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**Executive Council**

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**REPORT OF THE EXECUTIVE COUNCIL  
ON THE PERFORMANCE OF ITS ACTIVITIES  
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## 1. ORGANISATIONAL MATTERS

1.1 The Executive Council (hereinafter the “Council”) is the executive organ of the OPCW. The Council promotes the effective implementation of, and compliance with, the Chemical Weapons Convention (hereinafter the “Convention”). It also supervises the activities of the Technical Secretariat (hereinafter the “Secretariat”), cooperates with the National Authority of each State Party, and facilitates consultations and cooperation amongst States Parties at their request.

1.2 The composition of the Council for the twelve-month period concluding on 11 May 2001 was as follows:

Africa: Algeria, Cameroon, Côte d’Ivoire, Ethiopia, Morocco, Namibia, South Africa, Tunisia, Zimbabwe;

Asia: Bangladesh, China, India, Indonesia, Iran (Islamic Republic of), Japan, Pakistan, Republic of Korea, Saudi Arabia, Sri Lanka;

Eastern Europe: Poland, Romania, Russian Federation, Slovenia, Ukraine;

Latin America

and the Caribbean: Argentina, Brazil, Chile, Cuba, Mexico, Panama, Peru; and

WEOG: Austria, Canada, France, Germany, Italy, Netherlands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

1.3 The composition of the Council for the twelve-month period commencing on 12 May 2001 and concluding on 11 May 2002 was as follows:

Africa: Algeria, Botswana, Cameroon, Morocco, Namibia, Nigeria, South Africa, Sudan, Tunisia;

Asia: China, India, Indonesia, Iran (Islamic Republic of), Japan, Pakistan, Republic of Korea, Saudi Arabia, Sri Lanka;

Eastern Europe: Bulgaria, Croatia, Poland, Russian Federation, Slovenia;

Latin America

and the Caribbean: Argentina, Brazil, Chile, Cuba, Mexico, Panama, Peru; Uruguay; and

WEOG: Austria, Canada, France, Germany, Italy, Netherlands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

1.4 The composition of the Council for the twelve-month period commencing 12 May 2002 and concluding on 11 May 2003 was follows:

Africa: Algeria, Benin, Botswana, Cameroon, Morocco, Nigeria, South Africa, Sudan, Tunisia;

Asia:	Bangladesh, China, India, Iran (Islamic Republic of), Japan, Pakistan, Republic of Korea, Saudi Arabia, Sri Lanka;
Eastern Europe:	Belarus, Bulgaria, Croatia, Hungary, Russian Federation;
Latin America and the Caribbean:	Argentina, Brazil, Colombia, Chile, Mexico, Peru, Panama, Uruguay; and
WEOG:	Belgium, Canada, Denmark, France, Germany, Italy, Portugal, Turkey, United Kingdom, United States.

- 1.5 At its Sixth Session the Conference of the States Parties (hereinafter the “Conference”) adopted decisions or took action on a total of 16 matters referred to it by the Council, and referred to the Council 7 matters or issues requiring monitoring or action on its part, including recommendations to the Conference at its Seventh Session.

#### **Election of Chairman and Vice-Chairmen of the Council**

- 1.6 At its Nineteenth Session the Council elected Mr Bernhard Brasack of Germany as its Chairman, and the Representatives of Chile, Pakistan, Romania, and South Africa as its new Vice-Chairmen, for the term of office commencing on 12 May 2000, and concluding on 11 May 2001.
- 1.7 At its Twenty-Third Session the Council elected Ambassador Abdel Halim Babu Fatih of Sudan as its new Chairman for the term of office commencing on 12 May 2001 and concluding on 11 May 2002, and the representatives of Mexico, Republic of Korea, Russian Federation, and Sweden as its new Vice-Chairmen, for the same period.
- 1.8 The Council at its Twenty-Eighth Session elected Ambassador Lionel Fernando of Sri Lanka as its new Chairman for the term of office ending on 11 May 2003, and representatives of Germany, Mexico, Nigeria, and the Russian Federation as its Vice-Chairmen, for the same period.
- 1.9 The Council held six regular sessions during the period under review, on the following dates: EC-XXIV: 3 - 6 April 2001; EC-XXV: 27 - 28 June 2001; EC-XXVI: 25 - 28 September 2001; EC-XXVII: 4 - 7 December 2001; EC-28: 19 - 22 March 2002; and EC-29: 25 - 28 June 2002; as well as eight meetings: EC-M-XII: on 3 - 4 May 2001; EC-M-XIII on 15 May 2001; and EC-M-XIV on 15 August 2001; EC-M-XV on 9 November 2001; EC-M-XVI on 13 November 2001; EC-M-17 on 28 March 2002; EC-M-18 on 31 May 2002, and EC-M-19 on 16 July 2002.
- 1.10 The Council at its Twenty-Sixth Session considered and approved the following dates for its regular sessions in 2002: EC-28: 19 - 22 March; EC-29: 25 - 28 June; EC-30: 10 - 13 September; and EC-31: 10 - 13 December.



### **Accreditation of representatives to the Council**

- 1.11 In accordance with Rule 4 of the Rules of Procedure of the Council, the credentials of representatives to the Council were examined by the Director-General and reported to the Council for approval as appropriate. The most recent examination of credentials established that the credentials of the representatives of all members of the Council were in conformity with its Rules of Procedure (EC-29/DG.11, dated 26 June 2002).

### **Application of the Rules of Procedure of the Council**

- 1.12 During the period under review, observer States played an active role in all sessions and meetings of the Council, with an average number of about sixteen observer States present at each session or meeting. Each request of observers to present their views in accordance with Rule 22 of the Rules of Procedure of the Council was satisfied.
- 1.13 Action taken by the Conference at its Sixth Session and the First Special Session in response to recommendations from the Council in the period under review is recorded in the annex to this report.

### **Working methods of the Council**

- 1.14 The Chairman of the Council, in consultation with the Vice-Chairmen and members of the Council, continued to review and republish a plan of activities of the Council. The first annex to this plan of activities lists clusters under consideration by the Council.
- 1.15 The Vice-Chairmen of the Council were designated as coordinators for the following clusters of issues: chemical weapons issues; chemical industry and other Article VI issues; administrative and financial issues; and legal, organisational, and other issues. Facilitators were also identified for many of the issues requiring resolution. The second annex to the plan of activities lists all key meetings and consultations during the period in question.
- 1.16 By authorisation of the Council at its Twenty-Sixth Session, the Chairman of the Council, in consultation with the members of the Council, nominated Ambassador Alberto Davérède of Argentina as Chairman of the open-ended working group on preparations for the review conference. The open-ended working group held 12 meetings, and the Chairman of the Group reported on its work to the Council at its Twenty-Seventh, Twenty-Eighth and Twenty-Ninth Session.
- 1.17 The Council at its Twenty-Seventh Session adopted the decision on the OPCW's contribution to global anti-terrorist efforts (EC-XXVII/DEC.5, dated 7 December 2001), through which it decided to establish an open-ended working group, chaired by the Chairman of the Council, to examine further the OPCW's contribution to global anti-terrorist efforts. The open-ended working group held two informal meetings, and the Chairman of the Group reported on its work to the Council.

## **Official visits**

### **Head of the Russian Federation Commission on Chemical Disarmament**

- 1.18 On the occasion of his official visit to the OPCW headquarters, on 25 September 2001, Mr Sergei Kiriyenko, the Chairman of the Russian Federation Commission on Chemical Disarmament, addressed the Council during its Twenty-Sixth Session.

### **Federal Minister of Foreign Affairs of the Republic of Austria**

- 1.19 On the occasion of her official visit to the OPCW headquarters, on 26 November 2001, H.E. Dr Benita Ferrero-Waldner, the Federal Minister of Foreign Affairs of the Republic of Austria, addressed the Permanent Representatives of the OPCW.

## **2. THE STATUS OF IMPLEMENTATION OF THE REQUIREMENTS OF THE CONVENTION**

### **Statements and reports by the Director-General**

- 2.1 In his opening statement to each session of the Council the Director-General elaborated, inter alia, on aspects of the fulfilment by States Parties of the requirements of the Convention, in addition to submitting numerous reports, either in fulfilment of the requirements of the Convention, or in order to satisfy requests of the Council or the Conference in this regard.

### **Financial matters**

- 2.2 The Council at its Twenty-Sixth Session noted the statement by the Director-General at the briefing of Permanent Representatives to the OPCW on 30 August 2001 (EC-XXVI/DG.6, dated 30 August 2001), as well as his opening statement at this session of the Council (EC-XXVI/DG.11, dated 25 September 2001). The Council noted that significant payments in respect of the costs of verification under Articles IV and V had recently been received, and that further such payments were expected by the end of December 2001. The Council also noted that the Secretariat estimated that, in addition to the above, a total of approximately EUR 2.4 million had been or would be invoiced for verification costs under Articles IV and V relating to activities already conducted or expected to be conducted by 31 December 2001, provided that such activity takes place. In these circumstances, the Council understood that the cash in hand and anticipated income should be sufficient to enable the Organisation to meet contractual obligations, and also to maintain credible levels of verification, including under Article VI, and International Cooperation and Assistance activity. The Council agreed that the Director-General should act on this basis, and authorised him to spend up to that level in 2001.
- 2.3 The Council at this Session also requested the Director-General to keep it informed through monthly updates on the financial and budgetary situation and the use of the Working Capital Fund, and also to provide further clarification and consolidation of the information so far issued on these matters.

- 2.4 The Council subsequently at each regular session considered the Notes by the Secretariat containing reports on the income/expenditure situation of the OPCW.
- 2.5 The Council at its Twenty-Seventh Session received a draft decision relating to the implementation of the 2002 OPCW programme of work and budget (EC-XXVII/DEC/CRP.15, dated 6 December 2001). The Council expressed its concern at a projected cash deficit for 2002, which the Secretariat estimated to be about EUR 6 million, and which had been reported in the Director-General's statement (EC-XXVII/DG.12, dated 5 December 2001). The Council urged all States Parties to meet all arrears and outstanding invoices and all 2002 financial obligations, in full and on time – both assessed contributions and payments in respect of costs under Articles IV and V. The Council decided that intersessional consultations on the implementation of the 2002 budget were urgently needed, which should take into account the report of the Eleventh Session of the ABAF (ABAF-XI/1, dated 31 October 2001), and requested the Secretariat to provide further information to explain its cash deficit projections. The consultations should also identify ways to maintain approved programmes, keeping in mind the need for a full and effective implementation of the Convention, and with a view to reaching a conclusion on the matter at the Twenty-Eighth Session of the Council. Reaffirming the need for the observance of the OPCW Financial Regulations, the Council noted the Director-General's intention, pending further Council consideration of the matter, to implement a cash budget for 2002.
- 2.6 The Council at its Twenty-Eighth Session, taking into account the estimates provided by the Secretariat, recognised that a budget deficit of EUR 2.1 million was evident, and that this deficit, if unfunded, would have a severe impact on the delivery of the approved programme of work in 2002.

#### **Transfers of funds**

- 2.7 The Council at its Twenty-Ninth Session took note of the Note by the Acting Director-General on transfers of funds during 2001 (EC-29/DG.4, dated 7 June 2002).

#### **Budgetary problems of Article IV and V inspection costs**

- 2.8 The Council at its Twenty-Seventh Session considered the Note by the Secretariat on possible options for addressing the budgetary problems of Article IV and V inspection costs (EC-XXVI/S/2, dated 28 June 2001). The Council received the report by the facilitator on the progress being made in consultations in relation to this matter.
- 2.9 The Council at its Twenty-Eighth Session noted that no consensus was yet evident on whether a change to the current mechanisms applying to Article IV and V costs was needed, and agreed that open-ended consultations on this issue should continue. The Council also agreed that the Secretariat should issue invoices to the relevant States Parties in respect of the associated staff costs immediately on completion of each inspection under Articles IV and V. However, the Council urged the relevant States Parties that were able and willing to do so, to consider the payment at the beginning of each financial year, including 2002, of an appropriate proportion of the relevant verification costs under Articles IV and V likely to be incurred during the financial year in question. Subsequent invoices issued in respect of actual costs

incurred would, of course, be set off against any such advance payments. The Council also encouraged the Director-General, when drafting the programme and budget for 2003, to include projections in respect of income under Articles IV and V based upon a realistic estimate of the amounts likely to be invoiced during 2003.

### **Draft OPCW programme and budget for 2003**

- 2.10 The Council at its Twenty-Ninth Session received the draft OPCW programme and budget for 2003 (EC-30/DG.1, dated 31 May 2002), as well as the draft OPCW medium-term plan for the period 2004 - 2006 (EC-29/CRP.2, dated 18 June 2002). The Council initially considered them, and decided to consider them further during the intersessional period with a view to transmitting the drafts to the Conference at its Seventh Session with appropriate comments and recommendations.

### **OPCW Financial Rules and proposed amendments to the OPCW Financial Regulations**

- 2.11 Following consideration of this item at previous sessions, the Council at its Twenty-Eighth Session decided to return to this item at its next session.

### **Procedures for the handling of confidential information**

- 2.12 The Council at its Twenty-Eighth Session noted the report by the Director-General on the implementation of the regime governing the handling of confidential information by the Secretariat in 2001 (EC-28/DG.5, dated 11 March 2002). The Council expressed its concern that, as of 31 December 2001, only 43 of the 145 States Parties had provided to the Secretariat information on their procedures for handling confidential information, as required by paragraph 4 of the Confidentiality Annex. No additional State Party had submitted its procedures for the handling of confidential information during 2001. The Council requested all States Parties which had not yet done so, to provide details of the handling of confidential information provided to them by the Organisation.

### **Declaration requirements regarding adamsite**

- 2.13 The Council at its Twenty-Fourth Session received a draft decision on declaration requirements regarding adamsite (EC-XXIV/DEC/CRP.7, dated 3 April 2001), and decided to return to this item at a future session.

### **Verification implementation report**

- 2.14 The Council at its Twenty-Fifth Session noted the 2000 verification implementation report (EC-XXIV/HP/DG.1, dated 15 March 2001).
- 2.15 The Council at its Twenty-Seventh Session noted the 2001 mid-year verification implementation report (EC-XXVII/HP/DG.1, dated 24 September 2001, and Corr.1, dated 3 December 2001).

**Verification at Schedule 1 facilities**

- 2.16 The Council at its Twenty-Fifth Session received the Note by the Secretariat on verification at Schedule 1 facilities in accordance with the provisions of paragraph 3 of Article VI and Part VI of the Verification Annex of the Chemical Weapons Convention (EC-XXV/S/1, dated 6 April 2001). At the end of the period under review, the Council was still considering this item.

**Declaration requirements for direct import and export by a Schedule 2 plant site**

- 2.17 The Council at its Twenty-Sixth Session decided to further consider the Note by the Secretariat on the declaration requirements for direct import and export by a Schedule 2 plant site (EC-XXV/S/2, dated 13 June 2001) during the forthcoming intersessional period, and to return to it at its next session. At the end of the period under review, the Council was still considering this item.

**Compliance with paragraph 16 of Part II of the Verification Annex (points of entry)**

- 2.18 The Council at its Twenty-Ninth session took note of the Note by the Secretariat on compliance with paragraph 16 of Part II of the Verification Annex as of 30 April 2002 (EC-29/S/3, dated 17 May 2002, and Add. 1, dated 25 June 2002). The Council urged all Member States which have not yet done so, to supply the required information to the Secretariat as soon as possible.

**Compliance with paragraphs 22 - 24 of Part II of the Verification Annex (standing diplomatic clearance)**

- 2.19 The Council at its Twenty-Ninth Session took note of the Note by the Secretariat on compliance with paragraphs 22 - 24 of Part II of the Verification Annex as of 30 April 2002 (EC-29/S/5, dated 22 May 2002, and Add. 1, dated 25 June 2002).

**Status of requests for the clarification of declarations**

- 2.20 The Council at its Twenty-Sixth Session took note of the Note by the Secretariat on the status of requests for the clarification of declarations in the period 1 January 2000 - 31 May 2001 (EC-XXVI/S/1, dated 26 June 2001).
- 2.21 Following consideration of this issue at previous sessions, the Council at its Twenty-Eighth Session further considered the draft decision on the status of requests for the clarification of declarations (EC-XXVI/DEC/CRP.2, dated 27 June 2001), and decided to return to it during the intersessional period.

**Agreed detailed plan for the verification of destruction of Category 1 Chemical Weapons**

- 2.22 The Council at its Twenty-Eighth Session adopted the decision on the agreed detailed plan for the verification of the destruction of the Category 1 chemical weapons at Gorny, Russian Federation (unit 1 – lewisite), (EC-28/DEC.8, dated 22 March 2002).

**Agreed detailed plans for the verification of destruction of Category 2 chemical weapons**

- 2.23 Since its Twenty-First Session, the Council has been considering the draft decision (EC-XXI/DEC/CRP.6/Rev.1, dated 21 February 2001) on the agreed detailed plan for the verification of destruction of Category 2 chemical weapons at Shchuchye chemical weapons destruction facility, Kurganskaya oblast, Russian Federation (and EC-XXI/P/DEC/CRP.1/Rev.1, also dated 21 February 2001). At its Twenty-Fourth Session, several delegations expressed their view that the destruction of the Category 2 weapons should take place in accordance with Article IV of the Convention and Part IV(A) of the Verification Annex (EC-XXIV/NAT.8, dated 6 April 2001). At its Twenty-Eighth Session the Council noted that the destruction of the Category 2 (phosgene) chemical weapons had been completed in the Russian Federation. The Council further noted that the destruction had been monitored by OPCW inspectors. However, it was the view of several Council members that the destruction of the phosgene drained from chemical munitions should have taken place under Article IV, Part IV(A) of the Verification Annex, and that the facility that destroyed the phosgene should have been declared as a chemical weapons destruction facility. Furthermore, it was of the view that the Russian Federation's way of proceeding, in this instance did not establish any precedents for future destruction operations.

**Agreed detailed plans for the verification of destruction of Category 3 chemical weapons**

- 2.24 The Council at its Twenty-Sixth Session adopted the decision approving the amended agreed detailed plan for the verification of destruction of the Category 3 chemical weapons at the Leonidovka chemical weapons destruction facility, Penzenskaya oblast, Russian Federation (EC-XXVI/DEC.1, dated 28 September 2001).
- 2.25 The Council at its Twenty-Sixth Session adopted the decision approving the agreed detailed plan for the verification of destruction of the Category 3 chemical weapons at the Seltso chemical weapons destruction facility, Bryanskaya oblast, Russian Federation (EC-XXVI/DEC.2, dated 28 September 2001).
- 2.26 The Council at its Twenty-Sixth Session adopted the decision approving the agreed detailed plan for the verification of destruction of the Category 3 chemical weapons at the Pochep chemical weapons destruction facility, Bryanskaya oblast, Russian Federation (EC-XXVI/DEC.3, dated 28 September 2001).

**Agreed detailed plan for the verification of destruction of chemical weapons**

- 2.27 Since its Twenty-Seventh Session the Council has been considering the draft decision on the agreed detailed plan for the verification of the destruction of chemical weapons at Anniston chemical agent disposal facility, located at Anniston Army Depot, United States of America (EC-XXVII/DEC/CRP.7, dated 12 November 2001), and decided to return to this item at its next session. At the end of the period under review the Council was still considering this item.

**Destruction of chemical weapons**

- 2.28 The Council at its Twenty-Ninth Session received the national paper containing information on the implementation of the plans related to chemical weapons destruction in the Russian Federation (EC-29/NAT.3, dated 25 June 2002).

**Combined plans for destruction and verification of chemical weapons production facilities**

- 2.29 At its Twenty-Fourth Session, the Council noted the general plan for the destruction or conversion of the chemical weapons production facilities located at OJSC “Khimprom”, Volgograd, Russian Federation (EC-XXIV/NAT.1, dated 9 March 2001).
- 2.30 The Council at its Twenty-Fourth Session adopted the decision on the combined plans for destruction and verification (phase I) of a chemical weapons production facility (filling sarin, soman and viscous soman into munitions, Open Joint Stock Company “Khimprom”, Volgograd, Russian Federation (EC-XXIV/DEC.1, dated 5 April 2001), in the context of the Note by the Director-General on the same subject (EC-XXIII/DG.6, also dated 26 January 2001).
- 2.31 The Council convened its Fourteenth Meeting at the joint request of the Director-General and of the United States of America, to consider a number of issues related to the draft plans for destruction and verification of the chemical weapons production facility (GB production and filling facility), Rocky Mountain Arsenal, Commerce City, United States of America (EC-XXVI/S/4, dated 10 August 2001).
- 2.32 At the same meeting the Council decided that the complexity of the situation made it impossible to take a decision on the combined plan for destruction and verification at this point, and that the matter required the Council’s further consideration. However, the Council, equally concerned both with strict compliance with the provisions of the Convention and with the smooth progress of destruction activities, further considered that destruction activities, suspended by the United States of America at the request of the Director-General, should resume. Until such time as the Council approves combined plans for destruction of the chemical weapons production facility at the Rocky Mountain Arsenal, United States of America, and such approved plans can be put into action, verification of destruction shall proceed through continuous monitoring by the Secretariat as required under paragraph 40 of Part V of the Verification Annex. The Council requested the Secretariat immediately to put in place the corresponding measures for continuous monitoring of destruction at the Rocky Mountain Arsenal chemical weapons production facility when such destruction resumes.
- 2.33 Since its Twenty-Seventh Session, the Council has been considering the draft decision on the combined plans for the destruction and verification of the same facility (Rocky Mountain Arsenal, Commerce City, United States of America) (EC-XXVII/DEC/CRP.14, dated 3 December 2001), in the context of the Note by the Director-General on the same subject (EC-XXVII/DG.9, dated 3 December 2001). At the end of the period under review, the Council was still considering this item.

- 2.34 The Council at its Twenty-Seventh Session adopted the decision (EC-XXVII/DEC.4, dated 7 December 2001) on the combined plans for the destruction and verification of a chemical weapons production facility in a State Party (EC-XXVI/HP/NAT.1, dated 23 August 2001), in the context of the Note by the Director-General on the same subject (EC-XXVI/DG.4, dated 29 August 2001).
- 2.35 The Council at its Twenty-Eighth Session adopted the decision (EC-28/DEC.6, dated 22 March 2002) on the combined plans for the destruction and verification of a chemical weapons production facility in Norton Disney, United Kingdom (annex to EC-XXVII/DG.6, dated 14 November 2001).
- 2.36 The Council at its Twenty-Ninth Session considered the draft decision (EC-29/DEC/CRP.5, dated 18 June 2002) on the combined plan for the destruction and verification of the chemical weapons production facility (filling of mustard gas and lewisite mixture into munitions), OJSC “Kaprolaktam-Dzerzhinsk”, Dzerzhinsk, Russian Federation, in the context of the Note by the Director-General on the same subject (EC-29/DG.1, dated 12 April 2002, and Corr.1, dated 28 June 2002). The Council decided to return to this item at its next meeting or session.
- 2.37 The Council at its Twenty Ninth Session considered the draft decision (EC-29/DEC/CRP.6, dated 18 June 2002) on the combined plan for Phase 1 of the destruction and verification of the chemical weapons production facility (lewisite production), OJSC “Kaprolaktam-Dzerzhinsk”, Dzerzhinsk, Russian Federation, in the context of the Note by the Director-General on the same subject (EC-29/DG.2, dated 12 April 2002, and Corr.1, dated 28 June 2002). The Council decided to return to this item at its next meeting or session.

**Status of the plans of the Russian Federation to implement its obligation to destroy one percent of its Category 1 chemical weapons stockpiles**

- 2.38 The Russian Federation provided the Council at its Twenty-Sixth Session with information on the programme of destruction of its chemical weapons stockpiles (EC-XXVI/NAT.3, dated 27 September 2001).

**Extension of deadlines for destruction of Category 1 chemical weapons stockpiles**

- 2.39 Since its Twenty-Seventh Session, the Council has been considering the request by the Russian Federation for an extension of the deadline for the completion of the destruction of its Category 1 chemical weapons and for an extension of its obligations to meet intermediate deadlines for the destruction of stockpiles of Category 1 chemical weapons in accordance with the Convention (EC-XXVII/DG.1, dated 26 October 2001). The Council also considered the draft decision recommending that the Conference at its Seventh Session grant an extension of the Russian Federation’s obligation to destroy all of its Category 1 chemical weapons, to 29 April 2012, and also extending the Russian Federation’s intermediate deadlines for the destruction of such chemical weapons as follows: Phase 1 (1 percent) destruction of its Category 1 chemical weapons stockpiles by 29 April 2003; Phase 2 (20 percent destruction) by 29 April 2007; Phase 3 (45 percent destruction) by 29 April 2009; and Phase 4



(100 percent destruction) by 29 April 2012 (EC-XXVII/DEC/CRP.4, dated 7 November 2001). The Council was still considering this item at the end of the period under review.

- 2.40 Since its Twenty-Seventh Session, the Council has been considering the request by a State Party to grant an extension of its obligation to meet the intermediate Phase 2 deadline for the destruction of its Category 1 chemical weapons (EC-XXVII/DEC/CRP.3, dated 2 November 2001). At its Twenty-Eighth Session the Council adopted the decision recommending that the Conference at its Seventh Session approve this request (EC-28/DEC.3, dated 20 March 2002).

#### **Requests for conversion of chemical weapons production facilities for purposes not prohibited under the Convention**

- 2.41 Since its Twenty-Second Session in December 2000, the Council has been considering the request by the Russian Federation for approval to use the facility for the production of aminomercaptan, OJSC "Khimprom", Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed plans for the conversion of this facility (EC-XXII/NAT.1/Rev.1\*, dated 30 March 2001). Since its Twenty-Fourth Session, the Council has been considering the draft decision on this request by the Russian Federation (EC-XXIV/DEC/CRP.2, dated 2 April 2001), in the context of the report by the Director-General on the same subject (EC-XXIV/DG.8, dated 2 April 2001). In this regard the Council noted that, on 19 October 2001, the Secretariat had received a letter from the Russian Federation with a notification that the destruction of the specialised equipment at the above-mentioned aminomercaptan facility would commence on 26 November 2001, and that the Secretariat had subsequently issued a Note on the verification of the destruction of the specialised equipment at this CWPF (EC-XXVII/S/2, dated 1 November 2001). The Council was still considering this item at the end of the period under review.
- 2.42 Since its Twenty-Fourth Session in April 2001, the Council has been considering the request by the Russian Federation for approval to use the chemical weapons production facility for the production of chloroether, OJSC "Khimprom", Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed plans for the conversion of this facility (EC-XXIV/NAT.2\*, dated 2 April 2001, and Corr.1, dated 4 May 2001). The Council decided to further consider, at its Twenty-Eighth Session, the draft decision on this request by the Russian Federation (EC-XXIV/DEC/CRP.3, dated 3 April 2001), in the context of the report by the Director-General on the same subject (EC-XXIV/DG.9, dated 3 April 2001). At its Twenty-Seventh Session the Council noted that on 7 November 2001, the Secretariat had received a letter from the Russian Federation giving notification that the destruction of the control panel at the above-mentioned chloroether facility would proceed between 27 November and 27 December 2001, and that the Secretariat had subsequently issued a Note on the verification of the destruction of the specialised equipment at this CWPF (EC-XXVII/S/5, dated 14 November 2001). At the end of the period under review the Council was still considering this item.

- 2.43 Since its Twenty-Sixth Session, the Council has been considering both the request by the Russian Federation for approval to use a sarin production facility, OJSC “Khimprom”, Volgograd, Russian Federation, for purposes not prohibited under the Convention, and the detailed plan for the conversion of that facility (EC-XXVI/NAT.1, dated 14 June 2001, and Corr.1, dated 20 August 2001). The Council also considered the draft decision on this request by the Russian Federation (EC-XXVI/DEC/CRP.3, dated 29 August 2001), in the context of the report by the Director-General on the same subject (EC-XXVI/DG.3, dated 29 August 2001). The Council was still considering this item at the end of the period under review.
- 2.44 Since its Twenty-Sixth Session, the Council has been considering both the request by the Russian Federation for approval to use a soman production facility at OJSC “Khimprom”, Volgograd, Russian Federation, for purposes not prohibited under the Convention, and the detailed plan for the conversion of the facility (EC-XXVI/NAT.2, dated 17 August 2001, and Corr.1, dated 13 September 2001). The Council also considered the draft decision on this request by the Russian Federation (EC-XXVI/DEC/CRP.7, dated 18 September 2001), in the context of the report by the Director-General on the same subject (EC-XXVI/DG.10, dated 17 September 2001). The Council was still considering this item at the end of the period under review.
- 2.45 Since its Twenty-Seventh Session, the Council has been considering the request by the Russian Federation for approval to use the facility for the production of VX-type substance and filling it into munitions (stage II: conversion of part of the auxiliary buildings 352 and 353 and of the ventilation stack 366B) at OJSC “Khimprom”, Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention, and the detailed conversion plans for that facility (EC-XXVII/NAT.2, dated 17 August 2001). The Council also considered the draft decision on this request by the Russian Federation (EC-XXVII/DEC/CRP.10, dated 20 November 2001), in the context of the report by the Director-General on the same subject (EC-XXVII/DG.7, dated 20 November 2001), as well as of the Note by the Secretariat on the status of destruction/conversion of the former chemical weapons production facility at Open Joint Stock Company “Khimprom”, located in Novocheboksarsk, the Russian Federation (EC-28/S/2, dated 6 March 2002). The Council was still considering this item at the end of the period under review.
- 2.46 Since its Twenty-Seventh Session, the Council has been considering the request by the Russian Federation for approval to use a chemical weapons production facility for filling sarin, soman and viscous soman into munitions (phase II: conversion of buildings 600, 603, 605 and 605a) at OJSC “Khimprom”, Volgograd, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed conversion plans for that facility (EC-XXVII/NAT.4, dated 1 October 2001). The Council also considered the draft decision on this request by the Russian Federation (EC-28/DEC/CRP.5, dated 15 February 2002), in the context of the report by the Director-General on the same subject (EC-28/DG.2, also dated 15 February 2002). The Council was still considering this item at the end of the period under review.

- 2.47 The Council at its Twenty-Eighth Session adopted the decision (EC-28/DEC.1, dated 19 March 2002) approving the combined plans for the conversion and verification of the chemical weapons production facility (loading of chemical sub-munitions into munitions), Open Joint Stock Company "Khimprom", Novocheboksarsk, Russian Federation (EC-XXVII/DG.5, dated 9 November 2001, and Corr.1, dated 3 December 2001).
- 2.48 The Council at its Twenty-Eighth Session adopted the decision (EC-28/DEC.2, dated 19 March 2002) approving the combined plans for the conversion and verification of the chemical weapons production facility (filling of mustard gas and lewisite mixture into munitions), Open Joint Stock Company "Khimprom", Volgograd, Russian Federation (EC-XXVII/DG.4, dated 9 November 2001, and Corr.1, dated 3 December 2001).
- 2.49 The Council at its Twenty-Eighth Session noted that no objection had been raised by any member of the Council within 30 days of receipt of both the notification of a State Party on changes in chemical process equipment at the facility converted for purposes not prohibited under the Convention (EC-28/HP/NAT.1, dated 4 February 2002), and the Note by the Director-General evaluating this notification (EC-28/DG.1, dated 15 February 2002).
- 2.50 The Council at its Twenty-Ninth Session considered the combined plans for the conversion and verification of the chemical weapons production facility at ICI Valley, Rhydymwyn, North Wales, United Kingdom of Great Britain and Northern Ireland (EC-29/DG.7\*, dated 13 June 2002), as well as the draft decision on this subject (EC-29/DEC/CRP.4, dated 13 June 2002, and Corr.1, dated 24 June 2002). The Council decided to return to this item at its next meeting or session.

#### **Inspection of an "other chemical production facility" in Saudi Arabia**

- 2.51 The Fifteenth Meeting of the Council was convened at the request of the Director-General (EC-M-XV/DG.1, dated 5 November 2001), in order to consider the inability of the Secretariat to conduct an inspection of an "other chemical production facility" (OCPF) in Saudi Arabia. The Council took note of the Note by the Secretariat on its inability to conduct an "other chemical production facility" inspection (EC-M-XV/S/1, dated 5 November 2001). The Director-General advised the Council that he had been informed by the Permanent Representative of Saudi Arabia that the required authorisation to issue visas to the inspection team had been received, and that the inspection could now proceed without any further delay.
- 2.52 At the same meeting, the Council also noted the letter from the Permanent Representative of Saudi Arabia on the request by the Director-General to convene a meeting of the Executive Council (EC-M-XV/DG.2, dated 9 November 2001). The Chairman of the Council noted with approval the steps, reflected in the letter, which had been taken both by the Permanent Representative of Saudi Arabia and by the Director-General to bring the issue to a successful conclusion, and expressed his view that the Council would return to the generic issues raised in the statement by the Director-General at its next session.

- 2.53 The Council also stressed the importance of the fulfilment by all States Parties of their inspection-related obligations in accordance with the Convention, and urgently appealed to all States Parties that had not yet done so, to provide to inspectors without delay multiple entry/exit visas valid for at least two years in accordance with the requirements of the Convention.

#### **Initial inspection of old chemical weapons declared as abandoned**

- 2.54 The Council at its Twenty-Eighth Session took note of the Note by the Secretariat on the initial inspection of old chemical weapons declared by Panama as abandoned and located at San José Island (EC-28/S/3, dated 11 March 2002).

#### **Guidelines regarding boundaries of production for declaration under the provisions of Article VI**

- 2.55 The Council at its Twenty-Fourth Session considered the draft decision on guidelines regarding boundaries of production for declaration under the provisions of Article VI (EC-XXIV/DEC/CRP.5, dated 3 April 2001). At the end of the period under review, the Council was still considering this item.

#### **Project to assist States Parties in meeting their declaration-related obligations under Article VI of the Convention**

- 2.56 The Council at its Twenty-Ninth Session received the Note by the Secretariat on the project to assist States Parties in meeting their declaration-related obligations under Article VI of the Convention (EC-29/S/6, dated 13 June 2002), and decided to consider it further during the intersessional period.

#### **Facility agreements**

- 2.57 The Council at its Twenty-Seventh Session adopted the decision (EC-XXVII/DEC.3, dated 7 December 2001) approving the facility arrangement with a State Party for a chemical weapons destruction facility (EC-XXVII/HP/DEC/CRP.1, dated 14 September 2001, and Corr.1, dated 7 December 2001).

- 2.58 Since its Twenty-Seventh Session the Council has been considering the following facility agreements, which at the end of the period under review, were still under consideration:

- (a) the draft decision (EC-XXVII/DEC/CRP.11, dated 21 November 2001) approving the facility agreement between the OPCW and the Government of the United States of America regarding on-site inspections at the prototype detonation test and destruction facility at Aberdeen Proving Ground, Maryland (EC-XXVII/CRP.1, dated 17 September 2001);
- (b) the draft decision (EC-XXVII/DEC/CRP.11, dated 21 November 2001) approving the facility agreement between the OPCW and the Government of the United States of America regarding on-site inspections at the chemical transfer facility at Aberdeen Proving Ground, Maryland (EC-XXVII/CRP.2, dated 17 September 2001);

- (c) the draft decision (EC-XXVII/DEC/CRP.11, dated 21 November 2001) approving the facility agreement between the OPCW and the Government of the United States of America regarding on-site inspections at the chemical agent munitions disposal system at Deseret Chemical Depot, Utah (EC-XXVII/CRP.3, dated 17 September 2001);
  - (d) both the national paper of the United States of America on the draft facility agreement between the OPCW and the Government of the United States of America regarding on-site inspections at Tooele chemical agent disposal facility, Deseret Chemical Depot, Utah (EC-XXVII/NAT.3\*, dated 27 September 2001), and the Note by the Secretariat on the same subject (EC-XXVII/S/1, dated 27 September 2001, and Corr.1, dated 18 October 2001);
  - (e) both the national paper of the United States of America on the draft facility agreement between the OPCW and the Government of the United States of America regarding on-site inspections at the Anniston chemical agent disposal facility at Anniston, Alabama (EC-XXVII/NAT.5, dated 12 November 2001), and the Note by the Secretariat on the same subject (EC-XXVII/S/6, dated 20 November 2001); and
  - (f) the draft decision approving a facility agreement with Sweden for a Schedule 2 plant site (EC-XXVII/DEC/CRP.2, dated 9 November 2001).
- 2.59 Since its Twenty-Eighth Session, the Council has been considering the draft decision approving the facility agreement with Yugoslavia for a Schedule 1 protective purposes facility (EC-28/DEC/CRP.3, dated 15 February 2002). At the end of the reporting period the item was still under consideration by the Council.
- 2.60 Since its Twenty-Ninth Session, the Council has been considering the draft decision on the facility agreement with South Africa for a Schedule 1 single small-scale facility (EC-29/DEC/CRP.1, dated 6 March 2002). The Council was still considering this item at the end of the period under review.
- 2.61 The Council at its Twenty-Ninth Session adopted the decision approving the facility agreement with the Islamic Republic of Iran for a Schedule 1 protective purposes facility (EC-29/DEC.1, dated 28 June 2002).
- 2.62 The Council at its Twenty-Ninth Session adopted the decision approving the facility agreement with Yugoslavia for a chemical weapons production facility (EC-29/DEC.2, dated 28 June 2002).

**Provision of annual information on national programmes related to protective purposes under Article X**

- 2.63 The Council at its Twenty-Sixth Session took note of the Note by the Director-General on the provision of annual information on national programmes related to protective purposes under Article X (EC-XXV/HP/DG.1, dated 15 June 2001). The Council expressed its dissatisfaction that, since the entry into force of the Convention, only 19 States Parties had filed declarations providing

information on their national programmes related to protective purposes under paragraph 4 of Article X of the Convention.

### **Assistance and protection against chemical weapons**

- 2.64 The Council at its Twenty-Seventh Session noted the good progress that had been made by the Secretariat in identifying improvements to its ability to respond to assistance and protection provisions in the Convention under Article X, and encouraged the Secretariat to continue to develop these concepts further.
- 2.65 The Council also noted that an important aspect of the implementation of these provisions is the undertaking of the States Parties, under paragraph 7 of Article X, to provide assistance through the Organisation by electing one or more of the three measures of contributing to the Voluntary Fund, concluding a bilateral agreement, or making unilateral declarations of assistance.
- 2.66 The Council at its Twenty-Seventh Session welcomed with appreciation the announcement, during that Session, of additional contributions to the Voluntary Fund in the following respect: by the United Kingdom of Great Britain and Northern Ireland (an amount of 100,000 pounds sterling), and the confirmation by the Netherlands that an amount of EUR 200,000 had been disbursed to the Voluntary Fund, as well as the announcement by Sweden that it will extend its voluntary contribution of an expert, free of charge to the Organisation, to the International Cooperation and Assistance Division for another year.
- 2.67 The Council at its Twenty-Seventh Session also encouraged States Parties to consider carefully what they might offer under Article X, or how they might clarify or add further detail about offers already made under Article X.
- 2.68 Since the Twenty-Seventh Session of the Council, open-ended consultations had been held during the intersessional periods on the concept paper on the implementation of Article X on assistance and protection against chemical weapons as reflected in the Note by the Secretariat on this subject (S/272/2001, dated 1 October 2001). The consultations have focused on the capacity of the Organisation to manage OPCW responses to requests for assistance under Article X of the Convention.
- 2.69 The Council at its Twenty-Eighth Session was informed of the Director-General's plan to establish an assistance coordination group (ACG) with the aim of improving the Secretariat's in-house capabilities to respond in a timely and effective manner to requests for assistance and protection under Article X. In this regard the Council noted the Secretariat's statement that the ACG will not have any additional budgetary implications, and that it would be an internal response mechanism.
- 2.70 At the same session, the Council emphasised the important role of relevant international organisations in mobilising and coordinating the collective efforts of the international community, and encouraged the Secretariat to analyse further possible areas of cooperation in order to avoid the duplication of already existing resources. The Council invited the Secretariat to present its analysis in a future round of open-ended consultations.

- 2.71 The Council at its Twenty-Ninth Session considered the concept of investigation in relation to the dispatching of emergency assistance, and noted in this context its intention to establish in the year 2002, in accordance with Article X, paragraph 9, of the Convention, an assistance coordination and assessment team (ACAT). ACAT's function, upon receipt of a request for assistance in the event of the threat or the actual use of chemical weapons, would be to investigate and assess the situation on the spot and to report on the same through the Director-General to the Council for its decision on assistance, if required. Such a team, in the assessment phase, could consist of up to nine members. The cost of its deployment for a period of five days, as estimated by the Secretariat, would be up to EUR 30,000, which will be offset against the Voluntary Fund for Assistance in accordance with guidelines approved by the Conference.
- 2.72 At the same session, the Council noted that the establishment of the ACAT would incur no additional financial implications for the OPCW. Its establishment, the procurement of its equipment, and the training of the team, as well as the dispatch and deployment of the ACAT in case of the above-mentioned events of emergency, would be made through the allocated budget of the Assistance and Protection Branch, voluntary contributions, or the Voluntary Fund for Assistance.
- 2.73 The Council at its Twenty-Ninth session decided to continue its consultations on this subject during the intersessional period, and to consider, in particular, the assistance coordination function of the ACAT.

#### **The OPCW's contribution to global anti-terrorist efforts**

- 2.74 At its Twenty-Sixth Session the Chairman of the Council made a statement to the Council on the terrorist attack which had taken place in the United States of America on 11 September 2001 (EC-XXVI/3, dated 28 September 2001). The Council requested its Chairman to draw this statement to the attention of both the United Nations General Assembly and the United Nations Security Council.
- 2.75 Having given careful consideration to the issues raised in the Note by the Director-General on the OPCW and the global struggle against terrorism (EC-XXVII/DG.3, dated 9 November 2001, and Corr.1, dated 28 November 2001), and the proposals made on this issue by Member States, the Council, at its Twenty-Seventh Session, adopted the decision on the OPCW's contribution to global anti-terrorist efforts (EC-XXVII/DEC.5, dated 7 December 2001). The Council decided to establish an open-ended working group, chaired by the Chairman of the Council, further to examine the OPCW's contribution to global anti-terrorist efforts, with a view to presenting a recommendation to its Twenty-Eighth Session, which would include specific measures and which would take into account the relevant resource implications (see paragraphs 5.12 – 5.13).

**3. MATTERS REFERRED TO THE COUNCIL BY THE CONFERENCE AT ITS SIXTH SESSION AND BY THE FIRST SPECIAL SESSION OF THE CONFERENCE**

**Implementation of section B of Part IX of the Verification Annex**

- 3.1 The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twenty-Fourth Session, referred this issue back to the Council, for it to make a recommendation to the Conference at its Seventh Session.
- 3.2 The Council at its Twenty-Seventh Session recognised that the methodology developed by the Secretariat in its non-paper dated 8 October 2001, entitled "Studies in Relation to Improvement of the Methodology to Select Other Chemical Production Facilities (OCPFs) for Inspection" would, in all likelihood, lead to an improved weighting factor for OCPFs most relevant to the Convention. The Council commended the Secretariat for its ongoing efforts to further improve the methodology for selecting OCPFs. The Council stated its intention to cooperate with the Secretariat, also on the basis of national contributions, to further improve the methodology which it uses to select OCPFs. The Council requested the Secretariat to keep it informed of the results of the new methodology.

**Recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A\* chemicals**

- 3.3 The Conference at its Sixth Session considered the draft decision on the recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A\* chemicals (C-VI/DEC/CRP.15, dated 15 May 2001), and mandated the Council to take a consensus decision on this issue as soon as possible, in advance of the Seventh Session of the Conference. This item was still under consideration at the end of the period under review.

**Fostering of international cooperation for peaceful purposes in the field of chemical activities**

- 3.4 The Conference at its Sixth Session referred this issue to the Council for further consideration, with a view to the Council forwarding a proposal to the Conference for its consideration and approval at its Seventh Session.

**Programme and budget of the Organisation, submitted by the Executive Council for the ensuing financial period, and all items pertaining to this budget, as well as other budgetary matters**

- 3.5 The Conference at its Sixth Session requested the Council to continue to consider, with a view to making appropriate recommendations, how to address the remaining budgetary deficit for the year 2000, taking into account the relevant recommendations of the Advisory Body on Administrative and Financial Matters.
- 3.6 The Conference encouraged Member States to consider taking voluntary financial or other measures in order to ease the Organisation's financial difficulties, and to contribute to the implementation of the approved programme of work.



### **Confidentiality Commission**

- 3.7 The Conference at its Sixth Session noted the report of the special session of the Confidentiality Commission (CC-V/1, dated 31 January 2001), which was convened to consider issues referred to it by the Council at its Eighteenth Session. The Conference noted that the Council would further consider the issues raised in this report. The Conference also noted the regrets expressed by the Chairman of the Confidentiality Commission that, because of budgetary reasons, it could not hold its annual meeting.

### **Establishment of the open-ended working group on preparations for the review conference**

- 3.8 The Conference at its Sixth Session recommended that the Council, at one of its sessions, establish an open-ended working group to begin, in cooperation with the Secretariat, preparations for the review conference to be convened in accordance with paragraph 22 of Article VIII of the Convention.
- 3.9 The Council at its Twenty-Sixth Session adopted the decision on the establishment of the open-ended working group on preparations for the review conference (EC-XXVI/DEC.4, dated 28 September 2001) and authorised its Chairman to nominate, in consultation with the members of the Council, the chairmanship of the group.

### **Agreements on privileges and immunities of the OPCW**

- 3.10 In accordance with the decisions of the Conference at its Sixth Session, by which it gave approval for the Council to consider and approve three draft agreements on privileges and immunities between the OPCW and Austria, Belarus, and the Philippines respectively (C-VI/DEC.12, C-VI/DEC.13, and C-VI/DEC.14, all dated 17 May 2001), the Council at its Twenty-Fifth Session adopted the decisions approving the agreement between Austria and the OPCW on the privileges and immunities of the OPCW (EC-XXV/DEC.1, dated 27 June 2001); the agreement between Belarus and the OPCW on the privileges and immunities of the OPCW (EC-XXV/DEC.2, dated 27 June 2001); and the agreement between the Republic of the Philippines and the OPCW on the privileges and immunities of the OPCW (EC-XXV/DEC.3, dated 27 June 2001).

### **Decision related to the tenure of the Director-General of the Technical Secretariat**

- 3.11 At the Twenty-Eighth Session of the Council, a statement was made by the delegation of the United States of America asking the Director-General of the Technical Secretariat to resign.
- 3.12 At the same session of the Council, a motion was introduced by Brazil questioning the competence of the Council to consider the draft decision on a no confidence motion (EC-28/NAT.1, dated 21 March 2002). The motion did not receive the two-thirds majority of its 41 members required by Rule 36 of the Rules of Procedure of the Council (paragraph 21.4 of EC-28/3, dated 22 March 2002).

- 3.13 The Council further considered a draft decision on a no confidence motion. The draft decision did not receive the two-thirds majority of its 41 members required by Rule 36 of the Rules of Procedure of the Council (paragraph 21.5 of EC-28/3, dated 22 March 2002).
- 3.14 The Council considered the draft decision presented by the delegation of Brazil, on the establishment of an extraordinary committee consisting of the Chairman of the Council and the Vice Chairmen, the Director-General, and any interested States Parties to review the activities of the Director-General with a view to recommending measures to enhance dialogue and cooperation (EC-28/NAT.2/Rev.1, dated 22 March 2002), which did not receive the two-thirds majority of its 41 members.
- 3.15 At the same session, the delegation of the United States of America informed the Council of its request, submitted to the Director-General, to convene a special session of the Conference to deal with the tenure of the Director-General of the Secretariat.
- 3.16 In accordance with Rules 17 and 18 of the Rules of Procedure of the Conference, the Council at its Seventeenth Meeting drew up the provisional agenda for the special session of the Conference requested by the United States of America (EC-M-17/CRP.1, dated 28 March 2002).
- 3.17 In accordance with Rules 67, 69 and 72 of its Rules of Procedure, the Conference at its First Special Session adopted the decision under item three of the provisional agenda of the special session of the Conference (C-SS-1/DEC.1, dated 22 April 2002). In the absence of consensus, in light of the opposition of the delegation of Brazil, the draft decision was taken to a vote and received the two-thirds majority of the members present and voting as required by Rule 69 of the Rules of Procedure of the Conference, thus terminating the appointment of the Director-General (C-SS-1/DEC.1, dated 22 April 2002).

**Action in relation to the presentation of candidates for the post of Director-General of the Technical Secretariat**

- 3.18 The Eighteenth Meeting of the Council was convened in accordance with the decision of the Conference at its First Special Session (C-SS-1/DEC.2, dated 24 April 2002), which had requested the Council to review the candidates for the post of Director-General and make a recommendation to the reconvened special session of the Conference on the appointment of the Director-General.
- 3.19 As there were no candidates at that stage for the post of the Director-General, the Council adopted a decision urging all interested Member States, in particular the developing countries, to present qualified candidates for the post of the Director-General as soon as possible, and no later than 24 June 2002. The Council also urged Member States to initiate a comprehensive consultation process within their regional groups so that the Council could review the situation at its Twenty-Ninth Session and make an early recommendation to the Conference on the appointment of the Director-General.

- 3.20 In accordance with this decision, the Council at its Twenty-Ninth Session reviewed the situation in relation to the presentation of candidates for the post of Director-General and decided to convene a meeting on 16 July 2002.
- 3.21 At its Nineteenth Meeting, the Council recommended that the Conference at its resumed special session appoint Mr Rogelio Pfirter as the Director-General of the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (EC-M-19/DEC.1, dated 16 July 2002).

#### **4. MATTERS REQUIRING CONSIDERATION/ACTION BY THE CONFERENCE**

##### **Extension of deadlines for destruction of Category 1 chemical weapons stockpiles**

- 4.1 The Council at its Twenty-Eighth Session considered the request by a State Party to grant an extension of its obligation to meet the intermediate Phase 2 deadline for the destruction of its Category 1 chemical weapons (EC-XXVII/HP/NAT.1, dated 27 August 2001), and adopted the decision recommending that the Conference of the States Parties at its Seventh Session approve this request (EC-28/DEC.3, dated 20 March 2002).

##### **Requests for conversion of chemical weapons production facilities for purposes not prohibited under the Convention**

- 4.2 The Council at its Twenty-Fifth Session considered the request by the Russian Federation for approval to use a chemical weapons production facility for filling mustard gas and lewisite mixture into munitions, at OJSC “Khimprom”, Volgograd, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed plans for the conversion of this facility (EC-M-XII/NAT.1, dated 12 April 2001, and Add.1, dated 27 April 2001, and Corr.1, dated 28 June 2001). The Council adopted the decision on this request by the Russian Federation (EC-XXV/DEC.5, dated 28 June 2001) in the context of the report by the Director-General on the same subject (EC-M-XII/DG.3, also dated 3 May 2001).
- 4.3 The Council at its Twenty-Fifth Session also considered the request by the Russian Federation for approval to use a chemical weapons production facility for loading chemical sub-munitions into munitions, at OJSC “Khimprom”, Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed plans for the conversion of this facility (EC-M-XII/NAT.2, dated 12 April 2001). The Council adopted the decision on this request by the Russian Federation (EC-XXV/DEC.6, dated 28 June 2001) in the context of the report by the Director-General on the same subject (EC-M-XII/DG.5, also dated 4 May 2001).
- 4.4 The Council at its Twenty-Eighth Session considered the request by the Russian Federation for approval to use a lewisite production facility (second train), OJSC “Sibur-Neftekhim”, “Kaprolaktam” Plant, Dzherzhinsk, Russian Federation, for purposes not prohibited under the Convention, as well as the detailed plan for the conversion of the facility (EC-XXVII/NAT.1, dated 17 August 2001). The Council adopted the decision on this request by the Russian Federation (EC-28/DEC.7, dated 22 March 2002), in the context of the report by the Director-General on the same subject (EC-XXVII/DG.2, dated 7 November 2001).

## **5. OTHER DECISIONS OR ACTIONS OF THE COUNCIL**

### **List of new validated data for inclusion in the OPCW Central Analytical Database**

- 5.1 The Council at its Twenty-Seventh Session adopted the decision on the list of new validated data for inclusion in the OPCW Central Analytical Database (EC-XXVII/DEC.1, dated 5 December 2001) in the context of the Note by the Director-General on the same subject (EC-XXVI/DG.1, dated 4 June 2001).
- 5.2 The Council at its Twenty-Seventh Session adopted the decision on the list of new validated data for inclusion in the OPCW Central Analytical Database (EC-XXVII/DEC.2, dated 7 December 2001) in the context of the Note by the Director-General on the same subject (EC-XXVI/DG.2, dated 22 August 2001).
- 5.3 The Council at its Twenty-Seventh Session approved the corrigenda to the lists of validated data approved by the Council for inclusion in the OPCW Central Analytical Database (EC-XXVI/S/7/Rev.1, dated 5 December 2001).
- 5.4 The Council at its Twenty-Ninth Session adopted the decision on the list of new validated data for inclusion in the OPCW Central Analytical Database (EC-29/DEC.3, dated 28 June 2002), in the context of the Note by the Director-General on the same subject (EC-28/DG.3, dated 19 February 2002)
- 5.5 The Council at its Twenty-Ninth Session adopted the decision on the list of new validated data for inclusion in the OPCW Central Analytical Database (EC-29/DEC.4, dated 28 June 2002), in the context of the Note by the Director-General on the same subject (EC-29/DG.3, dated 23 May 2002, and Corr.1, dated 17 June 2002).
- 5.6 The Council at its Twenty-Ninth Session considered the Note by the Acting Director-General on the inclusion of Chemical Abstracts Service registry numbers in lists of new validated data (EC-29/DG.6, dated 12 June 2002). The Council requested the Secretariat to submit to its next session a report on an identified cost-effective manner which ensured the inclusion of the Chemical Abstracts Service (CAS) registry numbers, if already allocated, for the new validated data.

### **Adjustment of the Director-General's salary**

- 5.7 The Council at its Twenty-Fifth Session considered and adopted the decision on the adjustment of the Director-General's salary (EC-XXV/DEC.4, dated 27 June 2001).

### **Terms of reference for the special examination to be undertaken by the External Auditor**

- 5.8 The Council at its Twenty-Fifth Session considered this agenda item in the context of the Note by the Director-General on this subject submitted at its Twelfth Meeting (EC-M-XII/DG.4, dated 4 May 2001). The Council concluded that, at this stage, there was no longer a need for the External Auditor to perform the special examination requested by the Council at its Twenty-Third Session (subparagraph 12.7 of EC-XXIII/4, dated 3 April 2001). The Council at its Twenty-Fifth Session further

decided to address at its December session the possibility of requesting the External Auditor to include in his annual audit, if necessary, any of the issues originally envisaged for the special examination.

### **Status of implementation of the OPCW Headquarters Agreement**

- 5.9 The Council at its Twenty-Fourth Session received the Secretariat background paper listing the matters related to the implementation of the Headquarters Agreement which were then under discussion with the Host Country (EC-XXIV/S/1, dated 5 April 2001).

### **Charter and Administrative Rules of the OPCW Provident Fund**

- 5.10 The Council at its Twenty-Eighth Session decided to submit the Charter and Administrative Rules of the OPCW Provident Fund to the Advisory Body on Administrative and Financial Matters at its next session, together with proposed amendments submitted by the Russian Federation (EC-XXI/NAT.6, dated 29 September 2000).

### **National implementation measures**

- 5.11 The Council at its Twenty-Eighth Session noted the report by the Director-General on national implementation measures (EC-28/DG.4, dated 28 February 2002; and Corr.1, dated 11 March 2002; and Corr.2, dated 22 March 2002).
- 5.12 The Council at its Twenty-Eighth Session recalled that at its previous session it had identified the full implementation of the legislative measures required by Article VII as one of five priorities in the contribution to global anti-terrorist efforts in the context of the Convention. In this context, the Council noted that only 41% of the States Parties had informed the Organisation of the legislative and administrative measures taken by them, in accordance with paragraph 5 of Article VII of the Convention. In order to urgently improve the situation, the Council adopted the decision on national implementation measures (EC-28/DEC.5, dated 21 March 2002).
- 5.13 In this regard, the Council at its Twenty-Eighth Session also noted that the information currently held by the Secretariat on the implementation status of Article VII, which is based on both the submissions under paragraph 5 of Article VII and the responses to the legislation questionnaire, is not in all cases an accurate reflection of all the measures enacted by the States Parties. The Council encouraged the Secretariat to continue pursuing clarification from States Parties, as appropriate, in order to ensure that the information held by the Secretariat reflects an accurate and up-to-date global picture of the scope of the measures in force. The Council requested the Secretariat to submit a detailed report on this issue no later than at the Thirtieth Session of the Council.

**Status of implementation of the requirement for States Parties to provide two-year multiple entry/exit visas to inspectors/inspection assistants**

- 5.14 The Conference at its Sixth Session noted the report by the Director-General on the status of implementation of the requirement for States Parties to provide two-year multiple entry/exit visas to inspectors (C-VI/DG.3, dated 20 April 2001).
- 5.15 The Council at its Twenty-Ninth Session took note of the Note by the Secretariat on the status of implementation of the requirement for States Parties to provide two-year multiple entry/exit visas to inspectors/inspection assistants (EC-29/S/7\*, dated 19 June 2002). The Council reiterated the importance of the fulfilment by all States Parties of their inspection-related obligations in accordance with the Convention, and again urgently appealed to all States Parties that have not yet done so to provide to inspectors without delay multiple entry/exit visas valid for at least two years in accordance with the requirements of the Convention.

**Report of the Office of Internal Oversight on 2001**

- 5.16 At its Twenty-Ninth Session the Council received the annual report of the Office of Internal Oversight for the period 1 January to 31 December 2001 (EC-29/DG.5, dated 10 June 2002). The Council decided to consider the report further during the intersessional period, with a view to transmitting it to the Conference for consideration at its next session, together with such comments as the Council deemed appropriate.

**Reports of the External Auditor on the financial statements of the Organisation on 2001**

- 5.17 The Council at its Twenty-Ninth Session received the audited financial statements of the OPCW and the Provident Fund of the OPCW for the period ended 31 December 2001 (EC-29/DG.8, dated 14 June 2002). The Council decided to consider them further during the intersessional period, and to examine them at its next session, with a view to forwarding them to the Conference with such comments as it deemed appropriate..

**Reports on the implementation of the recommendations of the Office of Internal Oversight, and of the External Auditor**

- 5.18 The Council at its Twenty-Sixth Session took note of the Note by the Secretariat on the implementation of the recommendations of the External Auditor (EC-XXVI/S/6, dated 7 September 2001, and Corr.1, dated 17 September 2001). The Council noted with concern the observations, contained in paragraph 5 of the above-mentioned Note by the Secretariat, on outstanding assessed contributions, and requested its Chairman, together with the Director-General, to write, on behalf of the Council, to all States Parties which were in arrears in their payment of financial contributions to either the Preparatory Commission or the OPCW, urging them to pay all such contributions in full forthwith.

- 5.19 The Council at its Twenty-Sixth Session took note of the report by the Director-General on the status of implementation of the recommendations contained in the 2000 annual report of the Office of Internal Oversight (EC-XXVI/DG.9, dated 13 September 2001).
- 5.20 The Council at its Twenty-Sixth Session decided that the above two documents should be reviewed during the forthcoming intersessional period.
- 5.21 The Council at its Twenty-Seventh Session noted that, in accordance with the decision adopted at its Twenty-Sixth Session, the reports on the implementation of the recommendations of the External Auditor and of the Office of the Internal Oversight (respectively EC-XXVI/S/6, dated 7 September 2001, and EC-XXVI/DG.9, dated 13 September 2001) had been the subject of an informal consultation at which there was a useful exchange of information and views between the Secretariat and participating delegations.
- 5.22 The Council at its Twenty-Eighth Session received the reports by the Director-General on the implementation of the recommendations of the External Auditor and of the Office of Internal Oversight respectively (EC-28/S/4, dated 11 March 2002, and EC-28/DG.6, dated 12 March 2002), and decided to return to them during the forthcoming intersessional period.
- 5.23 The Council at its Twenty-Ninth Session noted that, in accordance with the decision adopted at its Twenty-Eighth Session, an informal consultation was held to consider the reports on the implementation of the recommendations of the External Auditor and of the Office of Internal Oversight respectively (EC-28/S/4, dated 11 March 2002, and EC-28/DG.6, dated 12 March 2002).
- 5.24 The Council at its Twenty-Ninth Session affirmed the value which it attaches to these semi-annual reports and its wish that their presentation and substance be further adapted to enhance transparency and to facilitate Member States' understanding of the management decisions of the Secretariat.

**Memorandum of understanding between the OPCW and the World Customs Organization (WCO)**

- 5.25 Following consideration of this item at previous sessions, the Council at its Twenty-Eighth Session, considered the memorandum of understanding on cooperation between the OPCW and the World Customs Organization (EC-XXVI/DEC/CRP.5, dated 30 August 2001) in the context of the Note by the Director-General on the same subject (EC-XXVI/DG.5, dated 3 September 2001) and decided to focus its attention at this stage on the annex to the draft decision.
- 5.26 After a preliminary exchange of views, the Council decided that the draft memorandum needed further study on the part of the customs experts in the WCO, in particular Articles 2 and 4 of the draft memorandum, and possibly in the field of training.

- 5.27 Therefore, the Council requested the Secretariat to forward the draft memorandum to the WCO as soon as possible, for study and advice by a technical group, and to provide an assessment of the legal basis provided by the Convention for the exchange of data with other international organisations.
- 5.28 The Council at its Twenty-Eighth Session decided to return to this issue at its next session, preferably before the Seventh Session of the Conference, on the basis of the responses that had been received to its requests.
- 5.29 The Council at its Twenty-Eighth Session received the Note by the Legal Adviser with a legal opinion on the draft memorandum of understanding between the OPCW and the WCO (EC-28/S/7, dated 21 March 2002).

#### **List of approved equipment and technical specifications of approved equipment**

- 5.30 The Council at its Twenty-Eighth Session received both the draft decision on procedures for revising technical specifications for on-site inspection equipment (EC-28/DEC/CRP.4, dated 15 February 2002), and the draft decision on procedures for revising the approved list of inspection equipment (EC-28/DEC/CRP.6, dated 18 February 2002). The Council decided to return to these two drafts.

#### **Proposal to introduce ISO/IEC 17799 as the Secretariat information security management standard**

- 5.31 The Council at its Twenty-Eighth Session took note of the Note by the Secretariat proposing the introduction of ISO/IEC 17799 as the Secretariat information security management standard, on the basis of the recommendations of the report of Mr Yonosuke Harada of Japan, the session coordinator of the security audit team III (EC-28/S/6, dated 15 March 2002). The Council decided to return to this item during its forthcoming intersessional consultations.

#### **Provisional agenda of the Seventh Session of the Conference of the States Parties**

- 5.32 The Council at its Twenty Ninth Session approved the provisional agenda of the Seventh Session of the Conference (EC-29/DG.9, dated 20 June 2002).

### **6. MATTERS UNDER CONSIDERATION BY THE COUNCIL**

- 6.1 The following is a listing of some matters still under consideration by the Council at the close of the period under review. These matters are not listed in order of priority:
- (a) draft OPCW programme and budget for 2003;
  - (b) draft medium-term plan 2004 – 2006;
  - (c) draft report of the Organisation for 2001;
  - (d) report of the Council on the performance of its activities;
  - (e) general and annual plans for destruction of CWPFs and annual reports on destruction. Detailed and combined plans for conversion of CWPFs;



- (f) CW-related facility agreements;
- (g) the meaning of “primarily for the development of CW”;
- (h) old and abandoned chemical weapons:
  - (i) guidelines to determine the usability of chemical weapons produced between 1925 and 1946;
  - (ii) destruction/verification requirements for OACW;
  - (iii) draft section E of the Declaration Handbook, “OCW before 1925”;
  - (iv) draft section G of the Declaration Handbook, “ACW”;
  - (v) attribution of costs related to inspections of old chemical weapons;
- (i) extension of the Russian Federation’s obligation to meet an intermediate deadline for the destruction of 1 percent of its Category 1 chemical weapons;
- (j) deadlines for submission of information on CWDFs;
- (k) guidelines for determining the frequency of systematic on-site inspections of CWSFs and CWPFs;
- (l) criteria for toxicity, corrosiveness, and, if applicable, other technical factors to be taken into account when converting CWPFs;
- (m) recommendations of the Scientific Advisory Board;
- (n) industry declaration issues:
  - (i) criteria for making Schedule 2 and Schedule 3 industry declarations, including implementation of low concentration limits, boundaries of production and captive use, and aggregate national data;
  - (ii) past Schedule 1 production above 1 tonne per annum for purposes not prohibited under the Convention;
  - (iii) implementation of section B of Part IX of the Verification Annex, including methodology for selecting OCPFs;
  - (iv) understandings on access to records during Schedule 2, Schedule 3, and DOC/PSF plant site inspections;
  - (v) assessment of the risk posed by Schedule 2 plant sites to the object and purpose of the Convention;
  - (vi) frequency of inspections at Schedule 1 facilities and Schedule 2 plant sites;

- (vii) verification at Schedule 1 facilities;
- (viii) consideration of the need to establish other measures regarding transfers of Schedule 3 chemicals under paragraph 27 of Part VIII;
- (ix) applicable concentration limits for mixtures of chemicals containing Schedule 2A and 2A\* chemicals; and
- (x) guidelines for the number, intensity, duration, timing and mode of inspections of Schedule 1 (SSSF) facilities;
- (o) confidentiality issues:
  - (i) possible national jurisdiction after national immunity is waived;
  - (ii) application of national jurisdiction; and
  - (iii) compensation for losses caused by breaches of confidentiality;
- (p) effective starting date for the application of subparagraph 4.4(b) of the OPCW Staff Regulations;
- (q) OPCW Staff Rules and amendments to Staff Regulation 3.3;
- (r) classification of posts;
- (s) OPCW Financial Rules and amendments to the OPCW Financial Regulations;
- (t) issues related to Article XI;
- (u) fostering of international cooperation for peaceful purposes in the field of chemical activities;
- (v) challenge inspection:
  - (i) further operational requirements for equipment in challenge inspections;
  - (ii) cost aspects of abuse of challenge inspections;
  - (iii) the timing of notifications in challenge inspections;
  - (iv) list of activities and elements of preliminary findings and final inspection reports; and
  - (v) consequences of abuse of the right to a challenge inspection;
- (w) list of new inspection equipment and revised technical specifications for approved inspection equipment;

- (x) indication of specific types of equipment for specific types of inspection;
- (y) sampling procedures;
- (z) requirements for reporting information to the Council on verification activities, including inspection results;
- (aa) Article IV and V costs;
- (bb) proposal for amendments to paragraphs 12 and 14 of the Rules of Procedure of the Council;
- (cc) guidelines for on-site monitoring instruments;
- (dd) assistance and protection against chemical weapons;
- (ee) verification implementation reports and SIRs;
- (ff) agreements on privileges and immunities and agreements with international organisations; draft MOU between the OPCW and WCO;
- (gg) reports on the implementation of the recommendations of the Office of Internal Oversight, and of the External Auditor;
- (hh) implementation of the 2002 OPCW programme of work and budget;
- (ii) guidelines for the number, intensity, duration, timing and mode of inspections for other Schedule 1 facilities;
- (jj) chemical industry-related facility agreements; and
- (kk) general and annual plans for destruction of chemical weapons, annual reports on destruction.

## **7. REPORTS TO THE COUNCIL**

### **Report of the open-ended working group on preparations for the review conference**

- 7.1 The Chairman of the open-ended working group on preparations for the review conference, Ambassador Alberto Davèrède of Argentina, briefed the Council at its Twenty-Seventh Session on the outcome of its first meeting.
- 7.2 The Council at its Twenty-Eighth and Twenty-Ninth Sessions noted the reports of the open-ended working group on preparations for the review conference (WGRC-1/1, dated 15 March 2002, and WGRC-1/2, dated 26 June 2002 respectively), and adopted the decision on the opening date and duration of the First Review Conference (EC-28/DEC.4, dated 20 March 2002).

### **Recommendations of the Scientific Advisory Board**

- 7.3 The Council at its Twenty-Fourth Session considered the Note by the Director-General on the report of the fourth session of the Scientific Advisory Board (EC-XXIV/DG.2, dated 9 March 2001).

### **Report of the security audit team**

- 7.4 At the invitation of the Director-General, Mr Yonosuke Harada of Japan, the Session Coordinator of the security audit team III, reported on the outcome of the audit to the Council at its Twenty-Seventh Session (EC-XXVII/DG.8, dated 3 December 2001). The Council expressed that it looks forward to receiving at its next session proposals from the Secretariat arising from the recommendations of that report.

### **Reports to the Council on the status of consultations on clusters of issues**

- 7.5 In the context of the working method for the Council, the Council Vice-Chairmen and coordinators for clusters of issues reported to the Council at each regular session on informal consultations during the intersessional periods: on chemical weapons issues; on chemical industry and other Article VI issues; on administrative and financial issues; and on legal, organisational, and other issues.

### **Report of the Advisory Body on Administrative and Financial Matters (ABAF)**

- 7.6 The Council at its Twenty-Fourth Session noted the report of the Tenth Session of the Advisory Body on Administrative and Financial Matters (ABAF-X/1, dated 30 March 2001).
- 7.7 The Council at its Twenty-Seventh Session noted the report of the Eleventh Session of the Advisory Body on Administrative and Financial Matters (ABAF-XI/1, dated 31 October 2001).
- 7.8 The Council at its Twenty-Ninth Session noted the report of the Twelfth Session of the Advisory Body on Administrative and Financial Matters (ABAF-12/1, dated 19 April 2002).

### **Appointments to ABAF**

- 7.9 The Council at its Twenty-Fourth Session approved the appointment to the Advisory Body of the following nominee, with the date of appointment retroactive to the date of the letter of nomination: Ms Keiko Yanai (19 March 2001).
- 7.10 The Council at its Twelfth Meeting approved the appointment of Mr N.S. Sisodia to replace Mr Pawan Chopra on the Advisory Body on Administrative and Financial Matters, with the date of appointment retroactive to the date of the letter of nomination (9 April 2001).

- 7.11 The Council at its Twenty-Seventh Session noted the resignation of Mr Liu Zhixian from the Advisory Body, and approved the appointment of Mr Yu Dunhai, with the date of appointment retroactive to the date of the letter of nomination (25 October 2001).
- 7.12 The Council at its Twenty-Ninth Session noted the resignation of Mr Arnoud Cals from the Advisory Body, and expressed its appreciation for the effectiveness with which he has chaired this important subsidiary body of the Council during the entire period since the entry into force of the Convention.

Annex: Action taken by the Conference at its Sixth Session in relation to recommendations of the Council

## Annex

### **ACTION TAKEN BY THE CONFERENCE AT ITS SIXTH SESSION IN RELATION TO THE RECOMMENDATIONS OF THE COUNCIL**

#### **1. Status of implementation of the Convention**

Action taken by the Conference at its Sixth Session in relation to this item is reflected in section 2 of this report.

#### **2. Action taken on other matters**

##### **Report of the Organisation on the year 2000**

- 2.1 The Conference at its Sixth Session considered and approved the report of the OPCW on the implementation of the Convention in the year 2000 (C-VI/5, dated 17 May 2001).

##### **Report of the Executive Council on the performance of its activities**

- 2.2 The Conference noted the report of the Executive Council on the performance of its activities in the period 3 April 2000 - 23 February 2001 (C-VI/2, dated 6 April 2001).

##### **Recommendations of the Council to the Conference**

- 2.3 The Conference at its Sixth Session took the following actions on the basis of recommendations and decisions of the Council:

(a) **Authentication and certification procedure for the OPCW Central Analytical Database and on-site databases**

In the light of the decision by the Conference at its Fifth Session to refer this matter to the Council for further consideration, and of the subsequent decision by the Council at its Twentieth Session, the Conference at its Sixth Session adopted the decision on the authentication and certification procedure for the OPCW Central Analytical Database and on-site databases (C-VI/DEC.4, dated 17 May 2001).

(b) **Relationship agreement between the United Nations and the OPCW**

In the light of the decision of the Conference at its Fourth Session, and of the decision by the Council at its Eleventh Meeting, the Conference at its Sixth Session adopted the decision on the relationship agreement between the United Nations and the OPCW (C-VI/DEC.5, dated 17 May 2001).

**(c) Agreements on privileges and immunities of the OPCW**

- (i) The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twenty-First Session, adopted the decision approving the negotiated text of the agreement between the Government of Portugal and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW (C-VI/DEC.6, dated 17 May 2001).
- (ii) The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twenty-First Session, adopted the decision approving the negotiated text of the agreement between the Government of Panama and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW (C-VI/DEC.7, dated 17 May 2001).
- (iii) The Conference at its Sixth Session gave approval for the Council to consider and approve the three draft agreements on privileges and immunities between the OPCW and Austria, Belarus, and the Philippines respectively (C-VI/DEC.12, C-VI/DEC.13, and C-VI/DEC.14, all dated 17 May 2001).

**(d) Request for approval to use a chemical weapons production facility for purposes not prohibited under the Convention**

The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twenty-Third Session, adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (filling of hydrocyanic acid into munitions) at OJSC “Orgsteklo”, Dzerzhinsk, for purposes not prohibited under the Convention (C-VI/DEC.8, dated 17 May 2001).

**(e) Use of the six official languages of the OPCW**

The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twenty-Fourth Session, adopted the decision on the languages of the OPCW (C-VI/DEC.9, dated 17 May 2001).

**(f) Report of the External Auditor on the financial statements of the OPCW for 2000**

The Conference at its Sixth Session noted the audited financial statements of the OPCW and the Provident Fund of the OPCW for the period ended 31 December 2000 (C-VI/DG.2, dated 4 April 2001), which, in accordance with Financial Regulation 13.10, were submitted by the External Auditor to the Council at its Twenty-Fourth Session and considered at its Twelfth Meeting. The Conference endorsed the comments of the Council contained in paragraph 7 of the report of its Twelfth Meeting (EC-M-XII/3, dated 4 May 2001).

**(g) Report of the Office of Internal Oversight for 2000**

The Conference at its Sixth Session endorsed the comments of the Council at its Twelfth Meeting on the recommendations of the report of the Office of Internal Oversight, as contained in paragraph 6 of EC-M-XII/3, dated 4 May 2001. The Conference took note of the Note by the Secretariat, submitted to it at the request of the Council, on internal control measures in the Secretariat (C-VI/S.1, dated 14 May 2001).

**(h) Transfers of Schedule 3 chemicals**

The Conference at its Sixth Session, in accordance with the recommendation of the Council at its Twelfth Meeting, adopted the decision on transfers of Schedule 3 chemicals (C-VI/DEC.10, dated 17 May 2001)

**(i) Recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A\* chemicals**

The Conference at its Sixth Session considered the draft decision on the recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A\* chemicals (C-VI/DEC/CRP.15, dated 15 May 2001), and mandated the Council to take a consensus decision on this issue as soon as possible, in advance of the Seventh Session of the Conference.

**Programme and budget of the Organisation for 2002, and all items pertaining to this budget, as well as other budgetary matters**

- 2.4 The Conference at its Sixth Session adopted the decision on the programme and budget and working capital fund for 2002 (C-VI/DEC.17, dated 19 May 2001).
- 2.5 The Conference at its Sixth Session recognised that, in accordance with the requirements of the Convention, essential operational activities are to increase significantly in the coming few years, and affirmed a readiness to ensure the availability of resources adequate to the full attainment by the Organisation of the objectives and purposes of the Convention. The Conference also considered that, in light of the prospective operational tasks, focused efforts to develop and implement more cost-effective procedures and methods, particularly in relation to the verification of chemical weapons destruction, are needed.
- 2.6 The Conference at its Sixth Session, in accordance with Financial Regulation 3.8, noted the draft medium-term plan 2003 – 2005 (EC-XXIV/CRP.1, dated 24 January 2001).
- 2.7 The Conference at its Sixth Session adopted the decision on withholding the distribution of the cash surplus for 1999, and to apply it to reduce the deficit incurred in the year 2000 (C-VI/DEC.18, dated 19 May 2001).



- 2.8 The Conference at its Sixth Session adopted the decision on authorisation to use the accrued interest in special accounts to offset the 2001 cash deficit (C-VI/DEC.19, dated 19 May 2001).
- 2.9 The Conference at its Sixth Session noted with concern that the budget deficit for 2000, as indicated in the audited financial statements, was EUR 3.6 million, and that the Secretariat had estimated the budget deficit for 2001 to be EUR 5.1 million.
- 2.10 The Conference at its Sixth Session noted the commitment of the Secretariat to continue to achieve, in the 2001 budget, offsetting savings of at least EUR 4.3 million in non-operational programmes. The Conference encouraged the Secretariat to strive to attain, if possible, its previously planned savings in the amount of EUR 4.695 million (EC-M-XII/DG.2, dated 17 April 2001, and Corr.1, dated 3 May 2001).
- 2.11 With regard to any possible cash flow difficulties in 2001, the Conference noted the availability of the working capital fund for use, in accordance with the OPCW Financial Regulations, to meet short-term liquidity problems during a given financial period.
- 2.12 The Conference at its Sixth Session encouraged Member States to consider taking voluntary financial or other measures in order to ease the Organisation's financial difficulties, and to contribute to the implementation of the approved programme of work.

#### **Status of contributions and of reimbursement of verification costs under Articles IV and V**

- 2.13 The Conference at its Sixth Session noted the report by the Director-General on the status of assessed contributions and the status of reimbursement of verification costs under Articles IV or V of the Convention as of 30 April 2001 as contained in C-VI/DG.5, dated 11 May 2001. The Conference noted that, as of 8 May 2001, the provisions of paragraph 8 of Article VIII of the Convention had applied to 31 States Parties.

#### **National Implementation Measures**

- 2.14 The Conference at its Sixth Session noted that the Council at its Twenty-Fourth Session had noted the report by the Director-General on national implementation measures (EC-XXIV/DG.4, dated 22 March 2001), and had expressed concern that, as of 8 March 2001, only 53, or 38%, of States Parties had fulfilled their obligation under paragraph 5 of Article VII of the Convention to inform the Organisation of their implementing measures. The Council had urged those States Parties which had not yet responded to the legislation questionnaire circulated in June 2000 (S/194/2000) to do so promptly.
- 2.15 The Conference at its Sixth Session noted the report by the Director-General on the status of implementation paragraph 50 of Article VIII (C-VI/DG.4, dated 3 May 2001).