



### REPORT OF THE FIFTY-FIFTH SESSION OF THE EXECUTIVE COUNCIL

#### 1. AGENDA ITEM ONE – Opening of the Session

- 1.1 The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Oksana Tomová of Slovakia, opened its Fifty-Fifth Session in The Hague at 10:21 on 17 February 2009.
- 1.2 The Vice-Chairpersons and coordinators for clusters of issues reported to the Council on informal consultations held during the intersessional period: Ambassador Werner Burkart of Germany on chemical weapons issues; Ambassador Benchaâ Dani of Algeria on chemical-industry and other Article VI issues; Ambassador Francisco José Aguilar-de Beauvilliers Urbina of Costa Rica on administrative and financial issues; and Mr Mohsen Naziri Asl of the Islamic Republic of Iran on legal, organisational, and other issues. The Chairperson also reported on her own activities during the intersessional period.

#### 2. AGENDA ITEM TWO – Adoption of the agenda

The Council **considered** and **adopted** the following agenda:

1. Opening of the Session
2. Adoption of the agenda
3. Opening statement by the Director-General
4. General debate
5. Status of implementation of the Convention:
  - (a) Conversion of chemical weapons production facilities
  - (b) Progress made in meeting revised deadlines for the destruction of chemical weapons
  - (c) Status of implementation of Article X
  - (d) Status of implementation of Article XI



- (e) Facility agreements
  - (f) Optimisation of verification procedures
  - (g) Supplement to the 2007 Verification Implementation Report
  - (h) Timely submission of declarations under Article VI of the Convention
  - (i) Industry Cluster issues, including enhancement of OCPF declarations
  - (j) Review of operational requirements and technical specifications of the inspection equipment
  - (k) Implementation by the Technical Secretariat in 2008 of the regime governing the handling of confidential information
6. OPCW Central Analytical Database
  7. Report on the implementation in 2008 of the recommendations of the External Auditor
  8. Administrative and financial matters:
    - (a) Current status of implementation of the Verification Information System
    - (b) OPCW income and expenditure for the financial year to 31 December 2008
    - (c) Transfer of funds in 2008
    - (d) Adjustment to the Director-General's gross salary
    - (e) Classification of new posts and reclassification of existing posts
  9. Report of the Scientific Advisory Board
  10. Nomination of members of the Advisory Body on Administrative and Financial Matters
  11. Election of the Chairperson and Vice-Chairpersons of the Executive Council
  12. Appointment of the Director-General
  13. Any other business
  14. Adoption of the report
  15. Closure

**3. AGENDA ITEM THREE – Opening statement by the Director-General**

The Council **noted** the opening statement by the Director-General (EC-55/DG.14, dated 17 February 2009).

**4. AGENDA ITEM FOUR – General debate**

The following delegations made statements during the general debate: Cuba (on behalf of the Non-Aligned Movement and China), the Czech Republic (on behalf of the European Union and associated countries), South Africa (on behalf of the African Group), Japan, the Russian Federation, China, Brazil, the Islamic Republic of Iran, India, the United States of America, the Republic of Korea, the Sudan, and Iraq (observer).

**5. AGENDA ITEM FIVE – Status of implementation of the Convention**

**Subitem 5(a): Conversion of chemical weapons production facilities**

5.1 Further to considering at its previous sessions a Note by the Technical Secretariat (hereinafter “the Secretariat”) on its recommendations regarding the nature of continued verification measures at the converted chemical weapons production facility (CWPF) located at CRP Portreath (formerly Chemical Defence Establishment, Nancekuke) Portreath Redruth, Cornwall, United Kingdom of Great Britain and Northern Ireland, ten years after the Director-General’s certification of its conversion (EC-53/S/1, dated 11 March 2008 and Corr.1, dated 2 June 2008), together with a related draft decision (EC-53/DEC/CRP.1, dated 11 March 2008), the Council **decided** to consider this matter further at its next regular session.

5.2 The Council **considered** and **noted** a Note by the Secretariat on the update on progress in converting a former CWPF for purposes not prohibited under the Chemical Weapons Convention (hereinafter “the Convention”) (EC-55/R/S/1, dated 16 January 2009).

5.3 The Council **considered** and **noted** a Note by the Director-General on the notification by A State Party on changes at the CWPF converted for purposes not prohibited under the Convention (EC-55/DG.1, dated 24 November 2008).

**Subitem 5(b): Progress made in meeting revised deadlines for the destruction of chemical weapons**

5.4 The Council **reaffirmed** the obligation of possessor States Parties to destroy their chemical weapons within the extended deadlines, in accordance with the relevant decisions by the Conference of the States Parties (hereinafter “the Conference”) at its Eleventh Session, and to that end **emphasised** the timely commencement of destruction activities at all chemical weapons destruction facilities.

5.5 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.15, dated 8 December 2006), the Council **considered** and **noted** two national papers by the Libyan Arab Jamahiriya on the status of its destruction obligations (EC-55/NAT.2, dated 20 October 2008; and EC-55/NAT.5, dated 19 January 2009).

- 5.6 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.16, dated 8 December 2006), the Council **considered** and **noted** two national papers by India on the status of its destruction obligations (EC-55/HP/NAT.2, dated 14 October 2008; and EC-55/HP/NAT.4, dated 12 January 2009).
- 5.7 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.17, dated 8 December 2006), the Council **considered** and **noted** two national papers by the United States of America on the status of its destruction obligations (EC-55/NAT.3, dated 21 October 2008; and EC-55/NAT.6, dated 16 January 2009).
- 5.8 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.18, dated 8 December 2006), the Council **considered** and **noted** two national papers by the Russian Federation on the status of its destruction obligations (EC-55/P/NAT.1, dated 13 October 2008; and EC-55/P/NAT.5, dated 6 January 2009).
- 5.9 Further to a decision by the Council at its Forty-Sixth Session (EC-46/DEC.4, dated 5 July 2006), the Council **considered** and **noted** two national papers by China on the status of chemical weapons abandoned by Japan on the territory of China (EC-55/NAT.4, dated 20 October 2008; and EC-55/NAT.8, dated 15 January 2009). The Council also **considered** and **noted** two national papers by Japan on the current status of the abandoned chemical weapons projects in China (EC-55/NAT.1, dated 20 October 2008; and EC-55/NAT.7, dated 16 January 2009).

**Subitem 5(c): Status of implementation of Article X**

- 5.10 The Council **decided** to consider at its next regular session a report by the Director-General on the status of implementation of Article X of the Convention as at 31 December 2008 (EC-55/DG.5, dated 26 January 2009). The Council **welcomed** the appointment of the facilitator on this matter, Mr Maciej Karasinski of Poland.
- 5.11 Further to a recommendation by the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Second Review Conference”) to the Secretariat to evaluate the effectiveness of current programmes undertaken under Article X (paragraph 9.93 of RC-2/4, dated 18 April 2008), the Council **decided** to consider at its next regular session the Note by the Secretariat on the matter (EC-55/S/2, dated 28 January 2009).

**Subitem 5(d): Status of implementation of Article XI**

- 5.12 The Council **decided** to consider at its next regular session a report by the Director General on the status of implementation of Article XI of the Convention as at 31 December 2008 (EC-55/DG.13, dated 5 February 2009). Recalling paragraph 17.2 of the report of the Conference at its Eleventh Session (C-11/5, dated 8 December 2006), the Council **emphasised** the importance of the early appointment of a facilitator with a view to resuming consultations on the full implementation of Article XI.

**Subitem 5(e): Facility agreements**

- 5.13 Further to its consideration of this issue at its previous session, the Council **considered** a facility agreement with the United States of America regarding on-site inspections at a Schedule 1 facility (EC-54/DEC/CRP.9/Rev.1, dated 8 October 2008), and **decided** to consider it further at its next regular session.
- 5.14 The Council **considered** two Notes by the Secretariat on amendments and modifications to the facility agreement with the Islamic Republic of Iran for a Schedule 1 protective purposes facility (EC-54/S/7, dated 13 October 2008; and EC-55/S/1, dated 23 January 2009), together with the amendments which were submitted separately to the Council (EC-54/DEC/CRP.10/Rev.1, dated 23 January 2009), and **decided** to consider them further at its next regular session.

**Subitem 5(f): Optimisation of verification procedures**

- 5.15 Further to its consideration of this issue at its previous session, the Council **considered** and **noted** a Note by the Secretariat on the optimisation and efficiency of verification activities (EC-54/S/6, dated 6 October 2008).

**Subitem 5(g): Supplement to the 2007 Verification Implementation Report**

- 5.16 Further to its consideration of this issue at its previous session, the Council **considered** and **noted** the Supplement to the 2007 Verification Implementation Report (EC-54/HP/DG.1, dated 29 September 2008).

**Subitem 5(h): Timely submission of declarations under Article VI of the Convention**

- 5.17 Further to a decision of the Council at its Fifty-First Session (EC-51/DEC.1, dated 27 November 2007) and in accordance with the recommendation of the Second Review Conference (paragraph 9.60 of RC-2/4), the Council **noted** the Note by the Director-General on the timely submission by States Parties of declarations under Article VI of the Convention (EC-55/DG.12, dated 5 February 2009).

**Subitem 5(i): Industry Cluster issues, including enhancement of OCPF declarations**

- 5.18 The Council at its Fifty-Third Session received a Note by the Secretariat on enhancing information on the characteristics of plant sites in other chemical production facility (OCPF) declarations (EC-53/S/5, dated 17 June 2008), and a Note by the Director-General concerning information on the enhancement of OCPF declarations (EC-53/DG.11, dated 17 June 2008). The Council further **considered** the Notes and **received** an oral report from the facilitator, Mr Marthinus van Schalkwyk of South Africa, on the progress made during consultations on the matter, and **decided** to consider both Notes further at its next regular session.
- 5.19 At its Fiftieth Session, the Council requested the Director-General to report to it on the performance of the modified OCPF site-selection methodology at the end of the first year of its implementation (paragraph 5.38 of EC-50/4, dated

28 September 2007). The Council **considered** the report which the Director-General submitted to it (EC-55/DG.8, dated 2 February 2009), and **decided** to consider it further at its next regular session.

- 5.20 The Council **received** an oral report from the facilitator for the consultations on low-concentration limits, Mr Giuseppe Cornacchia of Italy, on the progress made.

**Subitem 5(j): Review of operational requirements and technical specifications of the inspection equipment**

- 5.21 Further to the recommendation of the Second Review Conference (paragraph 9.147 of RC-2/4), the Council **noted** the Note by the Secretariat on the review of operational requirements and technical specifications first approved by the Conference at its First Session (EC-55/S/5, dated 3 February 2009).

**Subitem 5(k): Implementation by the Technical Secretariat in 2008 of the regime governing the handling of confidential information**

- 5.22 The Council **considered** and **noted** a report by the Director-General on the implementation of the regime governing the handling of confidential information by the Secretariat in 2008 (EC-55/DG.6 C-14/DG.1, dated 27 January 2009).

**6. AGENDA ITEM SIX – OPCW Central Analytical Database**

The Council **considered** a Note containing lists of new validated data (EC-55/DG.3, dated 16 January 2009 and Corr.1, dated 10 February 2009), and **approved** said lists (EC-55/DEC.1, dated 18 February 2009).

**7. AGENDA ITEM SEVEN – Report on the implementation in 2008 of the recommendations of the External Auditor**

The Council **decided** to consider at its next regular session a Note by the Secretariat on the status of implementation of the recommendations of the External Auditor (EC-55/S/6, dated 6 February 2009).

**8. AGENDA ITEM EIGHT – Administrative and financial matters**

**Subitem 8(a): Current status of implementation of the Verification Information System**

- 8.1 The Council **noted** the Note by the Secretariat on the current status of the Verification Information System (EC-55/S/3, dated 30 January 2009).

**Subitem 8(b): OPCW income and expenditure for the financial year to 31 December 2008**

- 8.2 The Council **noted** a report by the Director-General on OPCW income and expenditure for the financial year to 30 September 2008 (EC-55/DG.2, dated 9 January 2009).

- 8.3 The Council **also noted** a report by the Director-General on OPCW income and expenditure for the financial year to 31 December 2008 (EC-55/DG.11, dated 5 February 2009).

**Subitem 8(c): Transfer of funds in 2008**

- 8.4 The Council **noted** a Note by the Director-General on transfers of funds during 2008 (EC-55/DG.7 C-14/DG.2, dated 2 February 2009).

**Subitem 8(d): Adjustment to the Director-General's gross salary**

- 8.5 In accordance with a decision of the Conference at its First Special Session (C-SS-1/DEC.4, dated 25 July 2002) stipulating that the terms of appointment of the Director-General shall be subject to adjustments by the Council to keep the terms in line with those of other executive heads within the United Nations system, the Council **approved** a decision adjusting the Director-General's gross salary (EC-55/DEC.2, dated 18 February 2009).

**Subitem 8(e): Classification of new posts and reclassification of existing posts**

- 8.6 The Council **considered** and **approved** the Note by the Director-General on the classification of new posts and reclassification of existing posts (EC-55/DG.10, dated 5 February 2009).

**9. AGENDA ITEM NINE – Report of the Scientific Advisory Board**

The Council **considered** the report of the Twelfth Session of the Scientific Advisory Board (SAB-12/1, dated 26 November 2008) and the Note by the Director-General in response to that report (EC-55/DG.4, dated 22 January 2009), and **decided** to consider both of them further at its next regular session.

**10. AGENDA ITEM TEN – Nominations of Members of the Advisory Body on Administrative and Financial Matters**

- 10.1 Further to considering this issue at its previous session, the Council **considered** the Note by the Secretariat on the additional information regarding nominations of members of the Advisory Body on Administrative and Financial Matters (EC-55/S/4/Rev.1, dated 13 February 2009), and **approved** the appointments of Mr Peter Beerwerth, Ms Su-Jin Cho, Mr Milan Kerber, Mr Rajive Kumar, Mr Saïd Moussi, Mr Marthinus van Schalkwyk, and Mr El Mostafa Trifaia.
- 10.2 In approving the above appointments and appreciating the work of the ABAF during the past 11 years, the Council **requested** the ABAF to review its work and its procedures and to report the outcome to the Council at its Fifty-Eighth Session; and to make a recommendation, if so required. Furthermore, the Council **decided** to consider the operation of the ABAF at its next regular session.

**11. AGENDA ITEM ELEVEN – Election of the Chairperson and Vice-Chairpersons of the Executive Council**

In accordance with Rule 6 of its Rules of Procedure, and with effect from 12 May 2009, the Council **elected** Ambassador Jorge Lomónaco Tonda of Mexico as its new Chairperson for a term of office ending on 11 May 2010, and as its new Vice-Chairpersons for the same period: Ambassador Pieter de Savornin Lohman of the Netherlands, and the representatives to the Council of the Islamic Republic of Iran, the Russian Federation, and Sudan.

**12. AGENDA ITEM TWELVE – Appointment of the Director-General**

12.1 The Council **considered** this item and **invited** the States Parties to present their nominations of candidates by no later than 7 July 2009, to enable their consideration at the Fifty-Seventh Session of the Council, which will be rescheduled to take place from 14 to 17 July 2009.

12.2 The Council **requested** its Chairperson to undertake as soon as possible consultations on issues related to the appointment of the Director-General with a view to assisting the Council in adopting its recommendation to the Conference at its Fourteenth Session, in conformity with paragraph 43 of Article VIII of the Convention.

**13. AGENDA ITEM THIRTEEN – Any other business**

**Credentials of representatives of the Council**

The Council **considered** and **approved** the report by the Director-General on the credentials of the representatives to the Council (EC-55/DG.9, dated 3 February 2009, and Add.1, dated 16 February 2009).

**14. AGENDA ITEM FOURTEEN – Adoption of the report**

The Council **considered** and **adopted** the report of its Fifty-Fifth Session.

**15. AGENDA ITEM FIFTEEN – Closure**

The Chairperson closed the Session at 17:23 on 20 February 2009.