

Embassy of India

The Hague

November 21, 2018

India's two Explanations of Vote in the 23rd session of the Conference of State Parties to the OPCW

The 23rd session of the Conference of State Parties (CSP) to the Organization for Prohibition of Chemical Weapons (OPCW) concluded in The Hague yesterday, (November 20, 2018) with India voting in support of a Russian-Chinese proposal to establish a working group to consider various proposals relating to implementation of the decision on an Attribution Mechanism on use of chemical weapons in Syria. India at the same time abstained on the overall budget proposal of OPCW for 2019 stating that despite absence of consensus on the Attribution Mechanism, it was doing so because of its abiding support for the OPCW **.

Making two separate Explanations of Vote (EOV), Permanent Representative of India to OPCW, Ambassador Venu Rajamony said India attaches high importance to the Chemical Weapons Convention and stands for its full, effective and non-discriminatory implementation. India is a founder member of the OPCW and is committed to supporting the OPCW carry out the tasks entrusted upon it by the Convention.

***The Russian-Chinese proposal was rejected by the CSP with a vote of 82 against and 30 in favour out of 112 State Parties present at voting. The Program and Budget for the OPCW was adopted with a vote of 99 in favour and 27 against out of a total of 126 State Parties present at voting.*

India voted against the decision to set up an Attribution Mechanism at the 4th Special Session of the Conference of States Parties. It pointed out then that the Convention contains a finely balanced co-operative structure, bringing together various policy making organs and a Technical Secretariat headed by the Director General. The founding fathers viewed this as an indispensable balance between legitimacy and effective action under a member state driven Convention, assisted by a technically proficient Secretariat.

India believes the decision on the Attribution Mechanism has adversely impacted this finely crafted balance in the Convention by endowing unprecedented powers to the Technical Secretariat headed by the Director General, in place of primacy and oversight of the Executive Council and the Conference of States Parties. Moreover, the established procedure of an Amendment Conference, as provided under Article XV of the Convention should not have been circumvented by a decision on the Attribution Mechanism in a special session of the CSP. Further, the decision was adopted, not by consensus, but through a divisive vote, which went against the principle enshrined in the Convention that, as far as possible, decisions be taken by consensus. India has always emphasized the importance of consensus and the need for decisions to be taken by the States Parties in consultation with each other.

Ambassador Venu Rajamony said India voted in favour of the proposal by Russia and China to establish an Open Ended Working Group to consider various proposals related to the implementation of the decision on the Attribution Mechanism because it believes that such a working group could help rebuild the consensus amongst States Parties and overcome the divisions over the Attribution Mechanism.

In a separate Explanation of Vote after the voting on the Programme and Budget for 2019, Ambassador Venu Rajamony said India is committed to supporting the OPCW carry out the tasks entrusted upon it by the Convention as well as enabling it to do so by providing requisite funds. It is regrettable that neither the Executive Council nor this Conference of States Parties was able to achieve consensus on the Programme and Budget of the OPCW for 2019 and other related decisions. India supported the amendments proposed by Iran to the Budget proposal because it felt that the 'zero nominal growth' budget would have obtained the support of all parties even as States Parties continue to seek the way forward on the Attribution Mechanism.

However, despite the continued lack of consensus on the Programme and Budget on account of the Attribution Mechanism, India decided to abstain and not vote against the Budget and related proposals. This is because of India's abiding support for the OPCW in discharge of its mandate in line with the Convention.

Ambassador Venu Rajamony concluded reiterating India's willingness for all discussions with States Parties to find ways and means to strengthen the Convention and its effective implementation, within the framework of the Convention.

Full texts of the two EOVs are attached for information.

India's Explanation of Vote on Draft Decision (C-23/DEC/CRP.14 dated 16 November 2018) moved by Russia and China during the 23rd Conference of State Parties

[November 20, 2018]

Mr. Chairman,

Let me compliment you on your smooth and able steering of this session and proceed to explain our vote on the decision adopted just now.

India attaches high importance to the Chemical Weapons Convention and stands for its full, effective and non-discriminatory implementation. India is a founder member of the OPCW and is committed to supporting the OPCW carry out the tasks entrusted upon it by the Convention.

India voted against the decision to set up an Attribution Mechanism at the 4th Special Session of the Conference of States Parties. We pointed out then that the Convention contains a finely balanced co-operative structure, bringing together various policy making organs and a Technical Secretariat headed by the Director General. The founding fathers viewed this as an indispensable balance between legitimacy and effective action under a member state driven Convention, assisted by a technically proficient Secretariat.

We believe the decision on the Attribution Mechanism has adversely impacted this finely crafted balance in the Convention by endowing unprecedented powers to the Technical Secretariat headed by the Director General, in place of primacy and oversight of the Executive Council and the Conference of States Parties. Moreover,

the established procedure of an Amendment Conference, as provided under Article XV of the Convention should not have been circumvented by a decision on the Attribution Mechanism in a special session of the CSP. Further, the decision was adopted, not by consensus, but through a divisive vote, which went against the principle enshrined in the Convention that, as far as possible, decisions be taken by consensus. India has always emphasized the importance of consensus and the need for decisions to be taken by the States Parties in consultation with each other.

Mr. Chairman,

We voted in favour of the proposal by Russia and China to establish an Open Ended Working Group to consider various proposals related to the implementation of the decision on the Attribution Mechanism because we believe that such a working group could help rebuild the consensus amongst States Parties and overcome the divisions over the Attribution Mechanism.

Permit me to conclude reiterating that India remains willing and open for discussions with States Parties through constructive engagement and dialogue to find ways and means to strengthen the Convention and its effective implementation within the framework of the Convention. I request that this EoV be circulated as an official document of this Session of the Conference and posted on the OPCW website.

Thank you.

**India's Explanation of Vote on three Amendments moved by Iran and Russia
and Draft Decision on Programme and Budget of the OPCW for 2019(C-
23/DEC/CRP.8 dated 9 November 2018) during the 23rd Conference of State
Parties**

[November 20, 2018]

Mr. Chairman,

India is committed to supporting the OPCW carry out the tasks entrusted upon it by the Convention as well as enabling it to do so by providing requisite funds.

It is regrettable that neither the Executive Council nor this Conference of States Parties was able to achieve consensus on the Programme and Budget of the OPCW for 2019 and other related decisions. We supported the amendments proposed by Iran to the Budget proposal because we felt that the 'zero nominal growth' budget would have obtained the support of all parties even as States Parties continue to seek the way forward on the Attribution Mechanism.

However, despite the continued lack of consensus on the Programme and Budget on account of the Attribution Mechanism, we decided to abstain and not vote against the Budget and related proposals. This is because of our abiding support for the OPCW in discharge of its mandate in line with the Convention.

Mr. Chairman,

I conclude reiterating once again that India remains willing and open for all discussions with States Parties to find ways and means to strengthen the Convention and its effective implementation, within the framework of the Convention.

I request that this statement be circulated as an official document of this Session of the Conference and posted on the OPCW website.

Thank you.
