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REPORT BY THE DIRECTOR-GENERAL

**OVERVIEW OF THE STATUS OF THE IMPLEMENTATION OF ARTICLE VII
OF THE CHEMICAL WEAPONS CONVENTION
AS AT 31 JULY 2021**



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A. EXECUTIVE SUMMARY

1. This report has been produced for the Ninety-Eighth Session of the Executive Council (hereinafter “the Council”) in response to decision C-14/DEC.12 (dated 4 December 2009), in which the Conference of the States Parties (hereinafter “the Conference”) invited the Technical Secretariat (hereinafter “the Secretariat”) to provide annual reports on the status of implementation of Article VII of the Chemical Weapons Convention (hereinafter “the Convention”) for consideration by the Council and submission to the Conference. This report is also in response to the request of 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”) for the Secretariat to continue to submit its annual report on the implementation of Article VII to the Conference, and to include an assessment containing a comprehensive and objective analysis, with a view to tracking the progress made and the formulation of focused assistance programmes.
2. The reporting period is from 1 August 2020 to 31 July 2021.
3. This report presents an overview of the status of and progress regarding legislative and administrative measures adopted by States Parties to implement their obligations under Article VII of the Convention. It provides the two concurrent reports on the steps taken by States Parties to implement their obligations under Article VII by presenting the status of the initial measures to be adopted by all States Parties and the status of the additional measures to be adopted by States Parties possessing declarable chemical facilities.
4. 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. The online platform for the submission of updates was launched in February 2020. For States Parties that did not provide responses, their respective status, as indicated in previous reports, was left unchanged.
5. At the cut-off date of this report, 105 States Parties had replied to the note verbale, which is slightly higher than the number of responses received last year. The number of responses received in recent years and active engagement with States Parties have enhanced the Secretariat’s understanding of the global status of implementation of Article VII, enabling it to clarify States Parties’ respective status of implementation, to conduct legal reviews, and to provide appropriate technical assistance.
6. The system for providing updates on the status of implementation of Article VII is based on self-reporting. For some States Parties, the information submitted on their status of implementation differed from the information they provided in previous reporting periods, in large part because of the inadequacy of institutional knowledge management systems in place. The Secretariat engaged with these States Parties to review their legal texts in order to ascertain their accurate status of implementation, following which corrections were made to the submissions. With the launch of the online platform for the submission of updates on the status of implementation of Article VII, there are fewer discrepancies and inconsistencies in the information provided by States Parties.
7. Out of the 193 States Parties to the Convention, 158 have adopted national implementing legislation, of which 118 have legislation covering all the initial measures. Forty States Parties have legislation covering some of the initial measures,

while 35 States Parties have yet to report on the adoption of legislation. These figures also reflect a correction that was made to accurately reflect the status of implementation of one State Party, following discussions and a legal review.

8. For States Parties that possess industrial facilities declarable under the Convention, 103 States Parties have adopted all additional measures pertaining to declarable industrial facilities.
9. As required under paragraph 5 of Article VII of the Convention, 172 States Parties have submitted information to the Secretariat on the legislative and administrative measures they have taken to implement various aspects of the Convention, of which 154 States Parties have provided copies of the texts of adopted measures.
10. In total, 192 States Parties have designated or established a National Authority, leaving one remaining State Party that has yet to do so.
11. The Secretariat continued to provide assistance in support of States Parties' efforts to develop and adopt national implementing legislation and to further enhance the capacities of National Authorities to discharge their duties through various programmes. Upon request by States Parties, the Secretariat reviewed the texts of draft legislation and newly enacted or existing legislation, to advise whether such texts comply with the requirements of the Convention. The Secretariat also provided advice and reviewed legal texts submitted by States Parties in regard to the implementation of the amendment to the Annex on Chemicals to the Convention (hereinafter "the Annex on Chemicals"). Furthermore, the Secretariat conducted consultations with States Parties that have yet to adopt legislation covering all the initial measures to ascertain their progress and offer the appropriate form of support.
12. The Secretariat organised four sessions of the National Legislative Review Forum, during which States Parties assessed their respective national legislative and administrative frameworks on the Convention and identified gaps and discussed possible approaches to address them. The Secretariat held two training courses on legislative and regulatory issues on chemical security, which were aimed at enhancing the understanding of participating States Parties on the scope of a national legal and regulatory framework on chemical security, and on approaches in the development of chemical security measures.
13. During the reporting period, because of pandemic-related restrictions, the Secretariat conducted its technical assistance and capacity-building activities in an online format, while a few events had to be postponed or cancelled. The Secretariat continued to explore alternative means and innovative methodologies to enhance its support to States Parties under the challenging operating conditions. The Secretariat continued to pursue a results-based approach by monitoring and following up with States Parties on the fulfilment of their obligations under Article VII of the Convention, using various tools to this end, including the indicative road maps developed by respective States Parties, follow-up letters, and bilateral discussions.

B. INTRODUCTION

14. At its Fourteenth Session (30 November to 4 December 2009), the Conference adopted a decision on “National Implementation Measures of Article VII Obligations” (C-14/DEC.12), in which it invited the Secretariat to, inter alia, compile two concurrent annual reports on the status of implementation of Article VII of the Convention and requested the Secretariat to provide those annual reports to the Council. The Council was invited to consider and submit these reports to the Conference, together with its recommendations, as appropriate.
15. At the Third Review Conference (8 to 19 April 2013), the Conference “[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”.¹ Furthermore, 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”.²
16. In 2013, States Parties agreed on a new set of criteria to be used by the Secretariat to monitor the status of implementation of the Convention, as the old criteria were considered obsolete and ineffective. The “initial measures” comprise the minimum set of legislative measures deemed necessary for a non-possessor State Party that has no declarable chemical production facility on its territory. They pertain to:
 - (a) definitions under the Convention;
 - (b) a comprehensive control regime for scheduled and toxic chemicals and reporting on transfers (import and export) of scheduled chemicals;
 - (c) prohibited actions and activities;
 - (d) penalties for violations of the law;
 - (e) extraterritorial application of penal legislation;
 - (f) a legal basis for developing implementing regulations; and
 - (g) the establishment of a National Authority.
17. Possessor States and States Parties that have declarable chemical production facilities must also implement additional measures on the basis of their specific profile and circumstances in accordance with the Convention.

¹ Subparagraph 9.103(c) of RC-3/3* (dated 19 April 2013).

² Subparagraph 9.103(h) of RC-3/3*.

18. These new criteria were first used in the annual reports on the implementation of Article VII in 2013,³ and the same criteria have been used for all subsequent reports from 2014 to 2020.
19. These new criteria are aimed at providing a more comprehensive and objective overview of the implementation of the Convention by States Parties and serve as guidance to the Secretariat in planning and providing specific technical assistance to requesting States Parties, thus moving from a “one-size-fits-all” to a “tailor-made” approach. This has already had a favourable impact on national implementation.
20. Pursuant to the request received from the Third Review Conference, the Secretariat sent a note verbale on 8 March 2021 to all States Parties, requesting them to provide updates on the status of implementation of Article VII and to fill in the matrices attached to the note verbale. Last year, the Secretariat launched an online platform for the submission of updates on the implementation of Article VII, which is aimed at providing a more systematic and efficient way of submitting and collecting information. Nonetheless, the Secretariat continued to accept updates submitted through other modalities, such as by email or under cover of a note verbale, and then entered States Parties’ data into the online platform. Based on the responses received, the Secretariat has updated the two matrices included in the annual reports—the first 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 requested by the Conference (paragraph 8 of C-14/DEC.12).
21. States Parties have reiterated the challenges they encountered in assessing their status of national implementation and providing information to the Secretariat, including limited human resources, staff turnover, and inadequate institutional knowledge management systems. Some States Parties also said they lack technical expertise or a comprehensive understanding of the domestic legal framework for the Convention, especially if the country has adopted a broad range of laws and regulations on various areas that are relevant to the Convention. The Secretariat provided technical guidance to States Parties, where possible.
22. The Secretariat continued to experience challenges in receiving updates from a number of States Parties. Notably, of the 75 States Parties that have yet to adopt comprehensive implementing legislation, only 26 (35%) responded to the note verbale circulated by the Secretariat. Critically, the Secretariat received only one response from the five States Parties that have yet to develop drafts of national implementing legislation. The lack of updates is more pervasive among small island developing States (SIDS) because of their limited human and technical capacity to provide comprehensive responses; of the 23 SIDS that have yet to adopt legislation covering all initial measures, only six (26%) responded to the note verbale. While these countries have no large chemical industries and engage in limited trade in chemicals, full implementation of the Convention will not be achieved unless they are also on board. The Secretariat therefore continued to explore new methods to engage with these States Parties and to tailor technical assistance to their specific needs and interests.

³ EC-74/DG.7 C-18/DG.9 (dated 28 August 2013) and Corr.1 (dated 14 November 2013); EC-74/DG.8 C-18/DG.10 (dated 28 August 2013) and Corr.1 (dated 11 September 2013) and Corr.2 (dated 14 November 2013); and EC-74/DG.9 C-18/DG.11 (dated 28 August 2013) and Corr.1 (dated 11 September 2013) and Corr.2 (dated 14 November 2013).

23. This report provides an overview of the status and progress regarding legislative and administrative measures adopted by States Parties to implement their obligations under Article VII of the Convention. It includes the two concurrent reports on the steps taken by States Parties to implement their obligations under Article VII by presenting the status of the initial measures to be adopted by all States Parties and the status of the additional measures to be adopted by States Parties possessing declarable chemical facilities.
24. The Director-General is pleased to submit this report, which provides a global overview of the status of implementation of obligations under Article VII of the Convention, to the Council for its consideration and action. The reporting period for this document is 1 August 2020—the date following the cut-off date for the last annual reports on the status of implementation as submitted to the Council at its Ninety-Fifth Session and to the Conference at its Twenty-Fifth Session (EC-95/DG.8 C-25/DG.6, dated 4 September 2020 and Corr.1, dated 2 October 2020; EC-95/DG.9 C-25/DG.7, dated 4 September 2020 and Corr.1, dated 2 October 2020; and EC-95/DG.10 C-25/DG.8, dated 4 September 2020 and Corr.1, dated 2 October 2020)—to 31 July 2021, the cut-off date for this and the two concurrent reports mentioned in the paragraph above.

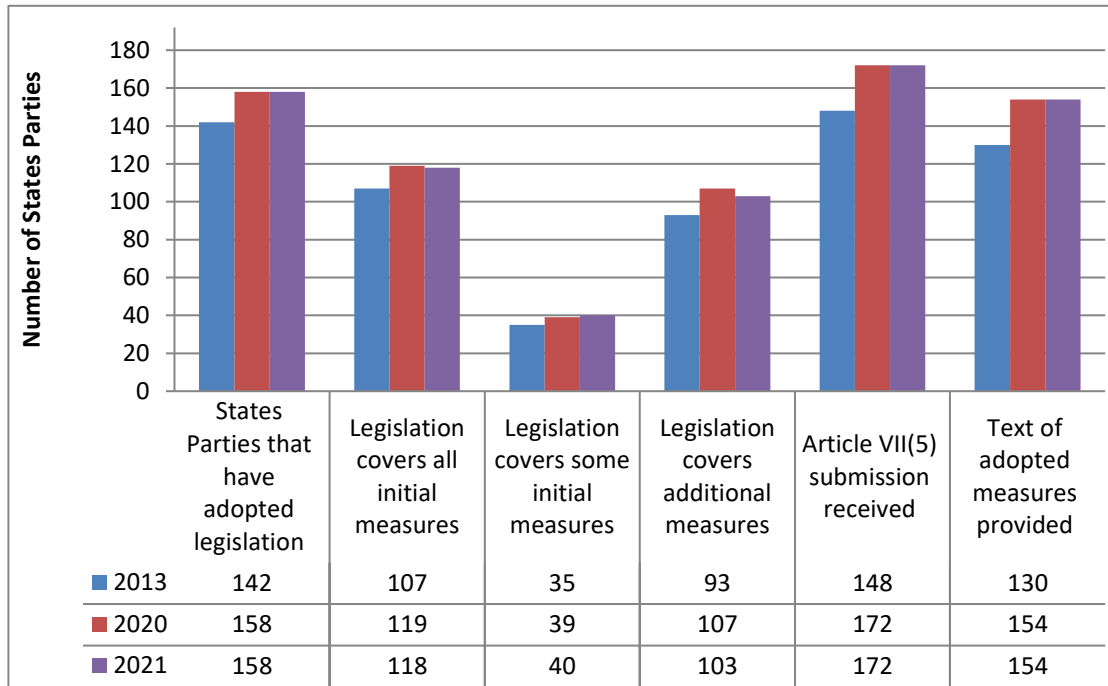
C. OVERVIEW OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION

Global overview of implementation

25. The Secretariat continues to clarify the status of implementation of Article VII by States Parties. At the end of the reporting period:
- (a) 158 States Parties (82%) had reported the adoption of national implementing legislation to the Secretariat;
 - (b) of the 158 States Parties with implementing measures in place, 118 States Parties (61%) had reported that their national legislation covers all the initial measures required under the Convention;
 - (c) the remaining 40 States Parties (21%) had reported that they have adopted implementing measures that cover only some of the initial measures. The Secretariat continues to work with these States Parties in addressing the gaps in their implementing legislation;
 - (d) 103 States Parties (53%) had informed the Secretariat that they have adopted additional implementing measures that are required under the Convention pertaining to declarable industrial facilities; and
 - (e) with respect to the Article VII(5) obligations to inform the Secretariat of the legislative and administrative measures taken to implement various aspects of the Convention, 172 States Parties (89%) had submitted information to the Secretariat, of which 154 States Parties (80%) provided a copy of the text of adopted measures.

26. An overview of the status of implementation of Article VII as at 31 July 2021 is provided in Figure 1 below.

FIGURE 1: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION (AS AT 31 JULY 2021)

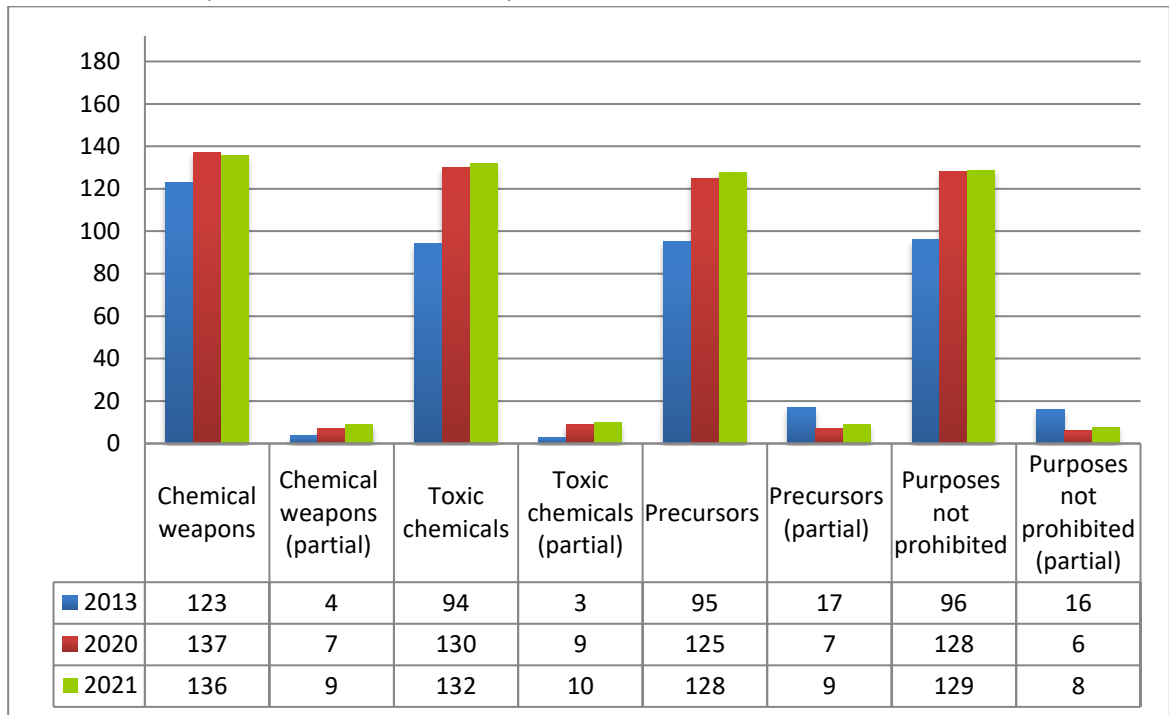


Status of implementation of the initial measures

27. Notwithstanding the short time frame under scrutiny (August 2013 to July 2021), Figures 2 to 5 below show that substantial progress has been made in respect of each of the initial measures.
28. National implementing legislation should contain definitions of relevant terms in order to establish a link between the Convention and the provisions of the legislation.
29. Based on the Secretariat’s interaction with some States Parties and the preliminary legal review it has undertaken, some States Parties are unable to incorporate all of the definitions into the texts of their laws or regulations. This is either due to their legal drafting style, or to the fact that the legal text is omnibus and does not exclusively relate to the Convention, for example a penal code that contains all acts that are penalised within the State Party’s jurisdiction. In some cases, the legal texts of some States Parties contain a catch-all provision stating that the definitions embodied in international agreements to which they are party shall have the same meaning in domestic laws. In the absence of any such reference, the Secretariat has sought an explanation from States Parties on how they regard definitions of terms that are contained in treaties or international agreements in their domestic legal framework. The Secretariat has analysed the situation of these States Parties in order to arrive at a reasonable determination of their status of implementation of this measure.

30. Figure 2 below contains the definitions listed in Article II of the Convention that should be incorporated in implementing measures, data on the States Parties that have done so, and shows the progress within the time frame.

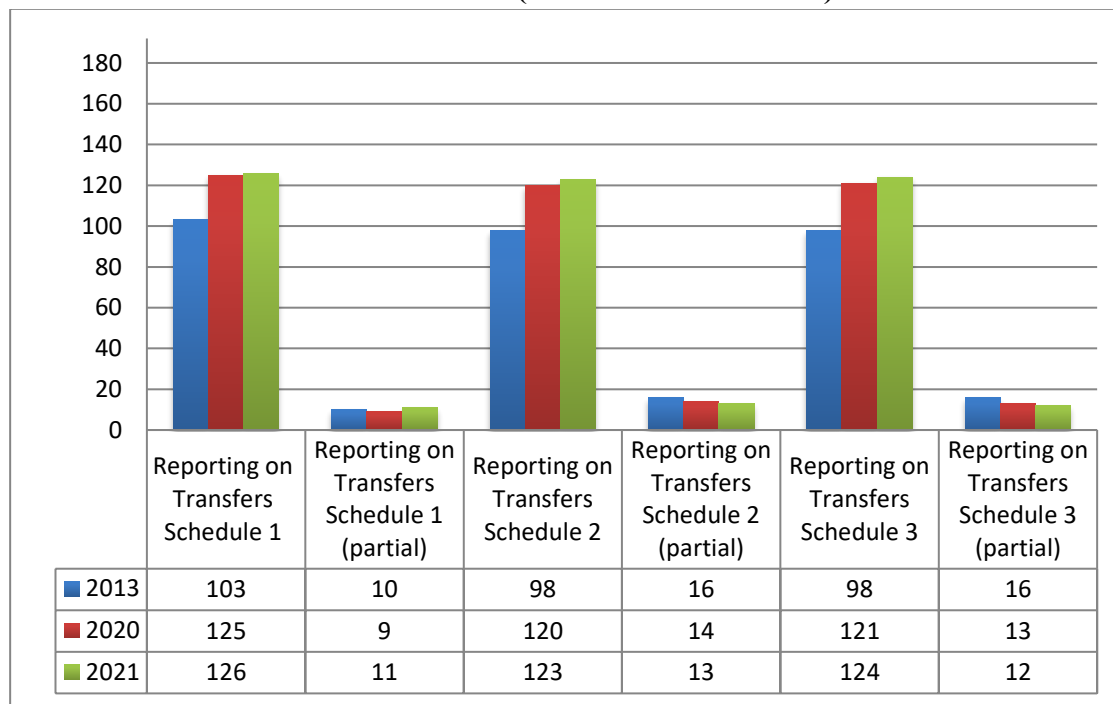
FIGURE 2: DEFINITIONS: STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



31. The establishment of a control regime for scheduled chemicals is required under paragraph 2 of Article VI of the Convention, obliging each State Party to “adopt the necessary measures to ensure that toxic chemicals and their precursors are only developed, produced, otherwise acquired, retained, transferred, or used within its territory or in any other place under its jurisdiction or control for purposes not prohibited under this Convention”. The national legislation should ensure that the State Party is in a position:
- (a) to fulfil the prior reporting requirements concerning transfers of Schedule 1 chemicals under 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;
 - (b) to provide all transfer-related information that is to be included in annual declarations required by paragraphs 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; and
 - (c) 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.

32. Figure 3 below contains data on States Parties that have established a control regime for scheduled chemicals and shows the progress within the time frame.

FIGURE 3: SCHEDULED CHEMICALS REGIME: STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



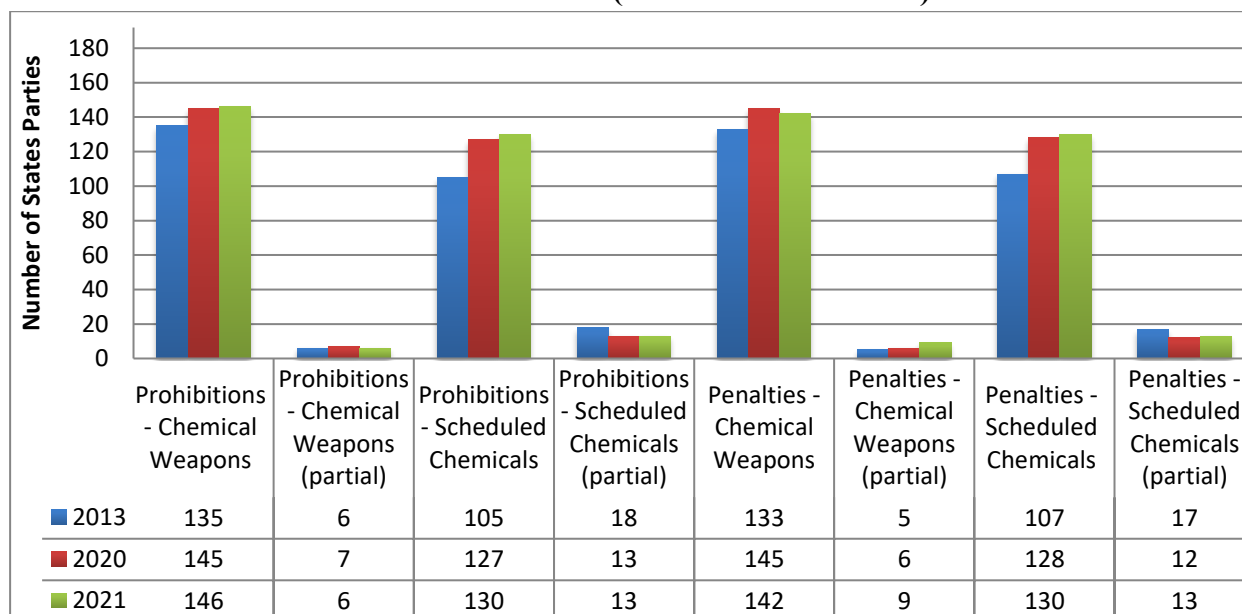
33. National implementing legislation should indicate that:

- (a) 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, and that penal sanctions are applicable in the event of violation of the above prohibitions; and
- (b) 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),⁴ and 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)⁵ are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII, and that penal sanctions are applicable in the event of violation of the above prohibitions.

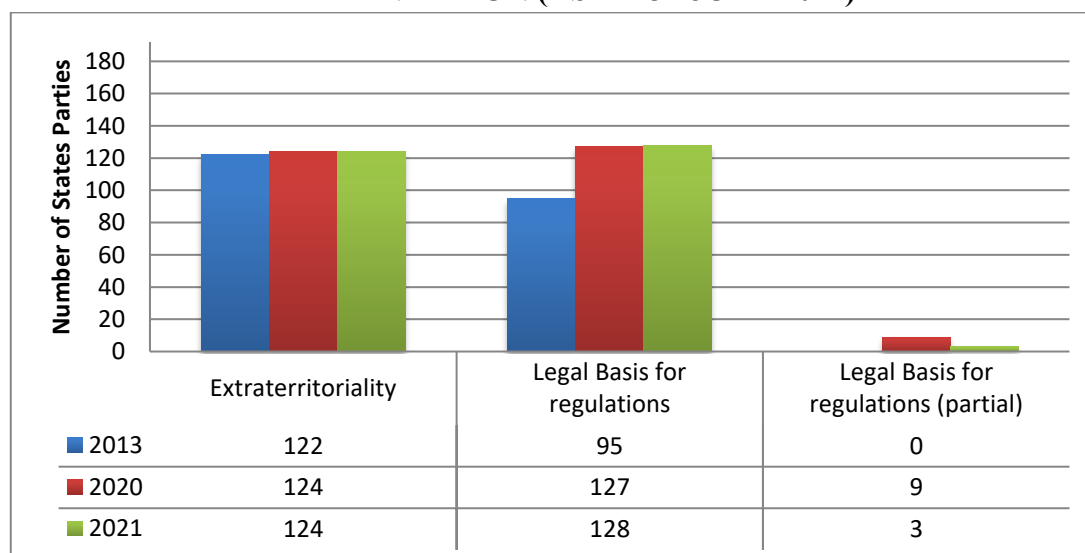
34. Figure 4 below contains data on States Parties that have incorporated the prohibitions and penalties in their national implementing measures and shows the progress within the time frame.

⁴ For exceptions, please refer to C-V/DEC.16 (dated 17 May 2000).

⁵ For exceptions, please refer to C-VI/DEC.10 (dated 17 May 2001).

FIGURE 4: PROHIBITIONS AND PENALTIES: STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)

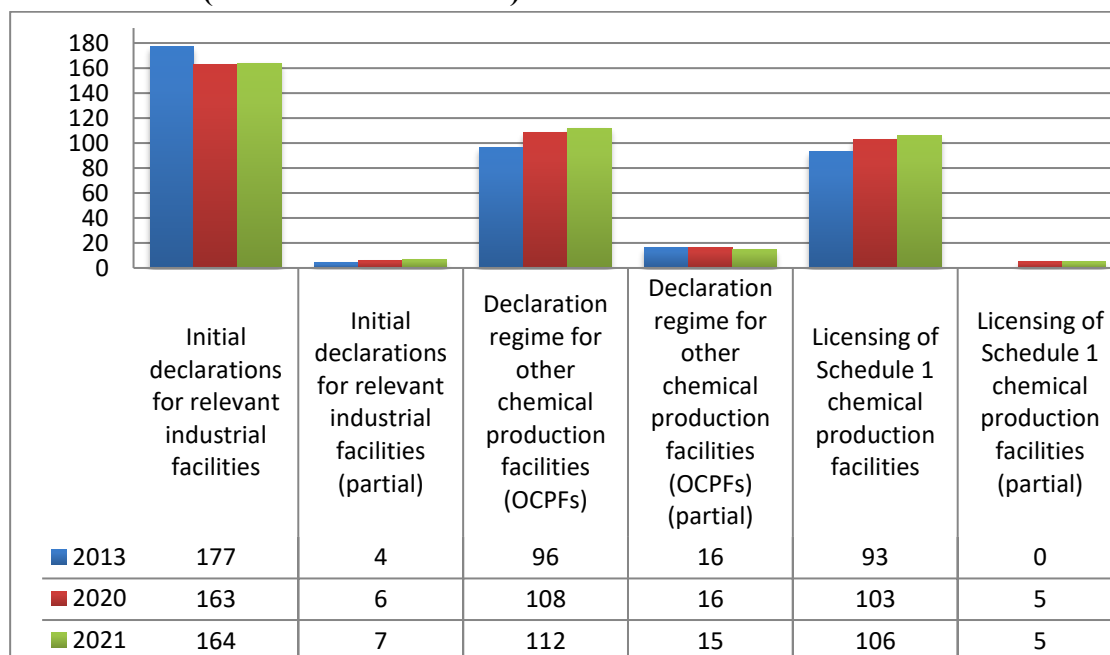
35. States Parties are obliged to implement other initial measures under the Convention. Under subparagraph 1(c) of Article VII, a State Party shall extend its penal legislation enacted to impose the prohibitions of the Convention on any activity undertaken anywhere by natural persons possessing its nationality. Further, the implementing legislation should also contain provisions that enable the relevant ministries and governmental departments to issue measures to regulate the production, processing, and consumption of scheduled chemicals, the verification regimes, and the confidentiality regimes.
36. Figure 5 below contains data on States Parties that have adopted implementing measures on the extraterritorial application of their relevant penal legislation and the legal basis for regulations and shows the progress within the time frame.

FIGURE 5: OTHER INITIAL MEASURES: STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)

Status of implementation of additional measures for States Parties that possess industrial facilities which are declarable under the Convention

37. The Secretariat also continues to clarify the status of adoption of additional measures by States Parties with declarable industrial facilities, as shown in Figures 6 to 9.
38. National implementing legislation or regulations must ensure that the State Party is in a position to provide all information required for the initial declarations for relevant industrial facilities as required under Article VI of the Convention, as well as all information required for the declaration with respect to other chemical production facilities, pursuant to paragraph 1 of Part IX of the Verification Annex and any update of that information (paragraph 3 of Part IX of the Verification Annex). National implementing legislation or regulations must also establish licensing requirements in line with paragraphs 8, 9, 10, and 11 of Part VI of the Verification Annex.
39. Figure 6 below shows data on States Parties that have adopted a control regime for initial declarations, a declaration regime for other chemical production facilities and licensing of chemical production facilities, as well as the progress within the time frame.

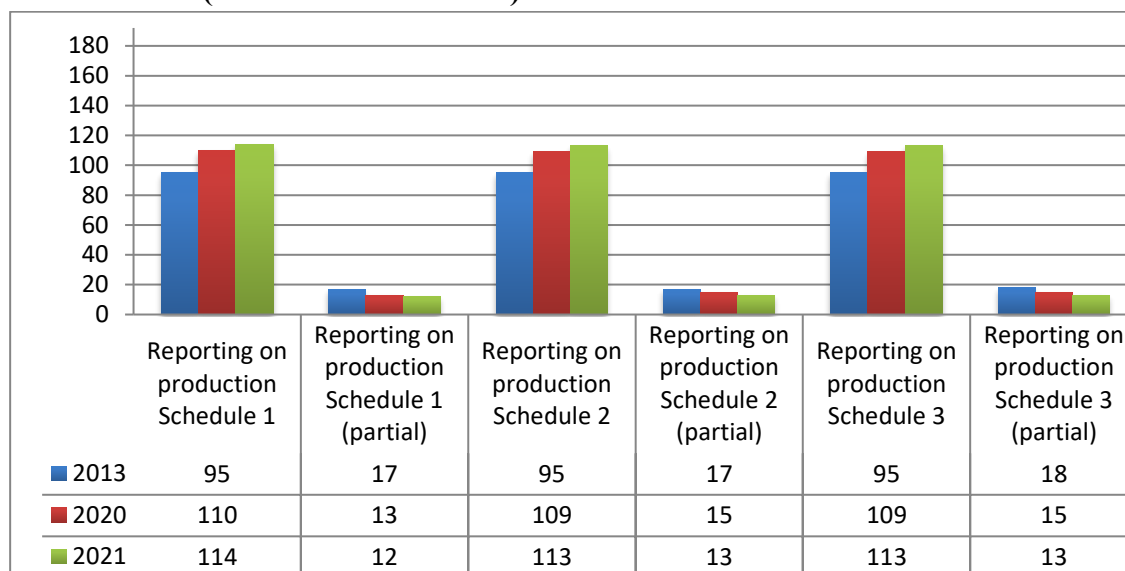
FIGURE 6: CONTROL REGIME FOR DECLARATIONS AND LICENSING OF RELEVANT INDUSTRIAL FACILITIES (INCLUDING PENALTIES): STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



40. National implementing legislation or regulations must ensure that the State Party is in a position to fulfil the reporting requirements concerning:
- production of Schedule 1 chemicals, as required under section D of Part VI of the Verification Annex;
 - production, processing, and consumption of Schedule 2 chemicals, as required under section A of Part VII of the Verification Annex; and
 - production of Schedule 3 chemicals, as required under section A of Part VIII of the Verification Annex.

41. Figure 7 below shows data on States Parties that have adopted implementing measures for reporting on production of scheduled chemicals, as well as the progress within the time frame.

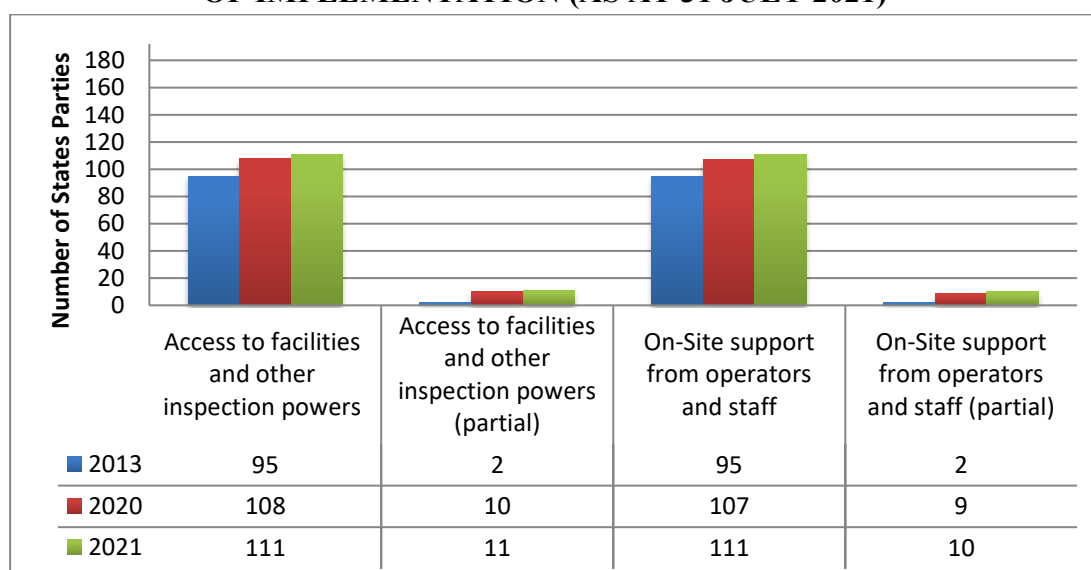
FIGURE 7: CONTROL REGIME FOR REPORTING ON PRODUCTION OF SCHEDULED CHEMICALS: STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



42. National implementing legislation or regulations must ensure that the State Party is in a position to warrant OPCW inspectors' access to the relevant facilities during the execution of inspection activities (including challenge inspections), pursuant to the relevant provisions of the Convention, and to ensure support from operators and staff of relevant facilities during the execution of such inspection activities.

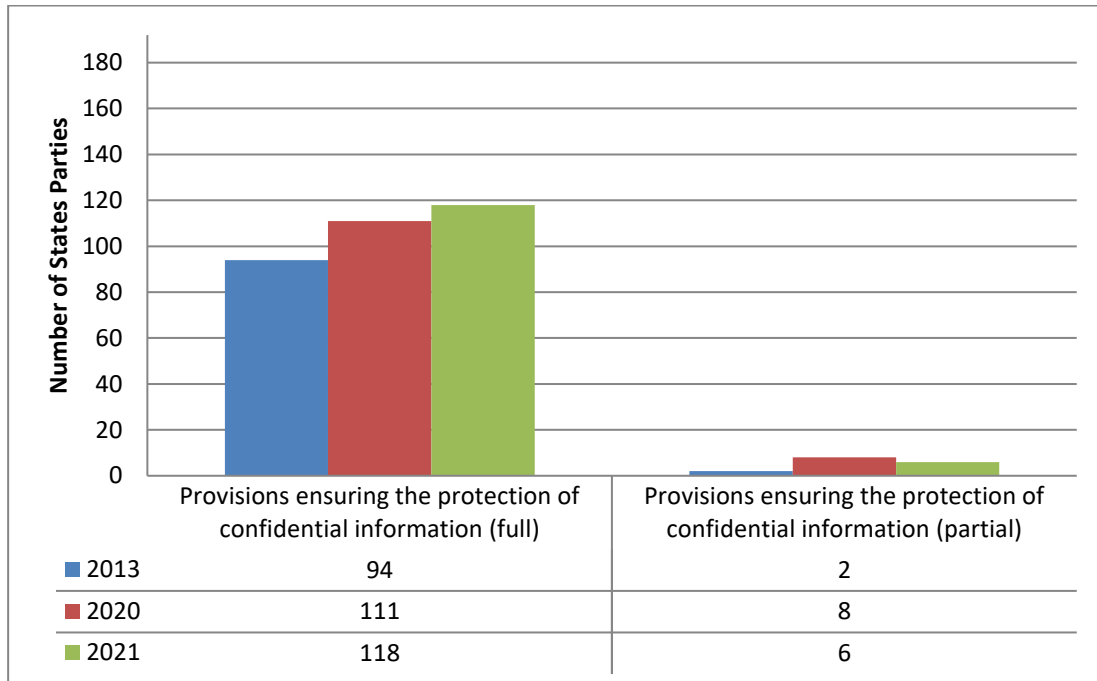
43. Figure 8 below shows data on States Parties that have adopted a verification regime, as well as the progress within the reporting time frame.

FIGURE 8: VERIFICATION REGIME (INCLUDING PENALTIES): STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



44. National implementing legislation or regulations must ensure the protection of confidentiality, pursuant to the relevant provisions of the Convention. Figure 9 below shows data on States Parties that have adopted a confidentiality regime, as well as the progress within the reporting time frame.

FIGURE 9: CONFIDENTIALITY REGIME (INCLUDING PENALTIES): STATUS OF IMPLEMENTATION (AS AT 31 JULY 2021)



Designation or establishment of National Authorities

45. Pursuant to paragraph 4 of Article VII of the Convention, States Parties are required to designate or establish a National Authority to serve as the national focal point for effective liaison with the OPCW and other States Parties. On a number of occasions, the Conference has recalled the importance of this obligation and has urged States Parties that have not yet done so to designate or establish their National Authority (paragraph 1 of C-14/DEC.12).
46. In all, 192 out of 193 States Parties have complied with this requirement. Somalia is the remaining State Party that has yet to designate or appoint a National Authority. The Secretariat continues to actively reach out to Somalia to encourage it to meet this requirement and to provide any necessary assistance.

Article VII(5) submissions

47. According to paragraph 5 of Article VII, each State Party shall inform the Secretariat of the legislative and administrative measures taken to implement the Convention. The same principle was reiterated by the Conference in its decision C-14/DEC.12, whereby the Conference strongly reaffirmed the obligation of each State Party to adopt the necessary measures to implement its obligations under the Convention—in accordance with its constitutional processes—and urged States Parties to inform the Secretariat on an ongoing basis, as appropriate, with regard to the steps they are taking in this regard (subparagraph 1(b) of C-14/DEC.12).

48. At the cut-off date of the report, 20 States Parties⁶ that had already made Article VII(5) submissions prior to the reporting period made additional Article VII(5) submissions.
49. In C-8/DEC.16 (dated 24 October 2003), the Conference requested that States Parties provide the Secretariat with the full text of their national implementing legislation or regulations, including updates. During the reporting period, the number of States Parties that have submitted the full text of their implementing legislation remained at 154 (80%).
50. A number of States Parties continue to inform the Secretariat that they do not have a comprehensive understanding of their country's domestic legal framework on the Convention, in particular the laws and regulations that are relevant to national implementation of the Convention. The lack of effective national coordination mechanisms remains a debilitating factor, as the National Authority may not be informed by other ministries and agencies of updates in this regard. The Secretariat continues to provide technical assistance, where possible, to States Parties in undertaking an inventory of their legal and administrative measures that are relevant to national implementation of the Convention.

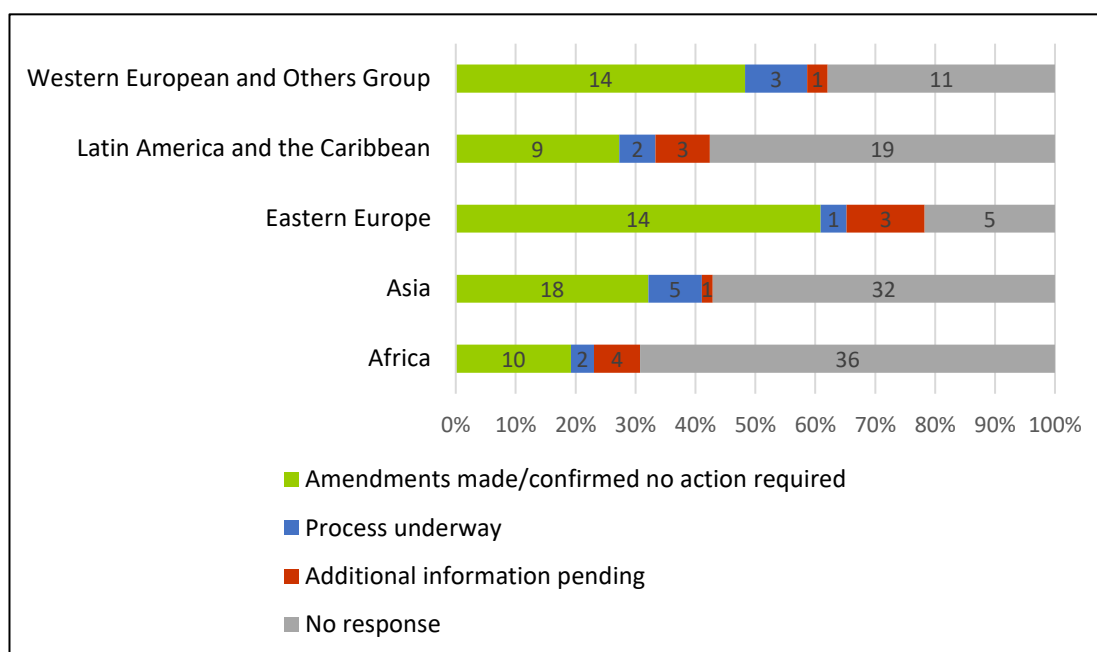
Amendments to the Annex on Chemicals

51. At its Twenty-Fourth Session, the Conference adopted two decisions (C-24/DEC.4 and C-24/DEC.5, both dated 27 November 2019) in which it approved, in accordance with paragraphs 4 and 5 of Article XV of the Convention, certain changes to Schedule 1 of the Annex on Chemicals. Pursuant to subparagraph 5(g) of Article XV of the Convention, the changes to the Annex on Chemicals entered into force for all States Parties on 7 June 2020, which was 180 days after the Director-General notified all States Parties of the aforementioned decision through note verbale NV/ODG/221841/19 (dated 10 December 2019).
52. The Secretariat continued to reach out to States Parties to clarify their respective constitutional and legal processes to implement the changes to Schedule 1, and to inquire whether they had initiated or completed the necessary actions, if any, to give effect to the amendments. The Secretariat has been receiving updates from States Parties on actions undertaken to implement the amendments, depending on how they reference the Annex on Chemicals in their respective laws and regulations.⁷ Figure 10 below shows the status of implementation of the amendments as at the cut-off date of this report, according to the responses received by the Secretariat.

⁶ Andorra, Argentina, Armenia, Brazil, Cuba, Estonia, Hungary, India, Italy, Japan, Lao People's Democratic Republic, Liechtenstein, Malaysia, Mauritania, Poland, Qatar, Russian Federation, Slovakia, South Africa, and the State of Palestine.

⁷ Following the decisions of the Conference, the Secretariat undertook a preliminary review of the legislative frameworks of States Parties to determine how they reference the Annex on Chemicals in their respective laws and regulations. For States Parties that had yet to adopt national implementing legislation but already had draft legal texts pending government consideration, the Secretariat also assessed how they had incorporated the schedules of chemicals into their respective draft laws. Based on the results of this preliminary review, there were at least four modalities by which States Parties referenced the Annex on Chemicals, namely: by annexation of the schedules of chemicals into the national implementing law; by annexation into regulations or administrative directives; by inclusion of the schedules of chemicals in national control lists of chemicals or dual use items; and, lastly, by direct reference to the schedules of chemicals as listed in the Annex on Chemicals as annexed to the Convention.

FIGURE 10: ACTIONS TAKEN TO IMPLEMENT DECISIONS OF THE CONFERENCE (AS AT 31 JULY 2021)



Status of the legislative process in States Parties

53. States Parties that have not yet adopted implementing legislation covering all initial measures continue to provide the Secretariat with information on their legislative and administrative processes.
54. As at the cut-off date of the report, according to the information available to the Secretariat, 35 States Parties had not reported on the adoption of any relevant legislation, while 40 States Parties had legislation covering only some of the initial measures (see Figure 1). Nonetheless, most of these States Parties are currently in the process of developing implementing legislation.
55. According to information available to the Secretariat, 65 States Parties have a draft pending government approval,⁸ five have draft legislation before their respective legislative bodies,⁹ and the remaining five States Parties have either not yet started

⁸ Africa: Angola, Benin, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eswatini, Gabon, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Libya, Malawi, Mauritania, Mozambique, Namibia, the Niger, Seychelles, Sierra Leone, Somalia, Togo, the United Republic of Tanzania, and Zimbabwe.

Asia: Afghanistan, Bahrain, Bhutan, Brunei Darussalam, Iraq, Kyrgyzstan, Lebanon, Marshall Islands, Mongolia, Myanmar, Nepal, Samoa, Solomon Islands, the State of Palestine, the Syrian Arab Republic, Timor-Leste, Tonga, Tuvalu, and Vanuatu.

Eastern Europe: Armenia

Latin America and the Caribbean: Antigua and Barbuda, the Bahamas, Barbados, Bolivia (Plurinational State of), Dominica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, Suriname, Trinidad and Tobago, and Venezuela (Bolivarian Republic of).

Group of Western European and Other States: Iceland and San Marino.

⁹ Kuwait, Maldives, Nigeria, the Philippines, and Sao Tome and Principe.

developing draft legislation or have not provided updated information to the Secretariat on the status of their legislative processes.¹⁰

56. For some States Parties, the draft legislation has been pending consideration by relevant government agencies for a number of years and no considerable progress has been made. In some cases, according to the records of the Secretariat, the State Party had developed draft text more than 10 years ago and received assistance from the Secretariat. However, because of staff turnover and inadequate institutional knowledge management, the Secretariat needed to restart legislative assistance and initiate outreach activities with the new National Authority focal points.

Analysis

57. Restrictions related to COVID-19 continue to pose challenges for States Parties in fulfilling their obligations under Article VII. During the reporting period, the Secretariat received 105 responses to its annual note verbale requesting updates on the status of implementation of Article VII. This is slightly higher than the 104 responses received in 2020, but lower than the 127 responses received in 2019, the 130 in 2018, and the 118 in 2017. Nonetheless, the number of responses received by the Secretariat is still considerably higher than the number received from 2014 to 2016 (53, 53, and 89, respectively). Further, the Secretariat has maintained its engagement with States Parties in clarifying their status of implementation of Article VII. Through this, the Secretariat continued to enhance its understanding of the global status of implementation of Article VII—enabling it to clarify potential inaccuracies and discrepancies in the submissions, conduct legal reviews accordingly, and provide appropriate technical assistance.
58. A few States Parties submitted responses that were inconsistent with those they had submitted in previous years. Some of these States Parties had cited inadequate institutional knowledge management systems and insufficient technical expertise for explanation in the past. The Secretariat sought further clarification from these States Parties and reviewed their Article VII submissions on record in order to accurately reflect their status. Following a National Legislative Review Forum, the Secretariat was in a position to review and adjust the status of one State Party that had submitted erroneous responses in previous years.
59. The gradual increase in the use of the online platform for the submission of updates on the status of implementation of Article VII since 2020 is already yielding positive results. As data submitted in previous years can be accessed through the platform and then compared with the updates, there are now fewer inconsistencies in the information provided by States Parties. The platform is therefore proving its utility as a complementary institutional knowledge management tool for States Parties, and its use will continue to be promoted.

¹⁰ Andorra, Eritrea, Nauru, Papua New Guinea, and Rwanda.

60. Since the last reporting period, there are 118 States Parties that have legislation covering all initial measures.¹¹ Out of the remaining 75 States Parties that have yet to adopt comprehensive legislation, 40 States Parties have legislation covering some of the initial measures, while 35 States Parties have yet to report on the adoption of any legislation relevant to the Convention.
61. The number of States Parties that have enacted penal legislation containing the requisite prohibitions and penalties that will enable them to prosecute perpetrators of Convention-related offences at the domestic level is higher than the number of States Parties having enacted legislation covering all required initial measures. There are 146 States Parties that have enacted laws containing the prohibitions on chemical weapons under paragraph 1 of Article I of the Convention, while 142 States Parties have declared applicable penal sanctions in the event of their violation. There are also 130 States Parties that have incorporated the prohibitions in the Verification Annex pertaining to scheduled chemicals into their domestic legal framework, and all of these States Parties have applicable penal sanctions in the event of their violation.
62. It should be noted that States Parties have been adopting a broad range of measures, including the enactment of laws, regulations, and other administrative measures that are relevant to the Convention, although they may not cover the initial measures. These legislative and administrative measures pertain to a wide scope of thematic areas and may include chemical safety and security laws and industry-specific regulations. Some States Parties have chemical industry associations that actively engage their members in implementing relevant security and safety principles.
63. As States Parties are obliged to transform their obligations under the Convention into domestic legislation, the Secretariat will continue to work with them in realising their full and effective implementation of the Convention. The challenge for the Secretariat is multi-pronged and includes reaching out to the remaining States Parties that have yet to develop draft text of implementing legislation; working with States Parties that have developed draft texts in following through with the legislative adoption process; reviewing the existing domestic legal and regulatory frameworks of some States Parties; and ensuring the effective implementation of all legislative and administrative measures taken by States Parties.
64. Adoption of national legislation is a time-consuming and challenging process that involves the full engagement of all relevant stakeholders. Based on interactions of the Secretariat with States Parties, the reasons for which States Parties have not yet adopted national implementing legislation vary. In some countries, adoption of the legislation is considered lower in priority as there may be other pressing issues that need to be addressed urgently. The situation brought about by the COVID-19 pandemic has also brought to the fore the issue of prioritisation. In other countries, there may be lack of agreement, coordination, or awareness among the relevant stakeholders. Some countries also report that they lack the technical expertise to prepare the draft legislation and require assistance from the Secretariat to enable them to meet their obligations under the Convention. In some other countries, frequent staff turnover and the absence of

¹¹ Following discussions and a comprehensive review of its existing legislative framework on the Convention, the status of Mauritania was corrected from having comprehensive legislation to that of having legislation covering some of the initial measures.

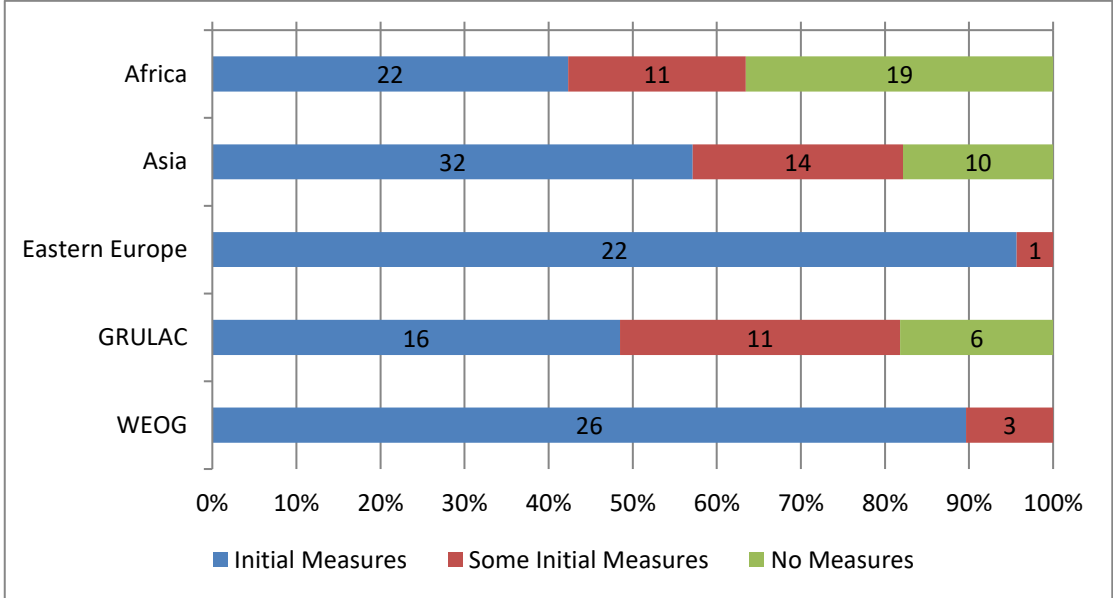
efficient knowledge management systems also lend to the lack of consistency in implementation and follow-up.

65. The National Authority plays a crucial role in the legislative adoption process—primarily by facilitating the preparation of the draft text, coordinating stakeholder consultations and liaising with relevant ministries and agencies, providing clarifications in case questions or issues are raised, facilitating the inclusion of the draft law in the legislative agenda, and providing information to the Secretariat on its adoption pursuant to Article VII(5) of the Convention. While a number of factors that affect the adoption process may be beyond its control, the level of commitment, knowledge, and understanding of the National Authority also reflects on the country's status of implementation of its obligations under the Convention.
66. Most States Parties are at the midstream stage—they have draft laws that are pending consideration by the relevant government ministries and agencies and have yet to submit the same to Parliament for approval. It is often at this stage where the legislative adoption process gets stalled due to staff attrition and inadequate institutional knowledge management. The Secretariat will continue to address this issue by monitoring and following through with States Parties on their fulfilment of the requirements of Article VII of the Convention, using various tools such as the road maps developed by the respective States Parties on the adoption of implementing legislation, follow-up letters, and bilateral discussions.
67. Some States Parties have opted to pursue a comprehensive approach implementing their obligations under United Nations Security Council resolution 1540 (2004) in the chemical, biological, radiological, and nuclear (CBRN) areas rather than pursuing the adoption of a stand-alone law implementing the Convention. While the legislative approach is entirely at the discretion of States Parties, this option has considerably slowed down the adoption process because there are more complex issues and relevant authorities involved. The Secretariat continues to monitor the progress of these States Parties and to emphasise that the initial measures should be kept intact in the comprehensive CBRN law.
68. In the case of some States Parties that adopted legislation before 2013, when the “initial measures” set of criteria was agreed on by States Parties, a comprehensive review of their legislative and regulatory framework may be warranted. The same may be required of States Parties that have not been able to provide information and updates to the Secretariat on laws, regulations, or other administrative measures that they may have adopted that are relevant to the Convention, or that have been submitting information that is at variance with their previous submissions. In these cases, the National Authority may not have a comprehensive grasp of the country's full range of laws and regulations that are relevant to the Convention, mostly due to frequent staff turnover and the lack of effective national coordination mechanisms. Such comprehensive review will also be useful for the Secretariat, as it will provide an overview of all the measures that a State Party has taken and enable it to provide tailor-made assistance, as needed.

D. REGIONAL OVERVIEW OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION

69. While 24 years have passed since the entry into force of the Convention, only 118 out of 193 States Parties have legislation covering all initial measures. None of the five regions have full implementation of the Convention, with 75 States Parties that have yet to adopt legislation covering all initial measures. This comprises 30 out of 52 States Parties in Africa, 24 out of 56 States Parties in Asia, one out of 23 States Parties in Eastern Europe, 17 out of 33 States Parties in the Latin America and Caribbean Group (GRULAC), and three out of 29 States Parties in the Group of Western European and Other States (WEOG) (see Figure 11 below). Out of the above-mentioned 75 States Parties, 40 States Parties have legislation covering some of the initial measures, while 35 States Parties have yet to report on the adoption of legislation.

FIGURE 11: REGIONAL BREAKDOWN OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION (AS AT 31 JULY 2021)



Africa

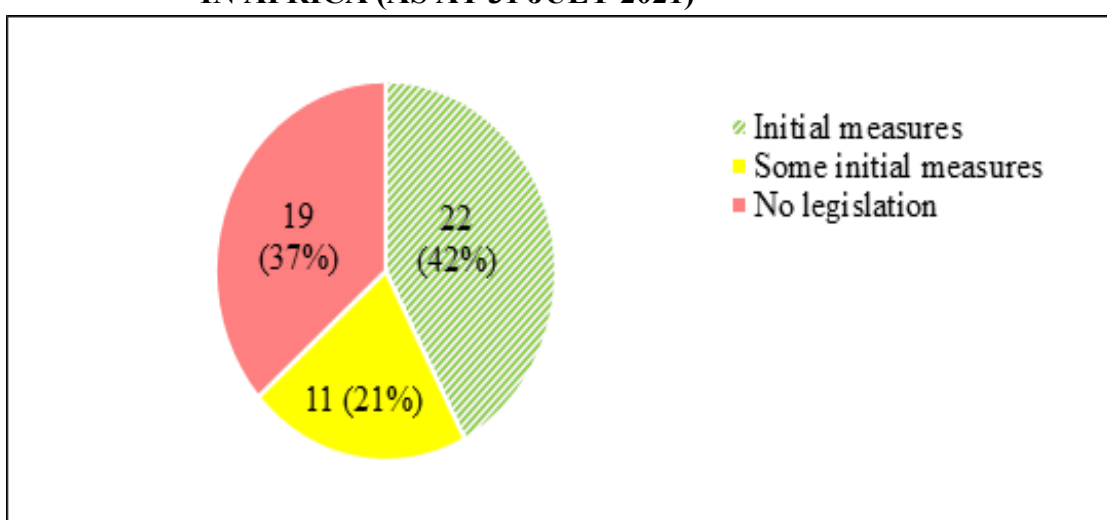
Status of implementation of Article VII

70. As at the cut-off date of this report, according to the information available to the Secretariat, the status of implementation of Article VII of the Convention in Africa was as follows (see also Figure 12 below):

- (a) Twenty-two States Parties (42%) had adopted legislation covering all initial measures (Algeria, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, the Central African Republic, the Comoros, the Congo, Ethiopia, Lesotho, Liberia, Madagascar, Mali, Mauritius, Morocco, Senegal, South Africa, the Sudan, Tunisia, Uganda, and Zambia).

- (b) Eleven States Parties (21%) had adopted legislation that covers some of the initial measures (Angola, Côte d'Ivoire, the Democratic Republic of the Congo, Gabon, Ghana, Mauritania, Nigeria, Rwanda, Seychelles, Togo, and Zimbabwe).
- (c) Nineteen States Parties (37%) had yet to report on the adoption of any implementing legislation (Benin, Chad, Djibouti, Equatorial Guinea, Eritrea, Eswatini, the Gambia, Guinea, Guinea-Bissau, Kenya, Libya, Malawi, Mozambique, Namibia, the Niger, Sao Tome and Principe, Sierra Leone, Somalia, and the United Republic of Tanzania).

FIGURE 12: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION BY STATES PARTIES IN AFRICA (AS AT 31 JULY 2021)



Article VII(5) submissions

71. As at 31 July 2021, 38 African States Parties (73%) had made at least one submission, while the remaining 14 States Parties (27%) had not made any Article VII(5) submission (Benin, Chad, Djibouti, Equatorial Guinea, Eritrea, Eswatini, Guinea-Bissau, Kenya, Libya, Malawi, Mozambique, Sao Tome and Principe, Somalia, and the United Republic of Tanzania).

Updates during the reporting period

72. During the reporting period, 15 States Parties in Africa provided updates to the Secretariat on the steps they had taken towards the implementation of the Convention (Algeria, Burkina Faso, Burundi, Ethiopia, Kenya, Madagascar, Mali, Mauritania, Morocco, Nigeria, Seychelles, South Africa, the Sudan, Uganda, and the United Republic of Tanzania).

Status of the legislative process

73. At the cut-off date of this report, according to the information available to the Secretariat, there were 28 States Parties in Africa in the process of adopting legislation. Nigeria and Sao Tome and Principe had reported that their respective draft laws were pending approval in their parliaments. The remaining 26 States Parties had reported that their draft legislation was under review and/or awaiting approval by the relevant governmental entities (Angola, Benin, Chad, Côte d'Ivoire, the Democratic Republic of

the Congo, Djibouti, Equatorial Guinea, Eswatini, Gabon, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Libya, Malawi, Mauritania, Mozambique, Namibia, the Niger, Seychelles, Sierra Leone, Somalia, Togo, the United Republic of Tanzania, and Zimbabwe).

74. Two States Parties in Africa (Eritrea and Rwanda) had not yet started developing a draft. The Secretariat continues to encourage these States Parties to participate in the legislative assistance programmes.

Analysis

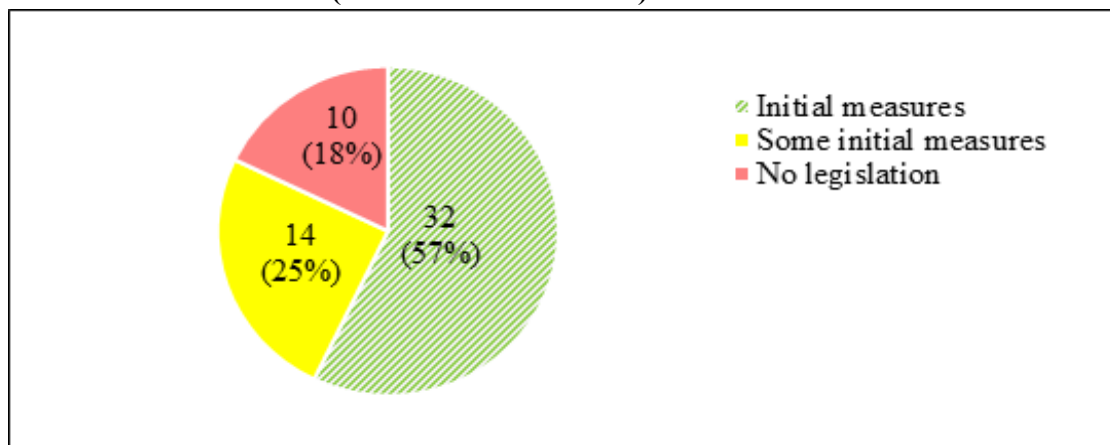
75. The status of implementation of Mauritania was corrected—from having legislation covering all initial measures to that of having legislation covering some of the initial measures. Delegates from Mauritania participated in a National Legislative Review Forum in February 2021, during which the State Party’s national legislative framework on the Convention was reviewed jointly with the Secretariat with the aim of clarifying Mauritania’s status of implementation. The Secretariat will continue to support Mauritania in its efforts to develop and adopt comprehensive implementing legislation on the Convention.
76. Under the Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention, a number of States Parties in Africa received technical assistance from the Secretariat in developing draft legislation which is now pending consideration by relevant governmental entities. The Secretariat continued to monitor progress in the adoption process and to follow up with respective States Parties, utilising the road maps on the adoption of implementing legislation.

Asia

Status of implementation

77. As at the cut-off date of this report, according to the information available to the Secretariat, the status of implementation of Article VII of the Convention in Asia was as follows (see also Figure 13 below):
- (a) Thirty-two States Parties (57%) had adopted legislation covering all initial measures (Bangladesh, Cambodia, China, the Cook Islands, Cyprus, Fiji, India, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kazakhstan, Kiribati, the Lao People’s Democratic Republic, Malaysia, Micronesia (Federated States of), Niue, Oman, Pakistan, Palau, Qatar, the Republic of Korea, Saudi Arabia, Singapore, Sri Lanka, Tajikistan, Thailand, Turkmenistan, the United Arab Emirates, Uzbekistan, Viet Nam, and Yemen).
 - (b) Fourteen States Parties (25%) had adopted legislation that covers some of the initial measures (Bahrain, Bhutan, Brunei Darussalam, Iraq, Kuwait, Kyrgyzstan, Maldives, Mongolia, Myanmar, Nepal, the Philippines, Samoa, the State of Palestine, and Timor-Leste).
 - (c) Ten States Parties (18%) had yet to report on the adoption of any implementing legislation (Afghanistan, Lebanon, the Marshall Islands, Nauru, Papua New Guinea, Solomon Islands, the Syrian Arab Republic, Tonga, Tuvalu, and Vanuatu).

FIGURE 13: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION BY STATES PARTIES IN ASIA (AS AT 31 JULY 2021)



Article VII(5) submissions

78. As at 31 July 2021, 53 States Parties (95%) had made at least one Article VII(5) submission, while the remaining three States Parties (5%) had not made any Article VII(5) submission (Nauru, Papua New Guinea, and Vanuatu).

Updates during the reporting period

79. During the reporting period, 23 States Parties provided updates to the Secretariat on the steps they had taken towards the implementation of the Convention (Bahrain, Bangladesh, Bhutan, China, India, Iran (Islamic Republic of), Iraq, Japan, the Lao People's Democratic Republic, Malaysia, Maldives, Mongolia, Pakistan, the Philippines, Qatar, the Republic of Korea, Samoa, Saudi Arabia, Singapore, Sri Lanka, Thailand, the United Arab Emirates, and Uzbekistan).

Status of the legislative process

80. As at the cut-off date of this report, according to the information available to the Secretariat, 22 States Parties in Asia were currently in the process of adopting legislation. Kuwait, Maldives, and the Philippines reported that their respective draft laws had been submitted to their parliaments for approval. The remaining 19 States Parties reported that their legislation was under review and/or awaiting approval by the relevant governmental entities (Afghanistan, Bahrain, Bhutan, Brunei Darussalam, Iraq, Kyrgyzstan, Lebanon, Marshall Islands, Mongolia, Myanmar, Nepal, Samoa, Solomon Islands, the State of Palestine, the Syrian Arab Republic, Timor-Leste, Tonga, Tuvalu, and Vanuatu).
81. Two States Parties have not yet started developing a draft (Nauru and Papua New Guinea).

Analysis

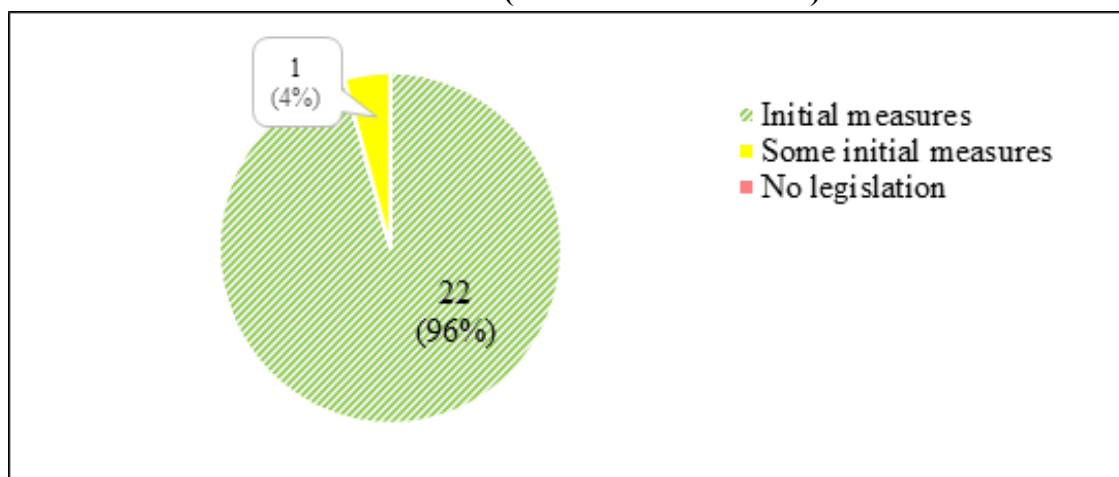
82. Some States Parties in Asia submitted information on their status of implementation that differed from the information they provided in the previous reporting periods. The Secretariat continued to liaise with these States Parties in order to clarify their status, including requesting copies of relevant legal texts, and stands ready to undertake comprehensive reviews of their legislative and regulatory frameworks, as needed.
83. The Secretariat continued to follow up with States Parties that have received legislative assistance in recent years, and to monitor progress in the adoption process. The Secretariat plans to enhance its engagement with Pacific island States Parties, several of which participated in legislative assistance activities organised by the Secretariat in 2019 and developed the initial draft texts of their implementing legislation. Specifically, the Secretariat will reach out to Nauru and Papua New Guinea to encourage them to initiate the process of developing draft legislation.

Eastern Europe

Status of implementation

84. As at the cut-off date of this report, according to the information available to the Secretariat, the status of implementation of Article VII of the Convention in Eastern Europe was as follows (see also Figure 14 below):
- (a) Twenty-two States Parties had legislation covering all initial measures (Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Montenegro, North Macedonia, Poland, the Republic of Moldova, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, and Ukraine).
- (b) One State Party had adopted legislation that covers some of the initial measures (Armenia).

FIGURE 14: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION BY STATES PARTIES IN EASTERN EUROPE (AS AT 31 JULY 2021)



Article VII(5) submissions

85. As at 31 July 2021, all 23 States Parties in Eastern Europe had made an Article VII(5) submission.

Updates during the reporting period

86. During the reporting period, 19 States Parties provided updates to the Secretariat on the steps they had taken towards the implementation of the Convention (Albania, Armenia, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Montenegro, Poland, the Republic of Moldova, Romania, the Russian Federation, Serbia, and Slovakia).

Status of the legislative process

87. The Secretariat continued to engage with Armenia to address the remaining gaps in its legislative framework on the Convention. In October 2020, Armenia participated in a National Legislative Review Forum, during which it worked with the Secretariat to identify gaps in its national legislative framework and discussed possible approaches to address them. The Secretariat will follow up with Armenia on the development and adoption of the measures necessary to fulfil the requirements under the Convention.

Analysis

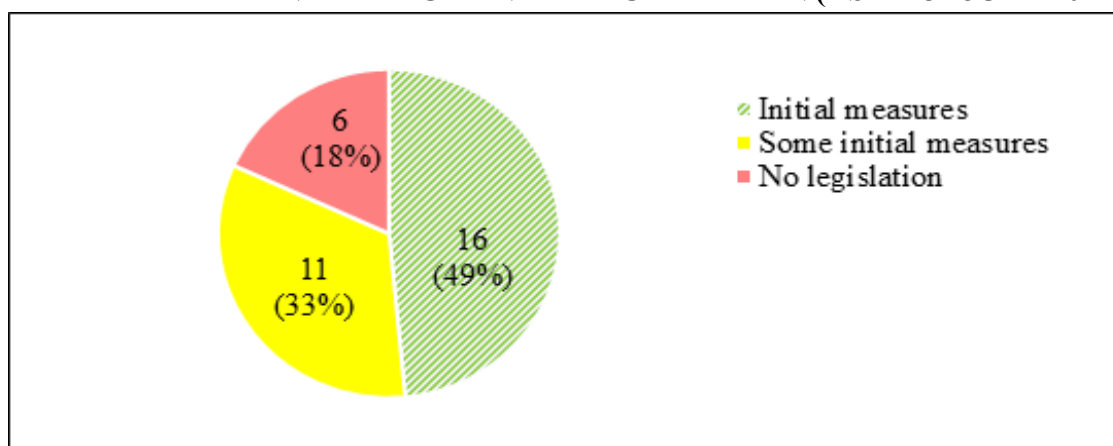
88. Some States Parties in Eastern Europe submitted information on their status of implementation that differed from the information they provided in previous reporting periods. The Secretariat will continue to liaise with these States Parties in order to clarify their status, and stands ready to undertake comprehensive legal reviews of their respective legislative and regulatory frameworks, as needed.

Latin America and the Caribbean

Status of implementation

89. As at the cut-off date of this report, according to the information available to the Secretariat, the status of implementation of Article VII of the Convention in the Latin America and the Caribbean region was as follows (see also Figure 15 below):
- (a) Sixteen States Parties (49%) had adopted legislation covering all initial measures (Argentina, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Grenada, Mexico, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Uruguay).
 - (b) Eleven States Parties (33%) had adopted legislation that covers some of the initial measures (Antigua and Barbuda, Bolivia (Plurinational State of), Dominica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, and Venezuela (Bolivarian Republic of)).
 - (c) Six States Parties (18%) had yet to report on the adoption of any implementing legislation (the Bahamas, Barbados, Haiti, Jamaica, Suriname, and Trinidad and Tobago).

FIGURE 15: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION BY STATES PARTIES IN LATIN AMERICA AND THE CARIBBEAN (AS AT 31 JULY 2021)



Article VII(5) submissions

90. As at 31 July 2021, 29 States Parties (88%) had made at least one Article VII(5) submission, while four States Parties (12%) had not made any Article VII(5) submission (the Bahamas, Barbados, Haiti, and Trinidad and Tobago).

Updates during the reporting period

91. During the reporting period, 22 States Parties provided updates to the Secretariat on the steps they had taken towards the implementation of the Convention (Antigua and Barbuda, Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Peru, Saint Kitts and Nevis, Uruguay, and Venezuela (Bolivarian Republic of)).

Status of the legislative process

92. At the cut-off date of this report, according to the information available to the Secretariat, all 17 States Parties in Latin America and the Caribbean that had yet to adopt legislation covering all initial measures reported that their legislation was under review and/or awaiting approval by the relevant governmental entities (Antigua and Barbuda, the Bahamas, Barbados, Bolivia (Plurinational State of), Dominica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, Suriname, Trinidad and Tobago, and Venezuela (Bolivarian Republic of)).

Analysis

93. Prioritising national implementation of the Convention continued to be the main challenge in the Latin America and the Caribbean region in light of competing priorities. The Secretariat will continue to reach out to relevant stakeholders, in particular to senior policymakers, in order to raise their awareness of the urgency of adopting implementing legislation, and to monitor progress in the adoption process.

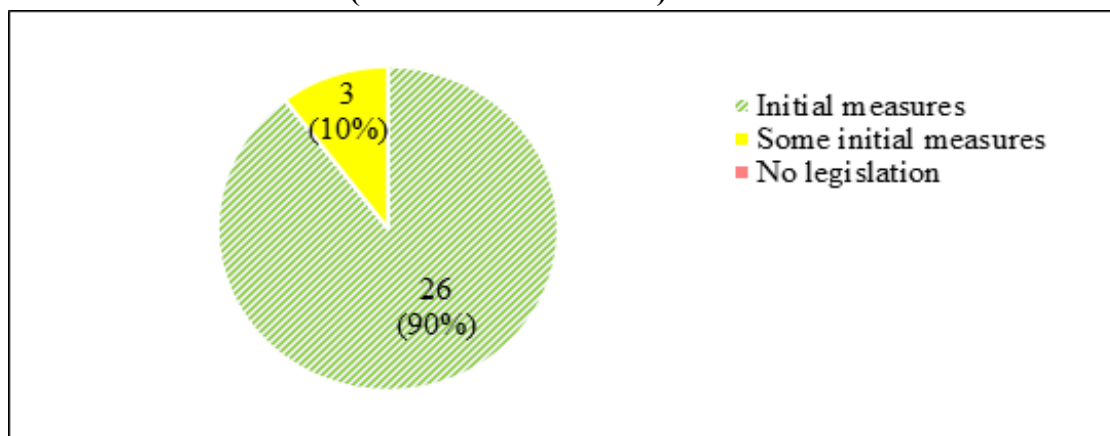
94. The development of tailored approaches for SIDS in the Caribbean and the Pacific advanced slightly, aiming to support advocacy for the urgency of adopting implementing legislation towards key decision makers. The Secretariat will continue to collaborate with regional organisations in this regard.
95. The Secretariat had assisted States Parties in the Caribbean in the development of draft implementing legislation. Rather than pursuing the adoption of a stand-alone law implementing the Convention, some States Parties in the Caribbean are opting for a comprehensive approach to implementing their obligations under United Nations Security Council resolution 1540 (2004) in the CBRN areas pursuant to the regional strategy of the Caribbean Community (CARICOM). While this approach was deemed to be more practical for the SIDS in the Caribbean, it has considerably slowed down the process, primarily because there are more complex issues involved. The Secretariat continued to liaise with States Parties in the Caribbean, as well as with CARICOM, on following through with the adoption process, and has emphasised to CARICOM that the initial measures should be kept intact in the comprehensive CBRN laws.

Western European and Other States

Status of implementation

96. As at the cut-off date of this report, according to the information available to the Secretariat, the status of implementation of Article VII of the Convention among WEOG States Parties was as follows (see also Figure 16 below):
- (a) Twenty-six States Parties (90%) had adopted legislation covering all initial measures (Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, the Holy See, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America).
 - (b) Three States Parties (10%) had adopted legislation that covers some of the initial measures (Andorra, Iceland, and San Marino).

FIGURE 16: OVERVIEW OF THE STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CONVENTION BY WEOG STATES PARTIES (AS AT 31 JULY 2021)



Article VII(5) submissions

97. As at 31 July 2021, all 29 WEOG States Parties had made at least one Article VII(5) submission.

Updates during the reporting period

98. During the reporting period, 26 WEOG States Parties provided an update to the Secretariat on the steps they had taken towards the implementation of the Convention (Andorra, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, the Holy See, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America).

Status of the legislative process

99. The Secretariat continued to engage with Andorra, Iceland, and San Marino in order to provide appropriate assistance to enable these States Parties to fill the gaps in their legislative frameworks.

Analysis

100. Most WEOG States Parties enacted implementing legislation before 2013, when the “initial measures” set of criteria was agreed on by States Parties. Since then, most of them have reported that they have comprehensive legislative and regulatory frameworks, although some WEOG States Parties have recently submitted information different from their submissions in previous reporting periods, which indicates that they might not, in fact, cover all initial measures. The Secretariat stands ready to liaise with these States Parties in order to clarify their actual status of implementation.

E. LEGAL ASSISTANCE PROGRAMME AND INTERNATIONAL COOPERATION

Overview of assistance programmes provided by the Secretariat

101. In C-14/DEC.12, the Conference encouraged the Secretariat to continue to provide, upon request, technical assistance in a tailor-made and systematic manner to effectively address the needs of States Parties in regard to their practical national implementation issues and concerns. In the same decision, the Conference encouraged States Parties, particularly those desiring assistance in fulfilling their Article VII obligations, to avail themselves of the assistance that is offered if they consider it appropriate (paragraphs 4 and 5 of C-14/DEC.12).
102. In RC-3/3*, the Third Review Conference requested the Secretariat to include an assessment in the annual reports, 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 formulating focused assistance programmes.

103. The Secretariat organised four National Legislative Review Forums, with Armenia (October 2020), Cambodia (December 2020), Mauritania (February 2021), and Togo (July 2021). During the forums, States Parties assessed their respective national legislative and administrative frameworks on the Convention, identified gaps, and discussed possible approaches to address them.
104. The Secretariat provided comments on the texts of two draft laws, and reviewed the texts of legislation that were provided as Article VII(5) submissions to determine whether they met the requirements of the Convention. In addition, the Secretariat provided advice and reviewed legal texts submitted by States Parties on the implementation of the amendments to the Annex on Chemicals. Furthermore, the Secretariat discussed the status of the national implementation of Article VII with several States Parties online.
105. The Secretariat presented information on national implementation measures and the role of National Authorities in the implementation of the Convention during the general training course (online) in April 2021, which was attended by 67 participants from 41 States Parties.
106. The Secretariat organised two online training courses on legislative and regulatory issues on chemical security, which were aimed at enhancing the understanding of participating States Parties of the scope of a national legal and regulatory framework on chemical security and of approaches in the development of chemical security measures. The first course, which was targeted at States Parties in Asia, was held in November 2020 and attended by 49 participants from 19 States Parties. The second course, which was targeted at States Parties in Africa, was held in April 2021 and was attended by 49 participants from 12 States Parties.
107. The Annex to this document contains further details on the implementation status and processes of each of the States Parties in regard to the national implementation of Article VII.

Cooperation, support, and assistance provided bilaterally by States Parties

108. Pursuant to paragraph 2 of Article VII of the Convention, States Parties are required to “cooperate with other States Parties and afford the appropriate form of legal assistance to facilitate the implementation of the obligations under paragraph 1”. Furthermore, on a number of occasions, the Conference has recalled the importance of this obligation and has requested States Parties to offer and/or provide assistance to other States Parties (C-8/DEC.16; C-9/DEC.4 (dated 30 November 2004); C-10/DEC.16 (dated 11 November 2005); C-12/DEC.9 (dated 9 November 2007); C-13/DEC.7 (dated 5 December 2008); and C-14/DEC.12).
109. With regard to the Mentorship/Partnership Programme¹² for National Authorities of States Parties to the Convention, return visits planned for 2020 (India to Afghanistan, the United Kingdom of Great Britain and Northern Ireland to the Gambia, and France to Côte d’Ivoire) and 2021 were postponed because of the COVID-19-related

¹² National Authorities that have proven to be effective in the implementation of their obligations under the Convention provide guidance to National Authorities that require additional support for enhancing their effective functioning. The mentor countries in this Programme share their technical expertise, experiences, and good practices in the process of developing, adopting, and implementing their respective legislation on the Convention with partner countries, as well as on other relevant thematic issues.

EC-98/DG.13

C-26/DG.11

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restrictions. These restrictions also hindered the formation of new such partnerships during the reporting period.

Annex (English only):

Status and Progress Regarding Legislative and Regulatory Implementation by States Parties
(as at 31 July 2021)

Annex

**STATUS AND PROGRESS REGARDING LEGISLATIVE AND REGULATORY
IMPLEMENTATION BY STATES PARTIES (AS AT 31 JULY 2021)**

States Parties	Last Update	Status	Article VII(5) Submission
Afghanistan (24 October 2003)	2 November 2019	No legislation. Draft law pending government approval.	Yes
Albania (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Algeria (29 April 1997)	30 March 2021	Legislation covers all initial measures.	Yes
Andorra (29 March 2003)	9 July 2021	Legislation covers some of the initial measures.	Yes
Angola (16 October 2015)	18 June 2018	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Antigua and Barbuda (28 September 2005)	5 May 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Argentina (29 April 1997)	5 May 2021	Legislation covers all initial measures.	Yes
Armenia (29 April 1997)	16 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Australia (29 April 1997)	6 July 2021	Legislation covers all initial measures.	Yes
Austria (29 April 1997)	8 July 2021	Legislation covers all initial measures.	Yes
Azerbaijan (30 March 2000)	16 July 2020	Legislation covers all initial measures.	Yes
Bahamas (21 May 2009)	24 July 2017	No legislation. Draft law pending government approval.	None
Bahrain (29 April 1997)	1 June 2021	Legislation covers some of the initial measures.	Yes
Bangladesh (29 April 1997)	20 May 2021	Legislation covers all initial measures.	Yes
Barbados (6 April 2007)	7 June 2018	No legislation. Draft law pending government approval.	None
Belarus (29 April 1997)	25 June 2021	Legislation covers all initial measures.	Yes
Belgium (29 April 1997)	6 July 2021	Legislation covers all initial measures.	Yes
Belize (31 December 2003)	3 July 2020	Legislation covers all initial measures.	Yes

States Parties	Last Update	Status	Article VII(5) Submission
Benin (13 June 1998)	21 July 2017	No legislation. Draft law pending government approval.	None
Bhutan (17 September 2005)	8 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Bolivia (Plurinational State of) (13 September 1998)	19 April 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Bosnia and Herzegovina (29 April 1997)	15 July 2021	Legislation covers all initial measures.	Yes
Botswana (30 September 1998)	26 June 2020	Legislation covers all initial measures.	Yes
Brazil (29 April 1997)	1 June 2021	Legislation covers all initial measures.	Yes
Brunei Darussalam (29 August 1997)	11 July 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Bulgaria (29 April 1997)	15 July 2021	Legislation covers all initial measures.	Yes
Burkina Faso (7 August 1997)	10 May 2021	Legislation covers all initial measures.	Yes
Burundi (4 October 1998)	14 July 2021	Legislation covers all initial measures.	Yes
Cabo Verde (9 November 2003)	4 December 2014	Legislation covers all initial measures.	Yes
Cambodia (18 August 2005)	29 July 2015	Legislation covers all initial measures.	Yes
Cameroon (29 April 1997)	22 May 2019	Legislation covers all initial measures.	Yes
Canada (29 April 1997)	6 July 2021	Legislation covers all initial measures.	Yes
Central African Republic (20 October 2006)	6 June 2014	Legislation covers all initial measures.	Yes
Chad (14 March 2004)	22 May 2019	No legislation. Draft law pending government approval.	None
Chile (29 April 1997)	18 May 2021	Legislation covers all initial measures.	Yes
China (29 April 1997)	3 June 2021	Legislation covers all initial measures.	Yes
Colombia (5 May 2000)	12 May 2021	Legislation covers all initial measures.	Yes
Comoros (17 September 2006)	5 September 2011	Legislation covers all initial measures.	Yes

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Congo (3 January 2008)	12 June 2018	Legislation covers all initial measures.	Yes
Cook Islands (29 April 1997)	25 June 2018	Legislation covers all initial measures.	Yes
Costa Rica (29 April 1997)	6 July 2021	Legislation covers all initial measures.	Yes
Côte d'Ivoire (29 April 1997)	7 July 2020	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Croatia (29 April 1997)	30 June 2021	Legislation covers all initial measures.	Yes
Cuba (29 May 1997)	27 April 2021	Legislation covers all initial measures.	Yes
Cyprus (27 September 1998)	29 June 2020	Legislation covers all initial measures.	Yes
Czech Republic (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Democratic Republic of the Congo (11 November 2005)	27 May 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Denmark (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Djibouti (24 February 2006)	31 July 2017	No legislation. Draft law pending government approval.	None
Dominica (13 March 2001)	25 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Dominican Republic (26 April 2009)	21 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Ecuador (29 April 1997)	9 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
El Salvador (29 April 1997)	28 May 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Equatorial Guinea (29 April 1997)	28 March 2007	No legislation. Draft law pending government approval.	None
Eritrea (15 March 2000)	30 November 2013	No legislation.	None
Estonia (25 June 1999)	14 July 2021	Legislation covers all initial measures.	Yes
Eswatini (29 April 1997)	29 June 2018	No legislation. Draft law pending government approval.	None

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Ethiopia (29 April 1997)	20 April 2021	Legislation covers all initial measures.	Yes
Fiji (29 April 1997)	5 June 2018	Legislation covers all initial measures.	Yes
Finland (29 April 1997)	15 April 2021	Legislation covers all initial measures.	Yes
France (29 April 1997)	19 May 2021	Legislation covers all initial measures.	Yes
Gabon (8 October 2000)	14 May 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Gambia (18 June 1998)	26 June 2020	No legislation. Draft law pending government approval.	Yes
Georgia (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Germany (29 April 1997)	28 June 2021	Legislation covers all initial measures.	Yes
Ghana (8 August 1997)	4 July 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Greece (29 April 1997)	16 July 2021	Legislation covers all initial measures.	Yes
Grenada (3 July 2005)	7 August 2019	Legislation covers all initial measures.	Yes
Guatemala (14 March 2003)	1 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Guinea (9 July 1997)	6 November 2019	No legislation. Draft law pending government approval.	Yes
Guinea-Bissau (19 June 2008)	9 December 2016	No legislation. Draft law pending government approval.	None
Guyana (12 October 1997)	16 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Haiti (24 March 2006)	28 June 2016	No legislation. Draft law pending government approval.	None
Holy See (11 June 1999)	7 July 2021	Legislation covers all initial measures.	Yes
Honduras (28 September 2005)	21 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Hungary (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes

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Iceland (29 April 1997)	15 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
India (29 April 1997)	20 April 2021	Legislation covers all initial measures.	Yes
Indonesia (12 December 1998)	16 April 2019	Legislation covers all initial measures.	Yes
Iran (Islamic Republic of) (3 December 1997)	13 July 2021	Legislation covers all initial measures.	Yes
Iraq (12 February 2009)	7 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Ireland (29 April 1997)	3 June 2021	Legislation covers all initial measures.	Yes
Italy (29 April 1997)	8 July 2021	Legislation covers all initial measures.	Yes
Jamaica (8 October 2000)	6 November 2019	No legislation. Draft law pending government approval.	Yes
Japan (29 April 1997)	12 March 2021	Legislation covers all initial measures.	Yes
Jordan (28 November 1997)	31 May 2019	Legislation covers all initial measures.	Yes
Kazakhstan (22 April 2000)	1 June 2018	Legislation covers all initial measures.	Yes
Kenya (29 April 1997)	7 July 2021	No legislation. Draft law pending government approval.	None
Kiribati (7 October 2000)	7 July 2010	Legislation covers all initial measures.	Yes
Kuwait (28 June 1997)	16 May 2017	Legislation covers some of the initial measures. Draft law pending approval in Parliament.	Yes
Kyrgyzstan (29 October 2003)	30 April 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Lao People's Democratic Republic (29 April 1997)	28 April 2021	Legislation covers all initial measures.	Yes
Latvia (29 April 1997)	18 May 2021	Legislation covers all initial measures.	Yes
Lebanon (20 December 2008)	18 June 2017	No legislation. Draft law pending government approval.	Yes
Lesotho (29 April 1997)	25 November 2012	Legislation covers all initial measures.	Yes
Liberia (25 March 2006)	27 November 2011	Legislation covers all initial measures.	Yes

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Libya (5 February 2004)	29 June 2020	No legislation. Draft law pending government approval.	None
Liechtenstein (24 December 1999)	6 July 2021	Legislation covers all initial measures.	Yes
Lithuania (15 May 1998)	31 July 2021	Legislation covers all initial measures.	Yes
Luxembourg (29 April 1997)	1 June 2021	Legislation covers all initial measures.	Yes
Madagascar (9 November 2004)	15 July 2021	Legislation covers all initial measures.	Yes
Malawi (11 July 1998)	7 October 2016	No legislation. Draft law pending government approval.	None
Malaysia (20 May 2000)	8 July 2021	Legislation covers all initial measures.	Yes
Maldives (29 April 1997)	10 June 2021	Legislation covers some of the initial measures. Draft law pending approval in Parliament.	Yes
Mali (29 April 1997)	1 June 2021	Legislation covers all initial measures.	Yes
Malta (29 April 1997)	31 May 2019	Legislation covers all initial measures.	Yes
Marshall Islands (18 June 2004)	4 March 2019	No legislation. Draft law pending government approval.	Yes
Mauritania (11 March 1998)	7 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Mauritius (29 April 1997)	16 July 2020	Legislation covers all initial measures.	Yes
Mexico (29 April 1997)	3 May 2021	Legislation covers all initial measures.	Yes
Micronesia (Federated States of) (21 July 1999)	27 May 2014	Legislation covers all initial measures.	Yes
Monaco (29 April 1997)	19 June 2020	Legislation covers all initial measures.	Yes
Mongolia (29 April 1997)	10 May 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Montenegro (3 June 2006)	14 May 2021	Legislation covers all initial measures.	Yes
Morocco (29 April 1997)	8 July 2021	Legislation covers all initial measures.	Yes
Mozambique (14 September 2000)	16 June 2018	No legislation. Draft law pending government approval.	None

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Myanmar (7 August 2015)	21 July 2017	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Namibia (29 April 1997)	20 June 2019	No legislation. Draft law pending government approval.	Yes
Nauru (12 December 2001)	5 July 2010	No legislation.	None
Nepal (18 December 1997)	7 November 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Netherlands (29 April 1997)	15 July 2021	Legislation covers all initial measures.	Yes
New Zealand (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Nicaragua (5 December 1999)	16 July 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Niger (29 April 1997)	30 May 2019	No legislation. Draft law pending government approval.	Yes
Nigeria (19 June 1999)	30 June 2021	Legislation covers some of the initial measures. Draft law pending approval in Parliament.	Yes
Niue (21 May 2005)	20 July 2010	Legislation covers all initial measures.	Yes
North Macedonia (20 July 1997)	23 June 2020	Legislation covers all initial measures.	Yes
Norway (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Oman (29 April 1997)	9 April 2020	Legislation covers all initial measures.	Yes
Pakistan (27 November 1997)	8 July 2021	Legislation covers all initial measures.	Yes
Palau (5 March 2003)	14 June 2018	Legislation covers all initial measures.	Yes
Panama (6 November 1998)	9 June 2021	Legislation covers all initial measures.	Yes
Papua New Guinea (29 April 1997)	20 August 2014	No legislation.	None
Paraguay (29 April 1997)	31 May 2018	Legislation covers all initial measures.	Yes
Peru (29 April 1997)	28 May 2021	Legislation covers all initial measures.	Yes
Philippines (29 April 1997)	25 May 2021	Legislation covers some of the initial measures. Draft law pending approval in Parliament.	Yes

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Poland (29 April 1997)	24 June 2021	Legislation covers all initial measures.	Yes
Portugal (29 April 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Qatar (3 October 1997)	12 July 2021	Legislation covers all initial measures.	Yes
Republic of Korea (29 April 1997)	19 April 2021	Legislation covers all initial measures.	Yes
Republic of Moldova (29 April 1997)	10 July 2021	Legislation covers all initial measures.	Yes
Romania (29 April 1997)	13 July 2021	Legislation covers all initial measures.	Yes
Russian Federation (5 December 1997)	25 June 2021	Legislation covers all initial measures.	Yes
Rwanda (30 April 2004)	30 November 2012	Legislation covers some of the initial measures.	Yes
Saint Kitts and Nevis (20 June 2004)	8 June 2021	Legislation covers all initial measures.	Yes
Saint Lucia (29 April 1997)	27 November 2011	Legislation covers all initial measures.	Yes
Saint Vincent and the Grenadines (18 October 2002)	28 May 2019	Legislation covers all initial measures.	Yes
Samoa (27 October 2002)	30 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
San Marino (9 January 2000)	15 July 2020	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Sao Tome and Principe (9 October 2003)	23 March 2018	No legislation. Draft law pending approval in Parliament.	None
Saudi Arabia (29 April 1997)	18 March 2021	Legislation covers all initial measures.	Yes
Senegal (19 August 1998)	20 June 2019	Legislation covers all initial measures.	Yes
Serbia (20 May 2000)	12 July 2021	Legislation covers all initial measures.	Yes
Seychelles (29 April 1997)	13 April 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Sierra Leone (30 October 2004)	9 December 2011	No legislation. Draft law pending government approval.	Yes
Singapore (20 June 1997)	7 April 2021	Legislation covers all initial measures.	Yes

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Slovakia (29 April 1997)	8 July 2021	Legislation covers all initial measures.	Yes
Slovenia (11 July 1997)	3 July 2020	Legislation covers all initial measures.	Yes
Solomon Islands (23 October 2004)	28 August 2019	No legislation. Draft law pending government approval.	Yes
Somalia (28 June 2013)	21 July 2015	No legislation. Draft law pending government approval.	None
South Africa (29 April 1997)	19 May 2021	Legislation covers all initial measures	Yes
Spain (29 April 1997)	14 April 2021	Legislation covers all initial measures.	Yes
Sri Lanka (29 April 1997)	12 May 2021	Legislation covers all initial measures.	Yes
State of Palestine (16 June 2018)	11 June 2020	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Sudan (23 June 1999)	21 April 2021	Legislation covers all initial measures.	Yes
Suriname (29 April 1997)	10 June 2020	No legislation. Draft law pending government approval.	Yes
Sweden (29 April 1997)	6 July 2021	Legislation covers all initial measures.	Yes
Switzerland (29 April 1997)	22 March 2021	Legislation covers all initial measures.	Yes
Syrian Arab Republic (14 October 2013)	16 July 2020	No legislation. Draft law pending government approval.	Yes
Tajikistan (29 April 1997)	21 May 2019	Legislation covers all initial measures.	Yes
Thailand (9 January 2003)	25 May 2021	Legislation covers all initial measures.	Yes
Timor-Leste (6 June 2003)	26 June 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Togo (29 April 1997)	24 June 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Tonga (28 June 2003)	28 August 2019	No legislation. Draft law pending government approval.	Yes
Trinidad and Tobago (24 July 1997)	30 June 2016	No legislation. Draft law pending government approval.	None
Tunisia (29 April 1997)	7 June 2017	Legislation covers all initial measures.	Yes
Turkey (11 June 1997)	3 June 2021	Legislation covers all initial measures.	Yes

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Turkmenistan (29 April 1997)	31 July 2015	Legislation covers all initial measures.	Yes
Tuvalu (18 February 2004)	7 July 2010	No legislation. Draft law pending government approval.	Yes
Uganda (30 December 2001)	7 July 2021	Legislation covers all initial measures.	Yes
Ukraine (15 November 1998)	15 June 2020	Legislation covers all initial measures.	Yes
United Arab Emirates (28 December 2000)	21 June 2021	Legislation covers all initial measures.	Yes
United Kingdom of Great Britain and Northern Ireland (29 April 1997)	24 June 2021	Legislation covers all initial measures.	Yes
United Republic of Tanzania (25 July 1998)	21 July 2021	No legislation. Draft law pending government approval.	None
United States of America (29 April 1997)	25 June 2021	Legislation covers all initial measures.	Yes
Uruguay (29 April 1997)	28 May 2021	Legislation covers all initial measures.	Yes
Uzbekistan (29 April 1997)	31 July 2021	Legislation covers all initial measures.	Yes
Vanuatu (16 October 2005)	15 June 2018	No legislation. Draft law pending government approval.	None
Venezuela (Bolivarian Republic of) (2 January 1998)	5 June 2021	Legislation covers some of the initial measures. Draft law pending government approval.	Yes
Viet Nam (30 October 1998)	15 July 2020	Legislation covers all initial measures.	Yes
Yemen (1 November 2000)	8 April 2014	Legislation covers all initial measures.	Yes
Zambia (11 March 2001)	26 June 2020	Legislation covers all initial measures.	Yes
Zimbabwe (29 April 1997)	21 June 2019	Legislation covers some of the initial measures. Draft law pending government approval.	Yes