



### REPORT OF THE SIXTY-EIGHTH SESSION OF THE EXECUTIVE COUNCIL

#### 1. AGENDA ITEM ONE – Opening of the session

The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Peter Goosen of South Africa, opened its Sixty-Eighth Session in The Hague at 10:08 on 1 May 2012.

#### 2. AGENDA ITEM TWO – Adoption of the agenda

The Council **considered** and **adopted** the following agenda:

1. Opening of the session
2. Adoption of the agenda
3. Opening statement by the Director-General
4. Reports by the Vice-Chairpersons on the activities conducted under their respective clusters of issues
5. General debate
6. Status of implementation of the Convention:
  - (a) Reports by the Director-General on destruction/deadline related issues
  - (b) Implementation of the Conference of the States Parties and Executive Council decisions on destruction/deadline related issues
  - (c) Briefing by the Technical Secretariat on its verification activities and reports/briefings by States Parties concerned on destruction-related activities
  - (d) Facility agreements
  - (e) Status of implementation of Article XI
7. Report on the implementation in 2011 of the recommendations of the Office of Internal Oversight



8. Report of the Office of Internal Oversight for 2011
9. Establishment of an open-ended working group for preparations for the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention
10. Administrative and financial matters:
11. Agreements on the privileges and immunities of the OPCW
12. Election of the Chairperson and Vice-Chairpersons of the Executive Council
13. Any other business
14. Adoption of the report
15. Closure

**3. AGENDA ITEM THREE – Opening statement by the Director-General**

The Council **noted** the opening statement by the Director-General (EC-68/DG.8, dated 1 May 2012).

**4. AGENDA ITEM FOUR – Reports by the Vice-Chairpersons on the activities under their respective clusters of issues**

- 4.1 The Vice-Chairpersons reported to the Council on informal consultations held during the intersessional period: Ambassador Bhaswati Mukherjee of India on chemical weapons issues, Ambassador Gregor Koebel of Germany on chemical-industry and other Article VI issues, Mr Luis Pablo Beltramino of Argentina on administrative and financial issues, and Ambassador Roman Kolodkin of the Russian Federation on legal, organisational, and other issues. The Chairperson also reported on his own activities on behalf of the Council during the intersessional period.
- 4.2 At its previous session, the Council requested concerned delegations and representatives of the Host Country to consult during the intersessional period with a view to addressing any outstanding issues, and to inform the Chairperson of the Host Country Committee (HCC) of the outcomes of such discussions so that these could be reported to the Council at its next regular session (paragraph 12.3 of EC-67/3, dated 27 March 2012).
- 4.3 The Council **noted** statements by several concerned delegations related to issues under consideration by the HCC. The Council **requested** the Host Country to expedite examination, with a view to their resolution, of outstanding issues that were brought to its attention by several concerned delegations. The Council **decided** to remain seized of this matter and to consider progress made in addressing these outstanding issues at its next regular session.
- 4.4 The Council **also agreed** that, as a general principle, there should be at least two meetings per year of the HCC.

**5. AGENDA ITEM FIVE – General debate**

The following delegations made statements during the general debate: Cuba (on behalf of the Non-Aligned Movement and China), Denmark (on behalf of the European Union and associated countries), Kenya (on behalf of the African Group), India, Malaysia, China, Brazil, the Russian Federation, the Islamic Republic of Iran, Qatar (observer), Pakistan, the United States of America, Canada, Rwanda, Iraq, and Japan.

**6. AGENDA ITEM SIX – Status of implementation of the Convention**

**Subitem 6(a): Reports by the Director-General on destruction/deadline related issues**

- 6.1 The Council **recalled** that, at its Sixteenth Session, the Conference of the States Parties (hereinafter “the Conference”) adopted a decision on the final extended deadline of 29 April 2012 (C-16/DEC.11, dated 1 December 2011). The Council **expressed** its concern regarding the Director-General’s statement in his report, provided in accordance with paragraph 2 of C-16/DEC.11, that “the three possessor States Parties, namely Libya, the Russian Federation, and the United States of America, have been unable to fully meet the final extended deadline of 29 April 2012 for the destruction of their chemical weapons stockpiles” (EC-68/DG.9, dated 1 May 2012).
- 6.2 The Council **noted** a Note by the Director-General on the status of implementation of the final extended deadline of 29 April 2012 (EC-68/DG.7, dated 1 May 2012), submitted pursuant to the decision by the Conference at its Sixteenth Session on the final extended deadline of 29 April 2012 (C-16/DEC.11).
- 6.3 The Council **noted** the Director-General’s statement in his report, provided in accordance with paragraph 4 of EC-67/DEC.6 (dated 15 February 2012), that “the deadline for the destruction of ACWs as established by the Council at its Forty-Sixth Session has not been fully met” (EC-68/DG.9). The Council **also recalled** that it had adopted a decision at its previous session entitled “The Deadline of 29 April 2012 and Future Destruction of Chemical Weapons Abandoned by Japan in the People’s Republic of China” (EC-67/DEC.6).
- 6.4 The Council **recalled** the decision that was adopted at its previous session on the request by Italy for modification of decision EC-48/DEC.2, dated 13 March 2007, concerning the destruction of all its old chemical weapons (EC-67/DEC.8, dated 17 February 2012).
- 6.5 The Council **recalled** the commitments by these States Parties in these situations to complete the destruction of all the chemical weapons in accordance with the provisions of the Chemical Weapons Convention (hereinafter “the Convention”) and its Verification Annex and also in accordance with the relevant decisions that have been adopted.
- 6.6 The Council **considered** and **noted** a status report by the Director-General on the progress made by those States Parties that have been granted extensions of deadlines

for the destruction of their chemical weapons (EC-68/DG.4, dated 20 April 2012 and Corr.1, dated 1 May 2012).

- 6.7 The Council **considered** and **noted** a Note by the Director-General (EC-68/DG.5, dated 26 April 2012) on information provided as per the request of the Council at its Fifty-Ninth Session (paragraph 5.8 of EC-59/4, dated 26 February 2010).
- 6.8 Further to a decision by the Council at its Sixty-Seventh Session entitled “The Deadline of 29 April 2012 and Future Destruction of the Chemical Weapons Abandoned by Japan in the People’s Republic of China” (EC-67/DEC.6), the Council **noted** a report by the Director-General on the overall progress of the destruction of abandoned chemical weapons (EC-68/DG.6, dated 26 April 2012).

**Subitem 6(b): Implementation of the Conference of the States Parties and Executive Council decisions on destruction/deadline related issues**

- 6.9 The Council **recalled** that, at its Sixteenth Session, the Conference decided that, if the final extended deadline had not been fully met, “The destruction of the remaining chemical weapons in the possessor States concerned shall be completed in the shortest time possible in accordance with the provisions of the Convention and its Verification Annex and under the verification of the Technical Secretariat of the Organisation as prescribed under the Convention and its Verification Annex.” (C-16/DEC.11).
- 6.10 The Council **recalled also** that the Conference had further decided that “Each possessor State concerned is to submit a detailed plan for the destruction of its remaining chemical weapons, which are to be destroyed in the shortest time possible, to the Sixty-Eighth Session of the Executive Council. The plan submitted by each possessor State, which is to also be considered and noted by the Council at its Sixty-Eighth Session, is to specify the planned completion date by which the destruction of its remaining chemical weapons is to be completed (hereinafter referred to as the “planned completion date”). The possessor States concerned are to take appropriate measures to meet the planned completion date.”
- 6.11 Pursuant to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** a detailed plan by the Russian Federation for the destruction of remaining chemical weapons (EC-68/P/NAT.1, dated 11 April 2012).
- 6.12 Pursuant to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** a detailed plan by the United States of America for the destruction of remaining chemical weapons (EC-68/NAT.2, dated 13 April 2012).
- 6.13 Pursuant to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** a detailed plan by Libya for the destruction of remaining chemical weapons (EC-68/NAT.4, dated 18 April 2012).
- 6.14 The Council also **reaffirmed** that it had adopted a decision at its previous session entitled “The Deadline of 29 April 2012 and Future Destruction of Chemical Weapons Abandoned by Japan in the People’s Republic of China” (EC-67/DEC.6).

6.15 The Council **considered** and **noted** the report of the visit by the Chairperson of the Council and representatives of the Council to the Kizner chemical weapons destruction facility in the Russian Federation from 19 to 23 March 2012 (EC-68/2, dated 24 April 2012).

**Subitem 6(c): Briefing by the Technical Secretariat on its verification activities and reports/briefings by States Parties concerned on destruction-related activities**

6.16 The Secretariat briefed the Council on its verification activities.

6.17 The United States of America, the Russian Federation, Libya, Japan, and China briefed the Council on their destruction-related activities.

6.18 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.17, dated 8 December 2006), a national paper by the United States of America on the status of its destruction activities at the end of the current 90-day period after 29 April 2007 (as at 31 March 2012) was circulated to the members of the Council (EC-68/NAT.1, dated 10 April 2012).

6.19 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.18, dated 8 December 2006), a national paper by the Russian Federation on the status of its destruction activities at the end of the current 90-day period after 29 April 2007 (as at 31 March 2012) was circulated to the members of the Council (EC-68/P/NAT.2, dated 16 April 2012).

6.20 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.3, dated 29 November 2011), a national paper by Libya on the status of its destruction activities was circulated to the members of the Council (EC-68/NAT.3, dated 16 April 2012).

6.21 Further to a decision by the Council at its Sixty-Seventh Session on the declaration of chemical weapons in Libya not previously declared (EC-67/DEC.9, dated 27 March 2012), the Council **noted** a Note by the Secretariat on the initial inspection of chemical weapons in Libya not previously declared (EC-68/P/S/1, dated 26 April 2012).

6.22 Further to a decision by the Council at its Forty-Sixth Session (EC-46/DEC.4, dated 5 July 2006), a national paper by China entitled "Report on the Status of the Chemical Weapons Abandoned by Japan in China" (EC-68/NAT.5, dated 20 April 2012) and a national paper by Japan entitled "The Report on the Current Status of the ACW Projects in China (reporting on the period from 1 January to 31 March 2012)", (EC-68/NAT.7, dated 20 April 2012) were circulated to the members of the Council.

6.23 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6), a national paper by China entitled "Report on the Destruction of the Chemical Weapons Abandoned by Japan in China" (EC-68/NAT.6, dated 20 April 2012) and a national paper by Japan entitled "Report on the Current Status of the ACW Projects in China in Accordance with the Executive Council Decision EC-67/DEC.6 (Reporting Period:

15 February – 15 April 2012)” (EC-68/NAT.8, dated 20 April 2012) were circulated to the members of the Council.

**Subitem 6(d): Facility agreements**

- 6.24 The Council **noted** a Note on amendments, modifications, and updates to the facility agreement with Spain regarding on-site inspections at a Schedule 1 facility for protective purposes (EC-68/S/2, dated 26 March 2012).
- 6.25 The Council **considered** and **adopted** a decision on amendments to the facility agreement with Spain regarding on-site inspections at a Schedule 1 facility for protective purposes (EC-68/DEC.1, dated 2 May 2012) and **approved** the amendments contained in EC-68/R/DEC.1 (dated 2 May 2012).

**Subitem 6(e): Status of implementation of Article XI**

- 6.26 At its previous session, the Council, having taken note of the statements and, in particular, specific proposals made by delegations under this agenda item on how to further improve the activities of the Secretariat relating to the implementation of Article XI and the relevant facilitation process, requested the facilitator for this issue, Mr Chen Kai of China, to organise consultations on the aforementioned report by the Director-General, as well as on the implementation of the decision by the Conference at its Sixteenth Session (C-16/DEC.10, dated 1 December 2011), and to report back to the Council at its next regular session (paragraph 6.18 of EC-67/3).
- 6.27 The Council **received** an oral report by Mr Chen Kai on the informal consultation held during the intersessional period, and **welcomed** proposals made by delegations during the consultation and the initiative by the Secretariat on the implementation of the relevant decision by the Conference adopted at its Sixteenth Session. The Council **welcomed** the appointment of Mr Aamir Shouket of Pakistan as the facilitator for this issue, and **requested** him to continue consultations on the implementation of the aforementioned decision, based on specific proposals made by delegations and on the initiative of the Secretariat, and to report back to the Council at its next regular session. The Council **requested** the Secretariat to provide a progress report to the Seventieth Session of the Council on the implementation of the relevant decision of the Conference adopted at its Sixteenth Session.

**7. AGENDA ITEM SEVEN – Report on the implementation in 2011 of the recommendations of the Office of Internal Oversight**

- 7.1 The Council **considered** a report by the Director-General on the implementation in 2011 of the recommendations contained in the 2010 annual report of the Office of Internal Oversight (OIO) (EC-68/DG.2, dated 28 March 2012) and **decided** to consider it further at its next regular session.
- 7.2 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported to the Council on consultations held during the intersessional period.

**8. AGENDA ITEM EIGHT – Report of the Office of Internal Oversight for 2011**

- 8.1 The Council **considered** the annual report of the OIO for the period from 1 January to 31 December 2011 and an accompanying Note by the Director General (EC-68/DG.1 C-17/DG.3, dated 20 March 2012) and **decided** to consider them further at its next regular session.
- 8.2 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported to the Council on consultations held during the intersessional period.

**9. AGENDA ITEM NINE – Establishment of an open-ended working group for preparations for the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention**

- 9.1 The Conference at its Sixteenth Session recommended that the Council establish an open-ended working group to begin preparations, in cooperation with the Secretariat, for the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Third Review Conference”) (paragraph 21.1 of C-16/5, dated 2 December 2011), which is to be convened in accordance with paragraph 22 of Article VIII of the Convention.
- 9.2 The Council **decided** to establish the Bureau of the open-ended working group and **agreed** on the following nominations for the Bureau: H.E. Mrs Nassima Baghli of Algeria (African Group) as Chairperson, and of H.E. Mrs Mary Whelan of Ireland (WEOG<sup>1</sup>), H.E. Mr Kazem Gharib Abadi of the Islamic Republic of Iran (Asia Group), and H.E. Mr Roman Kolodkin of the Russian Federation (Eastern European Group) as Vice-Chairpersons of the open-ended working group. The GRULAC<sup>2</sup> coordinator announced the withdrawal of its candidate, H.E. Mr Julio Roberto Palomo Silva of Guatemala, and stated that it will submit the name of its nominee at a later stage.
- 9.3 In terms of the organisational arrangement of the open-ended working group for preparations for the Third Review Conference, the working group will be guided by a Bureau that will consist of one Chairperson, and four Vice-Chairpersons representing the regional groups, to ensure that the views of all delegations are taken into account in preparing for the Third Review Conference. The working group and the Bureau will be guided by the following understandings:
- (a) The working group will decide on all matters regarding its agenda, as well as the content, format, and status of its final document(s).
  - (b) The Bureau members, as a management team, will help steer the work of the working group, and to that end they will meet at regular intervals.
  - (c) Decision-making by consensus shall be the objective of the working group.
  - (d) Active and broad participation of the States Parties in the deliberations and proceedings of the working group shall be encouraged. For that purpose, the

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<sup>1</sup> WEOG = Western European and Other States Group.

<sup>2</sup> GRULAC = Group of Latin American and Caribbean States.

programme of meetings of the working group should be arranged so as to facilitate, where they wish, the involvement of representatives from capitals.

- 9.4 The Council also **decided** that the practice of rotation will apply to the nominations of the Chairperson of the Bureau of future open-ended working groups for Special Sessions of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention<sup>3</sup>.

**10. AGENDA ITEM TEN – Administrative and financial matters**

The Council **noted** a report by the Director-General on OPCW income and expenditure for the financial year to 31 March 2012 (EC-68/DG.3, dated 17 April 2012).

**11. AGENDA ITEM ELEVEN – Agreements on the privileges and immunities of the OPCW**

- 11.1 The Council **noted** a Note by the Secretariat on amendments to the Agreement between the Organisation for the Prohibition of Chemical Weapons and the Republic of Bulgaria on the Privileges and Immunities of the OPCW and **approved** the amendments contained therein (EC-68/S/1, dated 21 March 2012).

- 11.2 The Council **approved** an Agreement between the OPCW and the Republic of Mozambique on the Privileges and Immunities of the OPCW (EC-68/DEC.2, dated 2 May 2012).

**12. AGENDA ITEM TWELVE – Election of the Chairperson and Vice-Chairpersons of the Executive Council**

In accordance with Rule 6 of its Rules of Procedure, and with effect from 12 May 2012, the Council **elected** Ambassador Bhaswati Mukherjee of India as its new Chairperson, for a term of office ending on 11 May 2013, and as its new Vice-Chairpersons for the same period: Ambassador Miguel Eduardo Calahorrano Camino of Ecuador, Ambassador Roman Kolodkin of the Russian Federation, Ambassador Sirajuddin Hamid Yousif of Sudan, and Ambassador Robert Mikulak of the United States of America.

**13. AGENDA ITEM THIRTEEN – Any other business**

**Availability of official-series documents on the OPCW website**

- 13.1 The Council **noted** the Note by the Director-General on the availability of official-series documents on the OPCW website (EC-XVII/DG.1/Rev.2, dated 20 April 2012).

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<sup>3</sup> The Chairperson of the open-ended working group for the First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention was from the GRULAC, and for the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention the Chairperson was from the WEOG.

**Nomination for membership of the Advisory Board on Administrative and Financial Matters**

- 13.2 The Council **noted** a Note by the Secretariat on a nomination for membership of the Advisory Board on Administrative and Financial Matters (EC-68/S/3, dated 1 May 2012), and **approved** the appointment of Mr Subhash Chandra Garg of India retroactive to 25 April 2012, the date of the letter of nomination.

**Issues relating to improvement of the methodology of the work of the Council**

- 13.3 The Council **requested** its Chairperson to continue the informal consultations with all delegations and the Secretariat on issues relating to improvement of the methodology of the work of the Council.

**14. AGENDA ITEM FOURTEEN – Adoption of the report**

The Council **considered** and **adopted** the report of its Sixty-Eighth Session.

**15. AGENDA ITEM FIFTEEN – Closure**

The Chairperson closed the session at 19:25 on 4 May 2012.

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