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Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organisation for the Prohibition of Chemical Weapons

Letter dated 29 November 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I would like to bring to your attention our serious concerns regarding the draft report of the Organisation for the Prohibition of Chemical Weapons (OPCW) on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction for 2021, which was transmitted by your note dated 13 July 2022 on cooperation between the United Nations and OPCW ([A/77/158](#)).

We would like to stress that the draft report has not yet been considered by the OPCW membership at the twenty-seventh session of the Conference of the States Parties to the Convention (The Hague, 28 November–2 December 2022). Therefore, there is no ground either for its circulation in the General Assembly or for any consideration of it by the States Members of the United Nations in New York. We find it at least puzzling that your note was nevertheless placed on the agenda of the 39th plenary meeting of the Assembly, on 21 November 2022, under item 127, “Cooperation between the United Nations and regional and other organizations”.

We took note of the reference that the draft report was transmitted at the request of OPCW “in order to provide Member States with the most up-to-date information”. In this regard, we have to reiterate our established position that such a request violates paragraphs 21 (a), 32 (b) and 38 (b) of article VIII of the Convention.

At the 100th session of the OPCW Executive Council (The Hague, 5–7 July 2022), the Russian Federation, together with a number of other States parties, had to disassociate itself from the consensus on the draft owing to a number of most serious concerns which, despite our best efforts, have not yet been addressed.

We categorically reject the assertion of certain countries that the States parties are not in a position to suggest corrections to the draft or that the report should solely reflect the activities of the Technical Secretariat. According to article VIII of the Convention, the organs of OPCW are the Conference of the States Parties, the Executive Council and the Technical Secretariat. Since the report is supposed to be a comprehensive document, it should reflect the activities of the Organisation as a whole.



The draft report for 2021 also fails to reflect the position of the whole group of States parties that do not acknowledge the legitimacy of the so-called Investigation and Identification Team, which was established in violation of article XV of the Convention and engages in activities contrary to the Convention.

Despite our numerous calls upon the Technical Secretariat, the draft report does not include the position of the Russian Federation that the transfer of any information to the so-called “International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011” violates paragraph 34 of article VIII of the Convention.

At the same time, the Technical Secretariat, under some far-fetched pretext, did not mention in the draft report important information about the participation of its representatives in the second session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction (New York, 29 November–3 December 2021). We firmly believe that this process greatly contributes to reaching the goal of universalization of the Convention and therefore find such an approach unacceptable.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 127 (n).

(Signed) Vassily **Nebenzia**
