subject. As a result, my statement covered as many subjects as there were in the Convention. Needless to say, it was not a particularly good statement.

Looking back, I did not like what I delivered but I was determined that I should not miss the opportunity to speak at every available occasion. It was from then on that I learnt to focus and to gain the attention of the listeners. As the years progressed, it became a source of amazement when I could literally hear a pin drop as the statement was delivered. That is when you know that people were listening intently.

Mr Chairman,

May I say, on behalf of the delegation of Malaysia, how pleased we are to see you in the Chair of this 13th Session of the Conference of States Parties to the Chemical Weapons Convention. The number ‘13’ to many is a prominent number, with all its implicit connotations, but I have

no doubt that with you at this Conference’s helm, we will see a successful conclusion at the week’s end. My congratulations are also extended to the members of the 13th Bureau, whose appointments we recently endorsed.

In the same vein, allow me to express my delegation’s gratitude to the outgoing Chairman, His Excellency Ambassador Abuelgasim Abdelwahid Sheikh Idris of Sudan for his outstanding stewardship of the 12th Session of the Conference of States Parties.

Malaysia would also like to express its appreciation for Director General Rogelio Pfrter’s clear and comprehensive presentation of the work of the OPCW thus far. We trust that his statement and the reports that we have before us will provide a sound basis for the deliberations of the next few days.

My delegation wishes to associate itself with the Joint Statement of the NAM CWC States Parties and China, delivered by His Excellency Mr Oscar de los Reyes Ramos of Cuba.

From 7 to 18 April of this year, the OPCW held its Second Review Conference. This was a distinct opportunity for States Parties to review once more the operation of the CWC. Malaysia is happy to note that the principle of consensus still remains the bedrock of the proceedings within the OPCW. As we all know, consensus building is probably the hardest of all negotiations approach. Voting is by far the easiest way out. No one has to move or to seek a compromise. But with a consensus, everyone compromises. What is even more notable about the Second Review Conference of the OPCW is perhaps its success. While a number of the other Review Conferences in the area of disarmament remain deadlocked and stagnant, it is heartening to see that the OPCW remains vibrant and strong in its push forward. A total of 33 countries have joined the OPCW since the First Review Conference five years ago – bringing the OPCW closest to any other Convention in terms of universal participation.

One of my favourite comediennes once quipped, “eighty per cent of success is in showing up”. If this is so, then the Second Review Conference only saw an increase of one additional state party as a participant to the Conference, compared to the First Review Conference’s 113 State Parties. But I believe that success also lies in the active participation of all members to the Conference. And in this, the Second Review Conference delivered, especially with the active debates on the verification system, the importance of implementing legislation, and confidence-building and cooperation among State Parties, to name but a few. In the space of five short years, fast-paced innovations in the field of science and technology have had an impact on the operation of the Convention itself, making the convening of

the Review Conference this year even more relevant.

Malaysia remains concerned over the slow pace of the complete destruction of chemical weapons and chemical weapons facilities. We stress that the destruction of chemical weapons and associated facilities is the *central* objective of the CWC. In this regard, the compliance with the deadlines as set forth in the Convention constitutes an integral part of the undertakings by the Chemical Weapons Possessor States to destroy their chemical weapons. Merely paying lip-service to an obligation which is mandatory under international law does not bode well for the system as a whole, and creates distrust in addition to disrespect for the sanctity of international law.

Malaysia welcomes the new establishment or designation of the National Authority for four additional State Parties, namely Afghanistan, Cambodia, the Central African Republic and Guinea-Bissau. This is an encouraging development given the Plan of Action on the implementation of Article VII obligation as well as the decision of the 10th CSP. It is well worth pointing out however that as of 15 September 2008, the number of States Parties that have yet to establish or designate their National Authority remains at seven. This is still an acceptable single-digit number, given the progress we have achieved over the years. But the journey is far from over. This is why Malaysia is convinced that it is even more imperative that the Technical Secretariat and other States Parties provide meaningful assistance and technical support. Only through close cooperation with each other can the objectives of the Plan of Action on the implementation of Article VII be effectively realised.

Malaysia ratified the Chemical Weapons Convention in April 2000. Since then, we have upheld our obligation under the Convention by continuously submitting our annual declaration of past and anticipated activities associated with scheduled chemicals and discrete organic chemicals within our possession. To date, Malaysia has received three international inspections on its OCPFs in 2007, and one inspection recently this year. The inspections proceeded smoothly with the full cooperation of the Malaysian National Authority and were successfully completed.

Malaysia acknowledges that the frequency of inspections and the Other Chemical Production Facilities (OCPF) site selection methodology are important but complex subjects. On these subjects, my delegation underlines that the Convention clearly sets out the hierarchy of risks posed by different chemicals to its object and purpose. While we have not found the selection methodology agreed by all, my delegation is hopeful that with the able leadership of the recently appointed facilitators, we would be able to come out with a new improved methodology.

With regard to Article XI, Malaysia attaches great importance to a balanced

implementation of all aspects of the Convention. In this respect, we believe that the full effective and non-discriminatory implementation of this Article is essential for the realisation of the object and purpose of the Convention. We therefore look forward to a full cooperation of all States Parties in achieving the full implementation of this Article.

The transfer of scheduled chemicals between States Parties – if not properly monitored – can lead to the diversion of these toxic chemicals for non-peaceful purposes. With this in mind, the Royal Malaysian Customs Training Academy (AKMAL) played host to the Sub-regional Training Course for Customs Authorities in Southeast Asia on the Technical Aspects of the Transfers’ Regime of the CWC. The course, which was conducted by the OPCW, took place in Melaka, from 6 to 9 October 2008. Twenty-two participants from eight States Parties, namely, Cambodia, Indonesia, Malaysia, Palau, Philippines, Sri Lanka, Thailand, and Vietnam attended the training course. In the spirit of cooperation and camaraderie, two participants from Myanmar, a State not Party to the CWC also took part in the training course. Funding, in this instance was provided by the Republic of Korea.

During the training course, the participants received important information on practical ways in implementing the Convention’s provisions, with the aim of eliminating discrepancies between the quantities of scheduled chemicals declared by importing and exporting States Parties in respect of the same transfers. Practical exercises and group discussions designed to enhance the States Parties’ capacity to effectively track the import and export of scheduled chemicals were also held. Due to the overwhelming requests, Malaysia would like to once again offer its Royal Malaysian Customs Academy for training or courses related to the technical aspects of Customs.

On a positive note and part of Malaysia’s own national initiative, Malaysia has drafted a manual of inspections for use at the national level. The manual sets out guidelines to be followed by the domestic inspectors when doing routine inspections at chemical-based local industries. In this way, things will be in order when the OPCW inspectors come a-calling.

As a State Party to the Convention, Malaysia has benefited from the international cooperation programmes organised by the OPCW that focus on capacity building. Malaysia has particularly benefited from the Internship Support Programmes as well the OPCW Associate Programmes, and the Laboratory Assistance Exchange Programme. In July, the Technical Secretariat conducted the Advanced Training on Inspections related to the CWC for Malaysia’s National Inspectors in Terengganu, on the east coast of Malaysia. We look forward to more constructive cooperation with the Technical Secretariat in enhancing Malaysia’s national capacity to meet its obligations under the Convention.

“EIGHTY PER CENT OF SUCCESS IS IN SHOWING UP”

This is the second decade in OPCW’s young history. As States Parties, we need to keep the momentum of the first decade going – in terms of the universality of the Convention, and in terms of the relevance of the treaty. But all this requires a lot of effort and firm commitment from States Parties. Malaysia, on its part, reiterates its commitment to the goals of the Convention. We are determined to work with other States Parties and the policy-making organs of the OPCW for the full realisation of the Convention as a whole.

CSP 13, 3 December 2008

4

INSPECTIONS ARE IMPORTANT AS CONFIDENCE BUILDING MEASURES

Malaysia was again back in the Executive Council from May 2011 to 2013. We were last on the Council in 2009 and had decided to take a two-year hiatus from the Council. It has been a policy of Malaysia to shoulder its responsibilities in international organisations by serving in the executive bodies or its decision-making organs. However, it has also been a practice for Malaysia to allow other states the same opportunity to serve. As a result, Malaysia will sit in elected bodies periodically. Our 'breaks' are also intended for Malaysia to take a step back and observe, to take stock of the bigger picture, and 'recharge'. By this rotation we can focus on specific issues at different times. This is important for a state such as Malaysia so that we do not overstretch ourselves.

As I once again took my seat in the spring of 2011, I was determined that my delegation would show a renewed interest in the workings of the Council. In the previous session of the Executive Council, its 63rd, there were arguments and counter-arguments on the side-lines on the subject of whether discussions should already begin on a final extended deadline of the destruction of chemical weapons

stockpiles of Possessor States, which was due on 29 April 2012. A handful of states felt strongly that an early discussion need not begin for fear that accusation of non-compliance on the part of the Possessor States might crop up prematurely.

The 64th session of the Executive Council also coincided with the successful agreement to find an acceptable Site Selection Methodology (SSM) for the inspection of the Other Chemical Production Facilities (OCPF), which Ambassador Pieter Lohman, the Dutch Permanent Representative and I co-facilitated. Being a facilitator at the OPCW means that an individual is entrusted to lead an informal discussion group on a particular issue that needs to be resolved before it is presented to the Executive Council for agreement and endorsed subsequently by the Conference of State Parties. The group is normally open-ended, which means that any State Party can attend and participate if they are interested. This working group on Site Selection Methodology for the OCPF inspections was particularly popular and we always had a full house in the Ooms Room where the discussions were conducted.

Article VI of the Convention allows State Parties the right to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for the purposes not prohibited under the Convention. State Parties are required to make annual declarations regarding the relevant chemicals and facilities in accordance with the Verification Annex of the Convention and are required to grant to the inspectors, access to the facilities as required in the Verification Annex. The verification regime for OCPFs targets facilities that produce chemicals not listed in the Schedules of the CWC but may present a threat to the Convention. Inspections of OCPFs focus on the facilities rather than the chemicals they produce. Their primary objective is to confirm the absence of activities that involved Schedule 1 chemicals.

China, India, the United States, Japan, South Korea and the United Kingdom are among those States that have the highest number of declared OCPFs and the mandatory but random inspections by the OPCW Technical Secretariat maybe a burden to the states concerned. When inspectors come, they do so with little warning and at the national level, designated national inspectors have to standby to assist them throughout their visits. Inspections may take a few days and sometimes the production facility has to suspend its operations to meet the requirements of the inspectors. What is more irritating for some is that they would come at inconvenient times of the year – for example on Thanksgiving Day when staffing at the facility is scarce. In addition, because of its random nature some states face multiple inspections with barely a month between each one. As a result many State Parties want a new formula that would reduce the number and frequency of inspections to their facilities as well as to target sites that are relevant to the purpose of the Convention.

Although Malaysia was a non-member of the Executive Council in 2010, the Chairman of the Council, Ambassador Pierre Blarel of France invited me on 19 November of that year to co-facilitate an open-ended discussion between

interested State Parties to find an acceptable formula on the frequency of inspections as well as to target the most relevant declared OCPF plant sites to be inspected. The facilitations on the issue have been going on for years and the task was a major challenge for me as eight previous facilitators failed to come up with an acceptable formula. When both Ambassador Lohman and I took on the issue we were not aware of what we were getting ourselves into. However, with the help of talented staff at the Technical Secretariat who explained to us in simple terms, the issue became clear enough for us to suggest an acceptable formula. However, this did not come without countless meetings and trials and errors.

The new formula commonly labelled as A15 Site Selection Methodology” referred to in the report “*Initiative by the Director General on the Methodology for the Selection of Other Chemical Production Facilities*” (S/962/2011 dated 8 September 2011) was put to a test based on the selection of OCPF plant sites inspected for a full year beginning January 2012. Fortunately, the performance of the revised methodology that Ambassador Lohman and I co-facilitated (as reported in S/1070/2013 dated 14 February 2013) showed that it had achieved better targeting of relevant sites, as hoped.

Thus my statement for the 64th session of the Executive Council touched on these two important issues – the destruction deadline, and OCPF declaration and inspections.

Mr Chairman,

At the outset, allow me to align my delegation’s position to the statement made by Ambassador Zelmy of Cuba on behalf of the NAM CWC State Parties and China.

It is a privilege and an honour for me to join you again at the 64th session of the Executive Council meeting after a hiatus of almost two years. Malaysia records its appreciation to the Asian Group for their continued trust in us, and for supporting Malaysia’s interest in becoming a Council member beginning this 12th May 2011.

Some things have changed since we were last here. My good friend and colleague from Sri Lanka, Ambassador Grace Asirwatham is now the Deputy Director General of the OPCW. We congratulate her on her new appointment and wish her every success for the future. We have no doubt that she will continue to grace us with her knowledge of the subject, and discharge her new responsibilities responsibly.

I also like to take this opportunity to say goodbye and hello: to thank you Ambassador Blarel for your services to the OPCW cause, and for having steered the Council for the past year, and a warm welcome to Ambassador Peter Goosen of South Africa for taking on the mantle of the Chair very shortly.

INSPECTIONS ARE IMPORTANT AS CONFIDENCE BUILDING MEASURES

We have one year before we hit the destruction deadline wall. This deadline is not related to the Hollywood fiction blockbuster “2012” but is something more real. With the deadline so plainly in sight, we now have a better idea of the ability of States to fulfil a commitment they made so many years ago. Some of our State Parties will not be able to meet the 2012 deadline, try as they might.

As a person who always views the glass as half full, I believe that the will to meet expectations should count for something. What is important is that States show genuine willingness and sincerity to commit to the deadline. Since the deadline is now upon us, it is left to us Member States to determine how we should best address this problem. Taking into account States’ differing capabilities, we will need to determine how to not run afoul of a commitment carved in stone. If we take the easy way out and simply extend the deadline, then we also run the risk of not meaning what we say. On an issue as important as this, we need to strictly walk the talk.

With change comes progress. This is inevitable. But my delegation finds it perplexing that despite the technological advancement of every single State, the numbers of State Parties that have inspectable OCPFs remain at a steady 78 per year. Surely, there must be some increase in the number. Therefore, we urge State Parties that may have inadvertently overlooked their own advancement in technology to come forth and throw their names into the proverbial hat.

Inspections are important for confidence-building measures but too many inspections can be a burden to our chemical industries. OCPF declarations and subsequent random inspections conducted by the OCPW are not the only inspections our industries are subjected to. They are already overwhelmed by other kinds of national inspections and environmental considerations, in addition to audit systems like ISO 9000 and 14000 that they have to conform with.

Therefore, on our part, OCPF inspections while necessary for confidence building should target the more relevant sites. A further fine-tuning of the A14 Algorithm would enable us to achieve even better targets. Many State Parties now understand this and we hope these new ideas we have been working on will soon be endorsed so that we can move on to other areas of the Convention that need attention.

Malaysia welcomes the many facilitation meetings that are taking place in this building in-between and during Executive Council sessions. These include facilitations on the Destruction Deadline, Conversion, Site-selection Methodology, and Guidelines for an Inspection Policy. Salts in Scheduled Chemicals, Administration and Finance issues, Universality, Article VII and Article X issues as well as Legal issues on all of which have kept us fully engaged with each other in a cordial and constructive manner. And all which

INSPECTIONS ARE IMPORTANT AS CONFIDENCE BUILDING MEASURES

I may add have managed to keep us extremely busy and on our toes.

I believe that these many meetings will help us make long-term decisions on various issues that are in conformity with the Convention. To this end, I would like to extend my appreciation to the Technical Secretariat for their untiring efforts to ensure that not only do we not stray from the path, but that our path becomes as easy as practicable.

EC 64, 3 May 2011



Fauziah Mohamad Taib's latest book, *At the OPCW: A Story of Malaysia's Interventions* is a thoughtful account of her time at the OPCW and makes fascinating reading. A subject that many would regard as overly technical and too difficult to grasp is laid out before us in a manner that is highly accessible. The book provides insight into how multilateralism and disarmament work. In no small measure, the success of chemical weapons disarmament is due to the expertise and hard work of the diplomats, technical experts and staff at the OPCW, the national delegations, as well as the Technical Secretariat. Ambassador Taib has been a major contributor to this collective endeavour, and her honest and witty account is not only enjoyable to read but also helpful to understand why this work is important, and how it is done.

Ralf Trapp
Consultant & Expert
CBW arms control and disarmament

This book provides an excellent snapshot of the key issues and challenges faced by the CWC State Parties and the OPCW. The author achieves this by providing an explanatory background narrative attached to each of the speeches made by Malaysia at OPCW meetings between 2008 and 2014. Despite the complexity of the issues discussed, the book is written in a reader-friendly style. The author's personality, insightful perspectives and sense of humour shine through, making the book a delight to read. Thus, the book goes at least in some way toward explaining why Ambassador Fauziah Mohamad Taib has been one of the most popular and also most respected Ambassadors to be appointed as a Permanent Representative to the OPCW.

Robert Mathews
Asia-Pacific Centre for Military Law
University of Melbourne

AT THE OPCW

A STORY OF MALAYSIA'S INTERVENTIONS

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