

REPORT OF THE FIRST SESSION OF THE CONFERENCE

1. Introduction

- 1.1 In accordance with Article VIII, paragraph 10 of the Convention, the Secretary-General of the United Nations, in his capacity as Depositary of the Convention, convened the First Session of the Conference of the States Parties in The Hague, the Netherlands, from 6 - 23 May 1997.
- 1.2 The following 80 States Parties participated in the Conference: Algeria, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Kenya, Lao People's Democratic Republic, Latvia, Lesotho, Luxembourg, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Netherlands, New Zealand, Niger, Norway, Oman, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, Slovak Republic, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Togo, Tunisia, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, and Zimbabwe.
- 1.3 In accordance with Rule 29 of the Rules of Procedure of the Conference, the following three States, which deposited their instruments of ratification subsequent to the entry into force of the Convention and for which, in accordance with paragraph 2 of Article XXI, the Convention will enter into force on the 30th day following the dates on which they deposited their instruments of ratification, participated in the deliberations of the Conference: Cuba, Turkey, and Singapore.
- 1.4 In accordance with Rule 29 of the Rules of Procedure of the Conference, the following 33 States, which have signed the Convention but which have not yet ratified it, participated in the deliberations of the Conference without taking part in the adoption of decisions: Bolivia, Brunei Darussalam, Burkina Faso, Cape Verde, Colombia, Republic of the Congo, Cyprus, Estonia, Gabon, Gambia, Ghana, Guatemala, Haiti, Holy See, Honduras, Indonesia, Iran (Islamic Republic of), Israel, Kazakhstan, Kuwait, Liechtenstein, Malaysia, Nigeria, Pakistan, Russian Federation, Slovenia, Thailand, Uganda, Ukraine, Venezuela, Viet Nam, Yemen, and Zambia.

* Reissued in English for technical reasons

- 1.5 The Conference on Disarmament, the International Atomic Energy Agency, the International Committee of the Red Cross, the International Court of Justice, the Permanent Court of Arbitration, the United Nations Environment Programme, the United Nations Industrial Development Organisation, and the World Health Organisation attended the Conference in accordance with decision C-I/DEC.1.
- 1.6 Twenty-four non-governmental organisations and research institutes attended the Conference in accordance with decision C-I/DEC.1.

PART 1 - ORGANISATIONAL MATTERS

2. AGENDA ITEM 1 - Opening of the Session

The First Session of the Conference was opened by the Secretary-General of the United Nations on 6 May 1997.

3. AGENDA ITEM 2 - Election of the Chairman

In accordance with Article VIII, paragraph 15 of the Convention, the Conference elected by acclamation Mr Pieter Cornelis Feith of the Netherlands as its Chairman until a new Chairman is elected at the next regular session of the Conference.

4. AGENDA ITEM 3 - Adoption of the Agenda

The Conference adopted the agenda for its First Session as contained in C-I/1.

5. AGENDA ITEM 4 - Adoption of the Provisional Rules of Procedure

On 12 May 1997, the Conference adopted its Rules of Procedure as contained in C-I/3.

6. AGENDA ITEM 5 - Organisation of work and establishment of subsidiary bodies

- 6.1 In accordance with Article VIII, subparagraph 21(f) of the Convention, the Conference established the following subsidiary organs:

- (a) Committee of the Whole
- (b) General Committee
- (c) Credentials Committee
- (d) Commission on the Settlement of Disputes Relating to Confidentiality

- 6.2 The Conference adopted the recommendation of the General Committee to close the First Session of the Conference on Friday 23 May 1997 (C-I/DEC.58).

7. AGENDA ITEM 6 - Election of Vice-Chairmen and other officers

- 7.1 In accordance with Rule 34 of the Rules of Procedure of the Conference, Representatives of the following ten States Parties were elected as Vice-Chairmen of the Conference: Algeria and Zimbabwe (Africa), China and India (Asia), Hungary

and Romania (Eastern Europe), Costa Rica and Mexico (Latin America and the Caribbean), and Australia and the United States of America (WEOG).

- 7.2 In accordance with Rule 34 of the Rules of Procedure of the Conference, Ambassador Gustavo Figueroa of Argentina was elected Chairman of the Committee of the Whole until a new Chairman is elected for this body at the next regular session of the Conference.

8. AGENDA ITEM 7 - Appointment of the Credentials Committee

- 8.1 In accordance with Rule 27 of its Rules of Procedure, the Conference, on the proposal of its Chairman, appointed the following ten members of the Credentials Committee to hold office until new members are appointed at the next regular session of the Conference: the Czech Republic, Italy, Kenya, Namibia, Oman, Peru, the Philippines, the Slovak Republic, Suriname and New Zealand. At its meeting on 14 May 1997, the committee elected Ambassador Jaroslav Mihule of the Czech Republic as its Chairman. At its meeting on 16 May 1997, the Conference noted that Italy had withdrawn from the Credentials Committee, and appointed Malta in its place.
- 8.2 The Report of the Credentials Committee (C-I/6) was presented on 23 May by Mr Jan Michal, Alternate Representative of the Czech Republic, on behalf of the Chairman of the committee. The Conference was orally informed that, subsequent to the adoption of the committee's Report, formal credentials for the Representatives of Austria, Canada and Swaziland were received by the Secretariat.
- 8.3 The Conference approved the above-mentioned Report of the Credentials Committee.

9. AGENDA ITEM 8 - Election of the Executive Council

On 12 May 1997, in accordance with Article VIII, paragraphs 23 and 24 of the Convention and with Rule 83 of the Rules of Procedure of the Conference, as well as with due regard to the established numerical proportions as described in Article VIII, paragraph 23 of the Convention, the following 41 States Parties were elected members of the Executive Council, for the following terms of office:

Africa:	Algeria, Kenya, Morocco, and South Africa (1 year); Cameroon, Côte d'Ivoire, Ethiopia, Tunisia, and Zimbabwe (2 years);
Asia:	Bangladesh, Oman, Philippines, and Sri Lanka (1 year); China, India, Japan, Republic of Korea, and Saudi Arabia (2 years);
Eastern Europe:	Belarus, Bulgaria, and Romania (1 year); Hungary and Poland (2 years);
Latin America and the Caribbean:	Ecuador, Peru, Suriname, and Uruguay (1 year); Argentina, Brazil, Chile, and Mexico (2 years);

WEOG: Australia, Malta, Netherlands, Norway, and Spain (1 year);
France, Germany, Italy, United Kingdom of Great Britain and
Northern Ireland, and United States of America (2 years).

10. AGENDA ITEM 9 - Appointment of the Director-General upon recommendation of the Executive Council

In accordance with subparagraph 21(d) and paragraph 43 of Article VIII of the Convention and acting upon the recommendation of the Executive Council as contained in EC/DEC.1, the Conference appointed José Mauricio Bustani by acclamation as the Director-General of the OPCW for a term of office beginning on 13 May 1997 and ending on 12 May 2001 (C-I/DEC.2).

11. AGENDA ITEM 10 - Appointment of External Auditor

The Conference decided to delegate to the Executive Council the authority to decide the term of appointment of the first External Auditor of the OPCW, which shall be a single period of not less than two years, but not exceeding six years, and further decided to delegate to the Executive Council the authority to appoint the first External Auditor of the OPCW from among the three nominations received from States Parties and specified in C-I/DG-1 and C-I/DG-4. The Conference requested the Executive Council to report to the next session of the Conference of the States Parties the decisions taken on these matters (C-I/DEC.73).

12. AGENDA ITEM 11 - Final report of the Preparatory Commission, on all matters within its mandate, to the Conference of the States Parties

The Conference noted the Final Report of the Preparatory Commission to the First Session of the Conference and to the First Meeting of the Executive Council (PC-XVI/37 and Add.1), which was introduced by the Chairman of the Preparatory Commission, Ambassador Gustavo Figueroa of Argentina.

13. AGENDA ITEM 12 - General Debate

The first four days of the Conference comprised a high level segment, which included a general debate in the plenary. Copies of statements made during the high level segment will be included in the Addendum to this Report.

PART 2 - MATTERS FOR CONSIDERATION BY THE CONFERENCE

14. Decisions of the Conference

AGENDA ITEM 13 - Programme and budget (including detailed staffing pattern, decision-making, flow charts and assessment of staffing requirements), as submitted by the Executive Council

- 14.1 The Conference adopted the decision on the Programme and Budget and Working Capital Fund (C-I/DEC.74).

AGENDA ITEM 14 - Financial Regulations

- 14.2 The Conference adopted the OPCW Financial Regulations (C-I/DEC.3).

AGENDA ITEM 15 - Scale of Assessments to be paid by States Parties

- 14.3 The Conference adopted the decision on the Scale of Assessments for the OPCW programme and budget for 1997 and for the OPCW Working Capital Fund (C-I/DEC.75).

AGENDA ITEM 16 - Staff Regulations and rules

- 14.4 The Conference adopted the decision on the Interim Staff Regulations (C-I/DEC.68).

AGENDA ITEM 17 - All matters related to the transfer of property, functions and recommendations of the Commission to the Organisation

- 14.5 The Conference adopted the decision on Matters Related to the Transfer of Property, Functions, and Recommendations of the Commission to the OPCW (C-I/DEC.4).

AGENDA ITEM 18 - Headquarters Agreement with the Host Country

- 14.6 The Conference adopted the decision on the Headquarters Agreement with the Host Country (C-I/DEC.59).

AGENDA ITEM 19 - The (Preliminary) Tenancy Agreement of the OPCW Building and related Understandings between the Host Country and the Preparatory Commission for the OPCW concerning the Implementation of Paragraphs 6, 7, 9 and 11 of Annex 3 of the Paris Resolution and Supplementary Understandings between the Preparatory Commission for the OPCW and the Host Country relating to the (Preliminary) Tenancy Agreement for the New Purpose-Built Office Building

- 14.7 The Conference adopted the decisions on the (Preliminary) Tenancy Agreement and Related Understandings and Supplementary Understandings (C-I/DEC.5) and on the Approval of the Sale of the OPCW Building (C-I/DEC.69).

AGENDA ITEM 20 - Guidelines on detailed procedures for verification and for the conduct of inspections, in accordance with, inter alia, Part II, paragraph 42, of the Verification Annex, for:

20.1 - Chemical Weapons Production Facilities

- 14.8 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.2 - Chemical Weapons Storage Facilities

- 14.9 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.3 - Chemical Weapons Destruction Facilities

- 14.10 The Conference adopted the decision on the Guidelines on Detailed Procedures for Verification and for the Conduct of Inspections at Chemical Weapons Destruction Facilities, in Accordance with, Inter Alia, Part II, Paragraph 42, of the Verification Annex (C-I/DEC.6).

20.4 - Schedule 1 facilities

- 14.11 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.5 - Schedule 2 and 3 plant sites

- 14.12 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.6 - Old Chemical Weapons sites

- 14.13 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.7 - Abandoned Chemical Weapons sites

- 14.14 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.8 - Challenge inspections

- 14.15 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

20.9 - Investigations of alleged use of Chemical Weapons

- 14.16 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 21 - Lists of items to be stockpiled for emergency and humanitarian assistance in accordance with Article VIII, paragraph (39)(b)

- 14.17 The Conference adopted the decision on the List of Items to be Stockpiled for Emergency and Humanitarian Assistance in accordance with Article VIII(39)(b) (Paris Resolution, subparagraph 12(b)) (C-I/DEC.12).

AGENDA ITEM 22 - Agreements between the Organisation and the States Parties in accordance with Article VIII, paragraph 50

- 14.18 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 23 - Procedures for the provision of information by States Parties on their programmes related to protective purposes, in accordance with Article X, paragraph 4

- 14.19 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 24 - A list of approved equipment, in accordance with Part II, paragraph 27, of the Verification Annex

- 14.20 The Conference adopted the decision on the List of Approved Equipment with Operational Requirements and Technical Specifications (C-I/DEC.71).

AGENDA ITEM 25 - Procedures for the inspection of equipment, in accordance with Part II, paragraph 29, of the Verification Annex

- 14.21 The Conference adopted the decision on the Procedures for the Inspection of Equipment, in Accordance with Part II, Paragraph 29, of the Verification Annex (Paris Resolution, subparagraph 12(f)) (C-I/DEC.7).

AGENDA ITEM 26 - Procedures concerning the implementation of safety requirements for activities of inspectors and inspection assistants, in accordance with Part II, paragraph 43, of the Verification Annex

- 14.22 The Conference adopted the decision on Procedures concerning the Implementation of Safety Requirements for Activities of Inspectors and Inspection Assistants, in Accordance with Part II, Paragraph 43, of the Verification Annex (C-I/DEC.8).

AGENDA ITEM 27 - Procedures for inclusion in the inspection manual concerning the security, integrity and preservation of samples and for ensuring the protection of the confidentiality of samples transferred for analysis off site, in accordance with Part II, paragraph 56, of the Verification Annex

- 14.23 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 28 - Models for facility agreements in accordance with Part III, paragraph 8, of the Verification Annex, for :

28.1 - Chemical Weapons Production Facilities

28.2 - Chemical Weapons Storage Facilities

28.3 - Chemical Weapons Destruction Facilities

28.4 - Schedule 1 facilities

- 14.24 No decisions have been taken in relation to these agenda items (see subparagraph 17.1 of this Report).

AGENDA ITEM 29 - Appropriate detailed procedures to implement Part III, paragraphs 11 and 12 of the Verification Annex, in accordance with paragraph 13 of that Part

- 14.25 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 30 - Deadlines for submission of the information specified in Part IV(A), paragraphs 30 to 32 of the Verification Annex, in accordance with paragraph 34 of that Part

- 14.26 The Conference adopted the decision on Deadlines for Submission of the Information Specified in Part IV(A), Paragraphs 30 to 32 of the Verification Annex, in Accordance with Paragraph 34 of that Part (Paris Resolution, Subparagraph 12(k)) (C-I/DEC.9).

AGENDA ITEM 31 - Recommendations for determining the frequency of systematic on-site inspections of storage facilities, in accordance with Part IV(A), paragraph 44, of the Verification Annex

- 14.27 The Conference adopted the decision on Recommendations for Determining the Frequency of Systematic On-Site Inspections of Storage Facilities, in Accordance with Part IV(A), Paragraph 44, of the Verification Annex (Paris Resolution, subparagraph 12(l))(C-I/DEC.10).

AGENDA ITEM 32 - Recommendations for guidelines for transitional verification arrangements, in accordance with Part IV(A), paragraph 51, of the Verification Annex

- 14.28 The Conference adopted the decision on Recommendations for Guidelines for Transitional Verification Arrangements, in Accordance with Part IV(A), Paragraph 51, of the Verification Annex (Paris Resolution, subparagraph 12(m)) (C-I/DEC.11).

AGENDA ITEM 33 - Guidelines to determine the usability of chemical weapons produced between 1925 and 1946, in accordance with Part IV(B), paragraph 5, of the Verification Annex

- 14.29 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 34 - Guidelines for determining the frequency of systematic on-site inspections of chemical weapons production facilities, in accordance with Part V, paragraph 54, of the Verification Annex

- 14.30 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 35 - Criteria for toxicity, corrosiveness and, if applicable, other technical factors, in accordance with Part V, paragraph 71(b), of the Verification Annex

- 14.31 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 36 - Guidelines to assess the risk to the object and purpose of the Convention posed by the relevant chemicals, the characteristics of the facility and the nature of the activities carried out there, in accordance with Part VI, paragraph 23, of the Verification Annex

- 14.32 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 37 - Guidelines to assess the risk to the object and purpose of the Convention posed by the quantities of chemicals produced, the characteristics of the facility and the nature of the activities carried out there, in accordance with Part VI, paragraph 30, of the Verification Annex

- 14.33 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 38 - Guidelines for provisions regarding scheduled chemicals in low concentrations, including in mixtures, in accordance with Part VII, paragraph 5, and Part VIII, paragraph 5, of the Verification Annex

- 14.34 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 39 - Guidelines for procedures on the release of classified information by the Organisation, in accordance with paragraph 2(c)(iii) of the Confidentiality Annex; a classification system for levels of sensitivity of confidential data and documents, taking into account relevant work undertaken in the preparation of the Convention, in accordance with paragraph 2(d) of the Confidentiality Annex; recommendations for procedures to be followed in case of breaches or alleged breaches of confidentiality, in accordance with paragraph 18 of the Confidentiality Annex (Paris Resolution, subparagraphs 12(u), (v) and (w))

- 14.35 The Conference adopted the decision on the Guidelines for Procedures on the Release of Classified Information by the Organisation, in Accordance with Paragraph 2(c)(iii) of the Confidentiality Annex; a Classification System for Levels of Sensitivity of Confidential Data and Documents, Taking into Account Relevant Work Undertaken in the Preparation of the Convention, in Accordance with Paragraph 2(d) of the Confidentiality Annex; Recommendations for Procedures to be Followed in Case of Breaches or Alleged Breaches of Confidentiality, in Accordance with Paragraph 18 of the Confidentiality Annex (Paris Resolution, Subparagraphs 12(u), (v) and (w)) (C-I/DEC.13).

AGENDA ITEM 40 - Draft OPCW Media and Public Affairs Policy

- 14.36 The Conference adopted the decision on the OPCW Media and Public Affairs Policy (C-I/DEC.55).

AGENDA ITEM 41 - Visa Matters

- 14.37 The Conference adopted the decision on Visa Procedures for OPCW Inspectors and Inspection Assistants (C-I/DEC.56).

AGENDA ITEM 42 - Relationship agreements between the OPCW and international organisations

- 14.38 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 43 - Terms of reference of the Scientific Advisory Board

- 14.39 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 44 - Appointment of the Commission for the settlement of disputes related to confidentiality

- 14.40 In accordance with paragraph 23 of the Confidentiality Annex to the Convention and paragraph 1 of Part IX.2 of the OPCW Policy on Confidentiality as contained in C-I/DEC.13, the Conference elected the following 20 members of the Commission on the Settlement of Disputes Relating to Confidentiality ("Confidentiality Commission") for a term of two years:

- Africa: Mr Mohammed Mokhtar Dridi (Algeria), Mr Driss Hajir (Morocco), Dr Laurraine Lotter (South Africa), Mr David William Chikaka (Zimbabwe);
- Asia: Mr Wang Xiaoyu (China), Dr R.V. Swamy (India), Professor Masahiko Asada (Japan), Dr Shin Woo-Chul (Republic of Korea);
- Eastern Europe: Mr Valery D. Ziablov (Belarus), Dr Jaroslav Fiedler (Czech Republic), Dr György Molnár (Hungary), Mrs Anca Roxana Visan (Romania);
- Latin America and the Caribbean: Mr Luis Carlos Da Silva Cavaleiro (Brazil), Mr Camilo Sanhueza Bezanilla (Chile), Mr Jesús Cuevillas Domínguez (Cuba)¹, Mr José Luz González Chávez (Mexico);
- WEOG: Professor Herbert de Bisschop (Belgium), Mr Hannu Vornamo (Finland), Profesor E.P.J. Myjer (Netherlands), and Mr Ignacio Vignote (Spain).

- 14.41 The Conference decided that the Confidentiality Commission shall convene its first meeting at a convenient time before the next session of the Conference, and shall elect its Chairmen at that first meeting. The Conference decided that the regular annual meeting of the Confidentiality Commission should thereafter be held in conjunction with the regular annual session of the Conference, as stipulated by the OPCW Policy on Confidentiality.

AGENDA ITEM 45 - Information Management System

- 14.42 The Conference adopted the decision on the information management system (C-I/DEC.57).

AGENDA ITEM 46 - Chemical weapons issues

- 14.43 The Conference adopted the following decisions: the Declaration Requirements for Chemical Weapons Buried by a State Party on its Territory after 1976 or Dumped at Sea after 1984 (C-I/DEC.30); and the Understanding with Respect to the Terms “Buried by a State Party on its own Territory” and “Dumped at Sea” (C-I/DEC.31).
- 14.44 After these decisions were adopted, the delegation of Chile made the following statement: in relation to the above-mentioned decision of the Conference as contained in C-I/DEC.30, which refers to chemical weapons buried by a State Party on its territory after 1976, or dumped at sea after 1984: “while it did not oppose adoption by the Conference of this decision, it wished to record its formal reservation regarding the language contained in the accompanying understanding (C-I/DEC.31), in which the use of the terms ‘territory’, ‘territorial sea’, ‘archipelagic waters’, and ‘sea’ openly

¹ Effective from 29 May 1997.

contradicts the United Nations Convention on the Law of the Sea, as well as disarmament treaties (i.e. the Treaty of Rarotonga), and customary international law.” Chile further stated that “the adoption of this understanding did not have, and could not have, any value outside the functional and practical scope of an operation relating to the objectives of the Chemical Weapons Convention, and could not be relied upon for any other purpose.”

- 14.45 After these decisions were adopted, the delegation of Ecuador made the following statement: “with regard to decision C-1/DEC.31, whereby the First Session of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction adopted an understanding concerning the expressions ‘buried on its territory’ and ‘dumped at sea’ in relation to chemical weapons, the delegation of Ecuador must specify that the extension of its territorial sea, its continental shelf, and its island waters are defined in the constitution in force and in the laws of Ecuador, and that it exercises complete sovereignty over them, as it does over the internal waters up to the low water mark.”

AGENDA ITEM 46.1 - Chemical weapons storage facilities

- 14.46 The Conference adopted decisions on the following: References to Munitions in the Verification Annex, Part IV(A), Section A, Paragraphs 1(c)(iii) and 1(c)(iv) (C-I/DEC.14); Precision of Declaration of National Aggregate Quantities of Toxic Chemicals and Their Precursors Defined as Chemical Weapons and of Individual Munitions and Container Items (C-I/DEC.15); Simulant Filled Munitions for Testing Chemical Munitions Destruction Procedures (C-I/DEC.16); Declaration of Chemical Weapons Locations and Their Detailed Inventories (C-I/DEC.17); Declarations for Chemical Weapons Storage Locations and National Aggregate Declarations (C-I/DEC.18); Verification Activities at a Temporary Holding Area within a CW Destruction Facility (C-I/DEC.19); Approval of Arrangements Made between the OPCW and the States Parties for the Inspection of CW Destruction Facilities during the Transitional Period (C-I/DEC.20); Guidelines with Respect to the Applicability of Bilateral/Multilateral Verification Procedures (C-I/DEC.21).

AGENDA ITEM 46.2 - Chemical weapons destruction facilities

- 14.47 The Conference adopted the following decisions: Line in the Budget for Installed Monitoring Equipment Provided by the Secretariat (C-I/DEC.22); Criteria for the Applicability and Sufficiency of Bilateral/Multilateral Verification Procedures (C-I/DEC.25); Destroyed Chemical Weapons Munitions Retained for Display or Training Purposes (C-I/DEC.26); Temporary Holding Areas at Chemical Weapons Destruction Facilities (C-I/DEC.27).

AGENDA ITEM 46.3 - Chemical weapons production facilities

- 14.48 The Conference adopted the following decisions: Primary Decontamination of the Chemical Weapons Production Facility (C-I/DEC.23); Procedures for the

Closure/Inactivation of CWPF (C-I/DEC.24); Temporary Conversion of Chemical Weapons Production Facilities to Chemical Weapons Destruction Facilities (C-I/DEC.28); Destruction of Chemical Weapons Production Facilities (C-I/DEC.29).

AGENDA ITEM 47 - Industry issues

- 14.49 The Conference adopted the following decisions: Assessment of the Risk Posed by a Schedule 2 Facility to the Object and Purpose of the Convention (C-I/DEC.32); Frequency, Duration, and Intensity of Inspection of Industrial Facilities (C-I/DEC.33); Verification at Mixed Plant Sites (C-I/DEC.34); Scope of the Term “Alkyl” in the Schedules of Chemicals (C-I/DEC.35); Sub-Distribution and Packaging (C-I/DEC.36); Waste Disposal (C-I/DEC.37); Changes to Annual Declarations (C-I/DEC.38); Understandings in Relation to Part IX of the Verification Annex (C-I/DEC.39); Mixed Plants (C-I/DEC.40); Transfer of Schedule 1 Chemicals (C-I/DEC.41); Recycled Schedule 2 Chemicals (C-I/DEC.42); The Meaning of “Production” in the Context of Schedule 1 Production Facilities Covered Under Article VI (C-I/DEC.43).

AGENDA ITEM 48 - Challenge inspections

- 14.50 The Conference adopted the following decisions: Notification Formats in Challenge Inspection, Illustrative Examples of the Type of Information which might be Included under “All Appropriate Information on the Basis of Which the Concern (of Possible Non-Compliance) Has Arisen”, in the Context of Format 1, Common Understandings on these Notification Formats, and Format of an Inspection Mandate for the Conduct of a Challenge Inspection (C-I/DEC.44); Illustrative List of Objective Indicators to Facilitate the Executive Council in Addressing any Concern, in Accordance with Paragraph 22 of Article IX, Whether the Right to Request a Challenge Inspection has been Abused (C-I/DEC.45).

AGENDA ITEM 49 - Investigations of alleged use

- 14.51 The Conference adopted the decisions on the Understanding on the Status of “Qualified Experts” in the Context of Investigations of Alleged Use (C-I/DEC.46), and on Sampling and Analysis during Investigations of Alleged Use of Chemical Weapons (C-I/DEC.47).

AGENDA ITEM 50 - Declaration issues

- 14.52 The Conference adopted the decision on the Use of the Recognised Reference Datums for Declarations (C-I/DEC.48).

AGENDA ITEM 51 - Analytical issues

- 14.53 The Conference adopted the decisions on Criteria for the Designation of Laboratories by the OPCW (C-I/DEC.61); Criteria for Acceptable Performance of laboratories in Proficiency Testing (C-I/DEC.62); Procedure for the Provisional Certification of the

Central OPCW Analytical Database (C-I/DEC.63); Criteria for the Conduct of OPCW/PTS Proficiency Testing (C-I/DEC.65); Conditions in Relation to Future Proficiency Tests (C-I/DEC.66); Scope of Activities of Designated Laboratories, and the Role and Status of Other laboratories (C-I/DEC.67); Proficiency Testing Leading to Certification of Designated laboratories (C-I/DEC.60); and the OPCW Central Analytical Database (C-I/DEC.64).

AGENDA ITEM 52 - Training

- 14.54 The Conference adopted the decision on Guidelines for the Certification of Training Courses Offered by Member States as Part of the General Training Scheme for Any Future Training Activities by the OPCW (C-I/DEC.49).

AGENDA ITEM 53 - Inspection equipment

- 14.55 The Conference adopted the decisions on the Use of Approved Equipment During On-Site Inspections (C-I/DEC.50) and on Measures in Relation to Approved Equipment Following Completion of Inspection Activities (C-I/DEC.51).

AGENDA ITEM 54 - Verification-related staffing issues

- 14.56 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 55 - QA/QC regime

- 14.57 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 56 - Inspection logistics

- 14.58 No decision has been taken in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 57 - Voluntary Fund for Assistance

- 14.59 The Conference adopted the decision on the Voluntary Fund for Assistance (C-I/DEC.52).

AGENDA ITEM 58 - Data bank on protection against chemical weapons

- 14.60 The Conference adopted the decision on the Data Bank on Protection against Chemical Weapons to be Established in Accordance with Article X(5) of the Convention (C-I/DEC.53).

AGENDA ITEM 59 - Draft Model Bilateral Agreement Concerning the Procurement of Assistance

- 14.61 The Conference adopted the decision on the Model Bilateral Agreement Concerning the Procurement of Assistance (C-I/DEC.54).

AGENDA ITEM 60 - Outstanding issues under Articles X and XI

- 14.62 No statement was made in relation to this agenda item (see subparagraph 17.1 of this Report).

AGENDA ITEM 61 - Status of ratification

- 14.63 No statement was made in relation to this agenda item.

AGENDA ITEM 62 - Fostering of international cooperation for peaceful purposes in the field of chemical activities

- 14.64 No statement was made in relation to this agenda item.

15. AGENDA ITEM 63 - Reports of the Executive Council and matters arising therefrom, including its Rules of Procedure

- 15.1 The Conference received the Report of the First Session of the Executive Council (EC/DEC.3), which was introduced by the Chairman of the Executive Council, Ambassador Prabhakar Menon of India.
- 15.2 The Conference adopted the Rules of Procedure of the Executive Council as contained in C-I/DEC.72.
- 15.3 The delegation of Ireland, speaking on behalf of the delegations of Austria, Canada, Greece, Ireland, Switzerland and New Zealand, stated that in agreeing to join consensus in the Conference's adoption of the Rules of Procedure of the Executive Council of the OPCW, these delegations wished to state that they considered that Rule 22 and Rule 57 of the said Rules were so drafted as to be potentially open to a restrictive interpretation and could, in practice, inhibit the ability of members of the Organisation - which were not at that time members of the Executive Council - from the opportunity of making their views known to the Council in an appropriate way. These delegations stated that by the words "The Chairman with the concurrence of the Council may invite observers to present their views" is meant that in the absence of such concurrence, the Chairman shall be bound by the decision-taking rules of these Rules of Procedure.

16. AGENDA ITEM 64 - Reports of subsidiary bodies

The Conference received the Reports of the Committee of the Whole (C-I/4, C-I/5, C-I/7, and C-I/8), and took appropriate action as required.

PART 3 - CLOSURE OF CONFERENCE

17. AGENDA ITEM 65 - Any other business

Procedure for addressing unresolved issues

- 17.1 The Conference adopted the decision on the Procedure for Addressing Unresolved Issues During the First Intersessional Period (C-I/DEC.70).

Decision on logo competition

- 17.2 The Conference decided to adopt the winning design as the logo for the OPCW, and further decided that appropriate use may be made of the runner-up design if so decided by the Director-General.

18. AGENDA ITEM 66 - Date of the next session of the Conference

The Conference decided to hold its Second Session from 1 to 5 December 1997 in The Hague.

19. AGENDA ITEMS 67 and 68 - Adoption of the Report of the Conference and closure

The Conference adopted the Report of its First Session, and the Chairman closed the First Session on 23 May 1997. The concluding statement of the Chairman of the Conference will be included in the Addendum to this Report.

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