



OPCW

Conference of the States Parties

Third Session
16 - 20 November 1998

C-III/DEC.11
20 November 1998
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DECISION

PROCEDURE FOR ADDRESSING UNRESOLVED ISSUES DURING THE THIRD INTERSESSIONAL PERIOD

The Conference

Recalling that most of the agenda items referred to the Committee of the Whole by the Conference during its First Session have not yet been resolved;

Noting the status in the facilitation process as reported to the Conference by the Chairman of the Committee of the Whole of the Second Session of the Conference of the States Parties (C-III/CoW.2, dated 16 November 1998);

Expressing its appreciation to the facilitators of the Committee of the Whole for their tireless efforts and skilful conduct;

Reaffirming the importance of resolving the unresolved issues and concluding the work in this respect at the earliest possible moment;

Hereby:

Adopts the following procedures for addressing unresolved issues:

1. every effort shall be made to complete the work on the unresolved issues. To this end, the following procedure shall apply:
2. those issues which have already been taken up in the facilitation process should be further pursued by the designated facilitators during the next intersessional period. The facilitators shall prepare draft decisions on the issues assigned to them in time for consideration and adoption by the Conference of the States Parties during its Fourth Session. The Chairman of the Committee of the Whole will review the progress in this facilitation process in open-ended consultations before the Fourteenth and Fifteenth Sessions of the Executive Council. When an issue is resolved, the Chairman of the Committee of the Whole shall introduce it to the Executive Council for immediate implementation, pending final confirmation by the Conference of the States Parties;

3. in addition, an issue may be brought to the Executive Council by the Director-General or a State Party when the implementation of the Convention requires its immediate resolution or urgent action. When such an issue overlaps with the work of a facilitator, the facilitator's work shall be taken into account. The Executive Council's action in this regard shall be without prejudice to any future decision of the Conference;
4. any issue from the list of unresolved issues that any delegation considers requires urgent resolution may, during the third intersessional period, be brought to the attention of the Chairman of the Committee of the Whole. The Committee of the Whole will then decide on a framework for how this issue can be addressed and resolved before the Fourth Session of the Conference. The Chairman of the Committee of the Whole may designate facilitators to this end;
5. the Conference of the States Parties shall decide at its Fourth Session on how to proceed with resolving the issues that still remain unresolved. To this end, the Conference will review the list of remaining unresolved issues so that States Parties can identify those which they wish to pursue further. Issues requiring a decision by the Conference under subparagraph 21(i) of Article VIII will in any case have to be pursued further;
6. the Executive Council shall monitor the functioning of the procedure for addressing unresolved issues;
7. the facilitators shall make every effort to ensure that all States Parties have an opportunity to participate in the resolution of the issues. In particular, whenever they call open-ended consultations they shall inform delegations, through the Technical Secretariat, well in advance of the meeting to facilitate their participation;
8. the Technical Secretariat shall continue to assist the facilitators in their work.