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REPORT BY THE DIRECTOR-GENERAL

STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CHEMICAL WEAPONS CONVENTION AS AT 31 JULY 2021: ARTICLE VII – INITIAL MEASURES

Introduction

1. In operative paragraph 1 of the decision on the follow-up to the plan of action regarding the implementation of obligations under Article VII of the Chemical Weapons Convention (hereinafter “the Convention”) (C-10/DEC.16, dated 11 November 2005), the Conference of the States Parties (hereinafter “the Conference”) stressed that it was imperative for States Parties that had yet to fulfil their obligations under Article VII to do so without delay.
2. The Third Review Conference¹ “[e]ncouraged the Secretariat to explore innovative methods of providing assistance on tailor-made approaches as a potential means to further advance the implementation of Article VII” (subparagraph 9.103(c) of RC-3/3*, dated 19 April 2013). Furthermore, the Technical Secretariat (hereinafter “the Secretariat”) was requested to “continue to submit its annual report on the implementation of Article VII to the Conference, and [...] to include an assessment in this report, for consideration by the policy-making organs, containing a comprehensive and objective analysis of the current status of national implementation, with a view to tracking the progress made and formulation of focused assistance programmes” (subparagraph 9.103(h) of RC-3/3*).
3. Pursuant to the request received from the Third Review Conference, and in close cooperation with States Parties, the Secretariat has updated the two matrices included in the annual reports—the one addressing the initial measures taken by States Parties in accordance with Article VII and the second listing additional measures—and is presenting them in two concurrent reports, as invited by the Conference (paragraph 8 of C-14/DEC.12, dated 4 December 2009).

Legislative and administrative implementation

4. This document provides an update on the status and progress in adopting the initial measures that are necessary for all States Parties to implement in order to achieve the objectives set forth under the Convention.

¹ Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.



5. The information is based on the responses received from States Parties to the note verbale sent by the Secretariat on 8 March 2021 requesting them to provide updates on the status of implementation of Article VII and to fill in the matrices attached to the note verbale. As at the cut-off date of the current report, 105 States Parties had replied to the note verbale (Table 1).

TABLE 1: STATES PARTIES THAT SUBMITTED RESPONSES TO THE SECRETARIAT

Albania	Algeria	Andorra
Antigua and Barbuda	Argentina	Armenia
Australia	Austria	Bahrain
Bangladesh	Belarus	Belgium
Bhutan	Bolivia (Plurinational State of)	Bosnia and Herzegovina
Brazil	Bulgaria	Burkina Faso
Burundi	Canada	Chile
China	Colombia	Costa Rica
Croatia	Cuba	Czech Republic
Denmark	Dominica	Dominican Republic
Ecuador	El Salvador	Estonia
Ethiopia	Finland	France
Georgia	Germany	Greece
Guatemala	Guyana	Holy See
Honduras	Hungary	Iceland
India	Iran (Islamic Republic of)	Iraq
Ireland	Italy	Japan
Kenya	Lao People's Democratic Republic	Latvia
Liechtenstein	Lithuania	Luxembourg
Madagascar	Malaysia	Maldives
Mali	Mauritania	Mexico
Mongolia	Montenegro	Morocco
Netherlands	New Zealand	Nicaragua
Nigeria	Norway	Pakistan
Panama	Peru	Philippines
Poland	Portugal	Qatar
Republic of Korea	Republic of Moldova	Romania
Russian Federation	Saint Kitts and Nevis	Samoa
Saudi Arabia	Serbia	Seychelles
Singapore	Slovakia	South Africa
Spain	Sri Lanka	Sudan
Sweden	Switzerland	Thailand
Turkey	Uganda	United Arab Emirates
United Kingdom of Great Britain and Northern Ireland	United Republic of Tanzania	United States of America
Uruguay	Uzbekistan	Venezuela (Bolivarian Republic of)

6. The global status, as at 31 July 2021, of the relevant elements of legislative and administrative implementation is reflected in the tables below.

TABLE 2: OVERVIEW OF THE LEGISLATIVE IMPLEMENTATION OF THE CONVENTION

Article VII(5) submission received	172 (89%)
Legislation covers initial measures	118 (61%) in full 40 (21%) in part
Legislation covers additional measures	103 (53%)
Text of adopted measures provided	154 (80%)

TABLE 3: STATUS OF ELEMENTS OF LEGISLATIVE AND ADMINISTRATIVE IMPLEMENTATION UNDER THE PURVIEW OF THE PRESENT REPORT (AS AT 31 JULY 2021)

Indicators		Number and Percentage of States Parties Having Implemented the Measure
Definitions		
Chemical Weapons		136 (70%) in full 9 (5%) in part
Toxic Chemical		132 (68%) in full 10 (5%) in part
Precursor		128 (66%) in full 9 (5%) in part
Purposes Not Prohibited		129 (67%) in full 8 (4%) in part
Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	126 (65%) in full 11 (6%) in part
	Schedule 2	123 (64%) in full 13 (7%) in part
	Schedule 3	124 (64%) in full 12 (6%) in part
Prohibitions and Penalties		
Prohibitions	Chemical Weapons	146 (76%) in full 6 (3%) in part
	Scheduled Chemicals	130 (67%) in full 13 (7%) in part
Penalties	Chemical Weapons	142 (74%) in full 9 (5%) in part
	Scheduled Chemicals	130 (67%) in full 13 (7%) in part
Other Initial Measures		
Extraterritoriality		124 (64%)
Legal basis for regulations		128 (66%) in full 3 (2%) in part
Establishment/Designation of National Authority		192 (99%)

TABLE 4: EXPLANATION OF COLUMN HEADINGS IN THE TABLES CONTAINED IN THE ANNEX TO THIS REPORT

Column Heading		Explanation
Definitions		
Chemical Weapons		Indicates that the legislation of the State Party in question contains a definition of chemical weapons that fully reflects the meaning of <i>chemical weapons</i> as defined by paragraph 1 of Article II of the Convention.
Toxic Chemical		Indicates that the legislation of the State Party in question contains a definition of toxic chemical that fully reflects the meaning of <i>toxic chemical</i> as defined by paragraph 2 of Article II of the Convention.
Precursor		Indicates that the legislation of the State Party in question contains a definition of precursor that fully reflects the meaning of <i>precursor</i> as defined by paragraph 3 of Article II of the Convention.
Purposes Not Prohibited		Indicates that the legislation of the State Party in question contains a definition of purposes not prohibited that fully reflects the meaning of <i>purposes not prohibited</i> under the Convention as defined by paragraph 9 of Article II of the Convention.
Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	“X” indicates that the national legislation ensures that the State Party is in a position to fulfil the prior reporting requirements concerning transfers of Schedule 1 chemicals (see paragraphs 5 and 5bis. of Part VI of the Verification Annex to the Convention (hereinafter “the Verification Annex”)) and to provide all information that is to be included in the declaration required by paragraph 6 of Part VI of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 2	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in annual declarations required by paragraph 1 and 2 of Part VII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 3	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in declarations pursuant to paragraph 1 of Part VIII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.

Column Heading	Explanation	
Prohibitions and Penalties		
	Chemical Weapons	Scheduled Chemicals
Prohibition	“X” indicates that the activities prohibited to States Parties under paragraph 1 of Article I of the Convention are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.	“X” indicates that the activities prohibited to States Parties under: - paragraphs 1, 2, 3, and 4 of Part VI of the Verification Annex (Schedule 1-related); - paragraph 31 of Part VII of the Verification Annex (Schedule 2-related); ² - paragraph 26 of Part VIII of the Verification Annex (i.e., the export of Schedule 3 chemicals to States not Party without appropriate assurance that they will only be used for purposes not prohibited under the Convention); ³ are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.
Penalties	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.
Other Initial Measures		
Extraterritoriality	“X” indicates that the State Party has extended its penal legislation enacted to implement the prohibitions of the Convention to any activity undertaken anywhere by natural persons possessing its nationality.	
Legal Basis for Regulations	“X” indicates that legislation of the State Party contains provisions that enable the relevant ministries/governmental departments to issue measures to regulate the production, processing, and consumption of scheduled chemicals, and measures detailing the verification and confidentiality regimes.	
Establishment/Designation of National Authority	“X” indicates that a National Authority has been designated or established. It should be noted that some National Authorities have been designated on a purely interim basis.	

Note: “(X)”, that is, X in brackets, for any of the above indicators means that the measure has been partially implemented.

Please note that the prohibition of certain activities can also be imposed by legal measures other than direct prohibitions. For example, when a licensing regime in a State Party ensures that no natural or legal person will be permitted to carry out an activity that is prohibited to States Parties under the Convention, then the column for the prohibition will be checked with the indication “X”.

² For exceptions, please refer to C-V/DEC.16, dated 17 May 2000.

³ For exceptions, please refer to C-VI/DEC.10, dated 17 May 2001.

EC-98/DG.12

C-26/DG.10

page 6

Annex (English only):

Status of Implementation of Article VII, Initial Measures by State Party, as at 31 July 2021

Annex

STATUS OF IMPLEMENTATION OF ARTICLE VII, INITIAL MEASURES BY STATE PARTY, AS AT 31 JULY 2021

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties		Other Initial Measures					
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Prohibitions		Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/Designation of National Authority	
									Chemical Weapons	Scheduled Chemicals						Chemical Weapons
1.	Afghanistan														X	
2.	Albania	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
3.	Algeria	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
4.	Andorra	X	X	X	X										X	X
5.	Angola														X	X
6.	Antigua and Barbuda	X	X	X		X	X	X							X	X
7.	Argentina	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
8.	Armenia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
9.	Australia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10.	Austria	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11.	Azerbaijan	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12.	Bahamas															X
13.	Bahrain	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14.	Bangladesh	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
15.	Barbados															X
16.	Belarus	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
17.	Belgium	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Prohibitions		Penalties		Extraterritoriality	Legal Basis for Regulations	Establishment/Designation of National Authority
									Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals			
144.	Rwanda	X						X	(X)						X
145.	Saint Kitts and Nevis	X	X	X	X	X	X	X	X			X	X	X	X
146.	Saint Lucia	X	X	X	X	X	X	X	X			X	X	X	X
147.	Saint Vincent and the Grenadines	X	X	X	X	X	X	X	X			X	X	X	X
148.	Samoa	X	X	X	X	X	X	X	(X)			X	(X)	X	X
149.	San Marino					X						X			X
150.	Sao Tome and Principe														X
151.	Saudi Arabia	X	X	X	X	X	X	X	X			X	X	X	X
152.	Senegal	X	X		X	X	X	X	X			X	X	X	X
153.	Serbia	X	X	X	X	X	X	X	X			X	X	X	X
154.	Seychelles											X			X
155.	Sierra Leone														X
156.	Singapore	X	X	X	X	X	X	X	X			X	X	X	X
157.	Slovakia	X	X	X	X	X	X	X	X			X	X	X	X
158.	Slovenia	X	X	X	X	X	X	X	X			X	X	X	X
159.	Solomon Islands														X
160.	Somalia														
161.	South Africa	X	X	X	X	X	X	X	X			X	X	X	X
162.	Spain	X	X	X	X	X	X	X	X			X	X	X	X
163.	Sri Lanka	X	X	X	X	X	X	X	X			X	X	X	X
164.	State of Palestine	X	X	X	X	X	X	X	X			X	X	X	X

	State Party	Definitions				Scheduled Chemicals Regime Reporting on Transfers			Prohibitions and Penalties				Other Initial Measures		
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Prohibitions	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations
186.	Uruguay	X	X	X	X	X	X	X	X	X	X	X		X	X
187.	Uzbekistan	X	X	X	X	X	X	X							X
188.	Vanuatu	X	X	X	X	X	X	X	X	X	X	X	X	X	X
189.	Venezuela (Bolivarian Republic of)	X	(X)	(X)	X	(X)	(X)	(X)	X	X	X	X	X	X	X
190.	Viet Nam	X	X	X	X	X	X	X	X	X	X	X	X	X	X
191.	Yemen	X	X	X	X	X	X	X	X	X	X	X	X	X	X
192.	Zambia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
193.	Zimbabwe	X				X	X	X	X	X	X	X			X