



Seventy-Seventh Session  
7 – 10 October 2014

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### ANNOTATED PROVISIONAL AGENDA FOR THE SEVENTY-SEVENTH SESSION OF THE EXECUTIVE COUNCIL

This annotated agenda<sup>1</sup> has been prepared by the Technical Secretariat (hereinafter “the Secretariat”) to guide and assist members of the Executive Council (hereinafter “the Council”) in their substantive preparations for its Seventy-Seventh Session. It lists the items of business for the session in the sequence in which they appear in the provisional agenda set for it (see agenda item two below).

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

The Seventy-Seventh Session of the Council will be opened in The Hague by the Chairperson of the Council, Ambassador Álvaro Moerzinger of Uruguay, at 10:00 on 7 October 2014.

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

The Council is **requested** to consider and adopt the following agenda, which has been circulated under cover of EC-77/1/Rev.2, dated 1 October 2014:

1. Opening of the session
2. Adoption of the agenda
3. Opening statement by the Director-General
4. Reports by the Vice-Chairpersons on the activities conducted under their respective clusters of issues
5. General debate
6. Status of implementation of the Convention:
  - (a) Reports by the Director-General on destruction-related issues
  - (b) Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues

<sup>1</sup> This document is issued for information purposes only and does not supersede in any way the provisional agenda for the Seventy-Seventh Session of the Executive Council, or prejudice the outcome of its deliberations.



- (c) Other verification-related issues
  - (d) Supplement to the Verification Implementation Report for 2013
  - (e) Status of implementation of Article VII
  - (f) Status of implementation of Article X
  - (g) Status of implementation of Article XI
  - (h) Progress made in the implementation of the action plan for the universality of the Convention
  - (i) Technical Secretariat's activities: update on the OPCW Fact-Finding Mission in Syria
7. Report of the Scientific Advisory Board
8. Administrative and financial matters:
- (a) Report of the Advisory Body on Administrative and Financial Matters
  - (b) Implementation of an enterprise-resource-planning system and establishment of a special fund for this purpose
  - (c) Reduction of the Working Capital Fund
  - (d) Withholding of the distribution of the cash surplus for 2012
  - (e) Draft Programme and Budget of the OPCW for 2015, and all items pertaining to this Budget
  - (f) Financial Statements of the OPCW and the External Auditor's report for the year ending 31 December 2013
  - (g) Status of implementation of the recommendations of the External Auditor
  - (h) OPCW income and expenditure for the financial year to 30 June 2014; cash situation and the use of the Working Capital Fund for the financial year to 31 August 2014
  - (i) Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions
  - (j) Recommendation for write-offs of irrecoverable accounts receivable and of losses of assets
  - (k) Limit of investments of funds of the OPCW

- (l) Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2013 to 13 August 2014
  - (m) Proposal for the rehiring of inspectors
  - (n) Nomination of the External Auditor of the OPCW
  - (o) New interim Staff Rule on independent mediation
9. Follow-up process to the Third Review Conference<sup>2</sup>
  10. The OPCW Programme for Africa
  11. Draft report of the Executive Council on the performance of its activities
  12. Report by the Committee on Relations with the Host Country
  13. Agreement on the privileges and immunities of the OPCW
  14. Any other business
  15. Adoption of the report
  16. Closure

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

The Council is **requested** to note the opening statement by the Director-General (this document will be assigned an official reference number when it is made available to delegations).

**4. AGENDA ITEM FOUR – Reports by the Vice-Chairpersons on the activities conducted under their respective clusters of issues**

The Vice-Chairpersons and coordinators for clusters of issues will report to the Council on informal consultations held during the intersessional period: Ambassador Vesela Mrđen Korać of Croatia on chemical weapons issues, Ambassador Francesco Azzarello of Italy on chemical-industry and other Article VI issues, Ambassador Masaru Tsuji of Japan on administrative and financial issues, and Ambassador Dr Ali Gebril Werfeli of Libya on legal, organisational, and other issues.

**5. AGENDA ITEM FIVE – General debate**

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<sup>2</sup> Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.

**6. AGENDA ITEM SIX – Status of implementation of the Convention**

**Subitem 6(a): Reports by the Director-General on destruction-related issues**

- 6.1 Further to a decision by the Conference of the States Parties (hereinafter “the Conference”) at its Sixteenth Session (C-16/DEC.11, dated 1 December 2011), the Council is **requested** to consider and note a report by the Director-General on the overall progress of destruction activities by possessor States Parties (EC-77/DG.23, dated 26 September 2014).
- 6.2 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6, dated 15 February 2012), the Council is **requested** to consider and note a report by the Director-General on the overall progress of the destruction of abandoned chemical weapons (this document will be assigned an official reference number when it is made available to delegations).
- 6.3 The Council is **requested** to consider and note a Note by the Director-General on the schedule for submission by chemical weapons possessor States of the reports on their destruction activities after the extended deadline of 29 April 2012 (EC-77/DG.19, dated 17 September 2014).

**Subitem 6(b): Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues**

- 6.4 The Secretariat is expected to brief the Council on its destruction-related verification activities.
- 6.5 The States Parties concerned are expected to brief the Council on their destruction-related activities.
- 6.6 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council is **requested** to consider and note a national paper by the Russian Federation on the progress made on the completion of the destruction of its chemical weapons, including information on measures to accelerate such progress, and identifying progress made since the last briefing in order to meet the planned completion date. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-77/P/NAT.1, dated 8 September 2014).
- 6.7 Further to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council is **requested** to consider and note a national paper by the United States of America on the progress achieved towards complete destruction of its chemical weapons, including information on measures to accelerate such progress, and identifying progress made since the last briefing in order to meet the planned completion date. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-77/NAT.1, dated 11 September 2014).
- 6.8 Further to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council is **requested** to consider and note a national paper by Libya on the progress made on the completion of the destruction of its chemical

weapons, including information on measures to accelerate such progress, and identifying progress made since the last briefing in order to meet the planned completion date. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-77/NAT.2, dated 12 September 2014).

- 6.9 The Council is **requested** to note a Note by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-77/DG.22, dated 24 September 2014).
- 6.10 The tenth monthly report by the Syrian Arab Republic on activities related to the destruction of Syrian chemical weapons production facilities as at the cut-off date of 15 September 2014 has been made available to the members of the Council (EC-77/P/NAT.3, dated 14 September 2014).
- 6.11 A national paper by the Syrian Arab Republic containing a detailed destruction plan in respect of the “Al-Maliha” ricin production facility has been made available to the members of the Council (EC-77/P/NAT.2, dated 12 September 2014).
- 6.12 Further to its consideration of this issue at its Forty-Fourth Meeting, the Council is **requested** to consider and adopt a draft decision on the agreed detailed plan for verification of the destruction of the abandoned chemical weapons declared by the Syrian Arab Republic (EC-M-44/DEC/CRP.1, dated 25 August 2014).
- 6.13 The Council is **requested** to note a Note by the Secretariat on the retention of samples of Syrian chemical weapons (EC-77/S/3, dated 12 September 2014) and to consider and adopt a draft decision on the matter (EC-77/DEC/CRP.2, dated 12 September 2014).
- 6.14 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6), a national paper by China (this document will be assigned an official reference number when it is made available to delegations) and a national paper by Japan (EC-77/NAT.3, dated 10 September 2014) on the overall progress of the destruction of chemical weapons abandoned by Japan on the territory of China will be circulated to the members of the Council.

**Subitem 6(c): Other verification-related issues**

- 6.15 The Secretariat is expected to brief the Council on its other verification-related activities.

**Subitem 6(d): Supplement to the Verification Implementation Report for 2013**

- 6.16 The Council is **requested** to consider and note the supplement to the Verification Implementation Report (VIR) for 2013 (EC-77/HP/DG.1, dated 12 September 2014).

**Subitem 6(e): Status of implementation of Article VII**

- 6.17 Further to a decision by the Conference at its Fourteenth Session regarding the implementation of Article VII obligations (C-14/DEC.12, dated 4 December 2009),

the Council is **requested** to note a Note by the Director-General on the “Overview of the Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2014” (EC-77/DG.5 C-19/DG.6, dated 13 May 2014); a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2014: Article VII – Initial Measures” (EC-77/DG.6 C-19/DG.7, dated 13 May 2014); and a report by the Director-General entitled “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2014: Additional Measures for States Parties that Possess Industrial Facilities Which Are Declarable Under the Convention” (EC-77/DG.7 C-19/DG.8, dated 13 May 2014). The Council is **also requested** to submit the documents to the Conference at its Nineteenth Session, along with its recommendations, as appropriate, for consideration.

**Subitem 6(f): Status of implementation of Article X**

- 6.18 The Council is **requested** to consider and note a report by the Director-General on the status of implementation of Article X of the Chemical Weapons Convention (hereinafter “the Convention”) as at 30 June 2014 (EC-77/DG.3, dated 12 August 2014).
- 6.19 The facilitator for this issue, Ms Sarah Broughton of the United Kingdom of Great Britain and Northern Ireland, is expected to report on the consultations carried out during the intersessional period.

**Subitem 6(g): Status of implementation of Article XI**

- 6.20 The Council is **requested** to consider and note a report by the Director-General on the progress made and review of the status of the implementation of Article XI of the Convention (EC-77/DG.20 C-19/DG.12, dated 18 September 2014).

**Subitem 6(h): Progress made in the implementation of the action plan for the universality of the Convention**

- 6.21 The Council at its Twenty-Third Meeting adopted an action plan for the universality of the Convention (EC-M-23/DEC.3, dated 24 October 2003). The plan requested the Director-General, inter alia, to submit to the Conference at its regular sessions an annual report on the implementation of the action plan, and to keep the Council regularly informed, so that the Conference and the Council may review progress and monitor its implementation effectively.
- 6.22 The Council is **requested** to consider and note the annual report on the implementation of the action plan for the universality of the Convention during the period from 16 September 2013 to 15 August 2014, which is being submitted to both the Council and the Conference (EC-77/DG.18 C-19/DG.11, dated 15 September 2014).

**Subitem 6(i): Technical Secretariat’s activities: update on the OPCW Fact-Finding Mission in Syria**

- 6.23 At the Forty-Second Meeting of the Council on 17 June 2014, the Secretariat circulated the summary report of the OPCW Fact-Finding Mission in Syria covering

the period from 3 to 31 May 2014 (S/1191/2014, dated 16 June 2014 and Corr.1, dated 1 October 2014).

- 6.24 At its previous session, the Council requested that the Director-General provide, as appropriate, updates on the status of the Fact-Finding Mission and its activities (paragraph 6.46 of EC-76/6, dated 11 July 2014).
- 6.25 The Secretariat circulated the second report of the OPCW Fact-Finding Mission in Syria containing its key findings (S/1212/2014, dated 10 September 2014 and Corr.1, dated 29 September 2014).

## **7. AGENDA ITEM SEVEN – Report of the Scientific Advisory Board**

- 7.1 The report of the Twenty-First Session of the Scientific Advisory Board (SAB-21/1, dated 27 June 2014) has been circulated to the members of the Council.
- 7.2 A Note by the Director-General entitled “Response to the Report of the Twenty-First Session of the Scientific Advisory Board” (EC-77/DG.10, dated 5 September 2014) has been circulated to the members of the Council.

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

### **Subitem 8(a): Report of the Advisory Body on Administrative and Financial Matters**

- 8.1 At its previous session, the Council noted the report of the Thirty-Sixth Session of the Advisory Body on Administrative and Financial Matters (ABAF), which took place from 2 to 5 June 2014 (ABAF-36/1, dated 5 June 2014), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-76/DG.13, dated 24 June 2014), noted the recommendations contained therein, and agreed to consider them at its next regular session (paragraph 10.1 of EC-76/6).
- 8.2 The Council is **also requested** to consider and note the report of the Thirty-Seventh Session of the ABAF, which took place from 1 to 4 September 2014 (ABAF-37/1, dated 4 September 2014), and a Note by the Director-General containing comments on the report of the ABAF at that session (this document will be assigned an official reference number when it is made available to delegations).
- 8.3 The Council is **requested** to note a Note by the Secretariat on a nomination for membership of the ABAF (this document will be assigned an official reference number when it is made available to delegations), and to appoint Mr Khodayar Rouzbahani of the Islamic Republic of Iran to replace Mr Mahmoud Esfahaninejad, retroactive to the date of his letter of nomination (22 September 2014).

### **Subitem 8(b): Implementation of an enterprise-resource-planning system and establishment of a special fund for this purpose**

- 8.4 At its previous session, the Council welcomed presentations by representatives of the International Atomic Energy Agency (IAEA) on the enterprise-resource-planning (ERP) systems and by the Secretariat on the draft ERP strategy for the OPCW. It was noted that the Secretariat would submit the final ERP strategy for the OPCW and draft

decisions on the reduction of the level of the Working Capital Fund (WCF) and the use of balances of the WCF together with cash surpluses of a few years, for the Council's consideration at its next session and for approval by the Conference at its Nineteenth Session.

- 8.5 The Council is **requested** to note a Note by the Director-General on the ERP Strategy of the OPCW (EC-77/DG.15, dated 12 September 2014) and to consider and adopt a draft decision on the implementation an ERP system and on the establishment of a special fund for this purpose (EC-77/DEC/CRP.4, dated 12 September 2014) and to transmit it to the Conference for approval at its Nineteenth Session.

**Subitem 8(c): Reduction of the Working Capital Fund**

- 8.6 The Council is **requested** to note a Note by the Director-General recommending the reduction of the WCF and the use of the remaining balance for ERP implementation (EC-77/DG.17, dated 12 September 2014), and to consider and adopt a draft decision on the matter (EC-77/DEC/CRP.5, dated 12 September 2014) and to transmit it to the Conference for approval at its Nineteenth Session.

**Subitem 8(d): Withholding of the distribution of the cash surplus for 2012**

- 8.7 The Council is **requested** to note a Note by the Director-General on the request for withholding of the distribution of the cash surplus for 2012 (EC-77/DG.16, dated 12 September 2014) and to use it for ERP implementation, and to consider and adopt a draft decision on the matter (EC-77/DEC/CRP.3, dated 12 September 2014) and to transmit it to the Conference for approval at its Nineteenth Session.

**Subitem 8(e): Draft Programme and Budget of the OPCW for 2015, and all items pertaining to this Budget**

- 8.8 In accordance with subparagraph 32(a) of Article VIII of the Convention, the Council is **requested** to consider the Draft Programme and Budget for 2015 (EC-77/CRP.1, dated 4 July 2014) and to transmit it, together with its recommendation and any amendments it deems appropriate, to the Conference at its Nineteenth Session.
- 8.9 The co-facilitators for this issue, Ambassador Eduardo Rodríguez Veltzé of Bolivia (Plurinational State of) and Mr Domingos Maria de Saldanha Melo e Alvim of Portugal, are expected to report on the consultations held during the intersessional period.
- 8.10 The Medium-Term Plan for the period from 2015 to 2019 (EC-77/S/1 C-19/S/1, dated 23 April 2014) has been circulated to the members of the Council, along with the Draft Programme and Budget for 2015 (EC-77/CRP.1).
- 8.11 A Note by the Secretariat on the programme performance for the year 2013 (S/1185/2014, dated 15 May 2014) has been circulated to the members of the Council.

**Subitem 8(f): Financial Statements of the OPCW and the External Auditor's report for the year ending 31 December 2013**



8.12 The Council is **requested** to note the Financial Statements of the OPCW and the report of the External Auditor for the year ending 31 December 2013 (EC-77/DG.1 C-19/DG.4, dated 14 July 2014) and to forward them to the Conference for consideration at its Nineteenth Session. The report of the External Auditor is expected to be presented by a representative of the Federal Court of Audit of Germany.

8.13 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, is expected to report on consultations held during the intersessional period.

**Subitem 8(g): Status of implementation of the recommendations of the External Auditor**

8.14 The Council is **requested** to consider and note a Note by the Secretariat on the status of implementation of the recommendations of the External Auditor (EC-77/S/2, dated 5 August 2014).

8.15 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, is expected to report on the consultations held during the intersessional period.

**Subitem 8 (h): OPCW income and expenditure for the financial year to 30 June 2014; cash situation and the use of the Working Capital Fund for the financial year to 31 August 2014**

8.16 A report by the Director-General on OPCW income and expenditure for the financial year to 30 June 2014 has been circulated to the members of the Council (S/1201/2014, dated 22 July 2014).

8.17 The Council is **requested** to consider and forward to the Conference at its Nineteenth Session a Note by the Director-General on the cash situation and the use of the Working Capital Fund for the financial year to 31 August 2014 (EC-77/DG.14 C-19/DG.10, dated 10 September 2014).

**Subitem 8(i): Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions**

8.18 Further to a decision of the Conference at its Eleventh Session (C-11/DEC.5, dated 7 December 2006), the Council is **requested** to consider and forward to the Conference at its Nineteenth Session a Note by the Director-General on the status of implementation by States Parties of agreed multi-year payment plans (EC-77/DG.8 C-19/DG.9, dated 1 September 2014).

**Subitem 8(j): Recommendation for write-offs of irrecoverable accounts receivable and of losses of assets**

- 8.19 The Council is **requested** to consider a Note by the Director-General on the recommendation for write-offs of irrecoverable accounts receivable and losses of assets, and to recommend that the Conference at its Nineteenth Session approve these write-offs totalling EUR 18,002.95 (EC-77/DG.2 C-19/DG.5, dated 30 July 2014).

**Subitem 8(k): Limit of investments of funds of the OPCW**

- 8.20 The Council is **requested** to note a Note by the Director-General on the limit of investments of funds of the OPCW (EC-77/DG.4 and Corr.1, both dated 21 August 2014).

**Subitem 8(l): Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2013 to 13 August 2014**

- 8.21 The Council is **requested** to note the report by the Director General on the implementation in 2014 of the amendment to the Staff Regulations regarding downward classification of posts (EC-77/DG.9, dated 5 September 2014).

**Subitem 8(m): Proposal for the rehiring of inspectors**

- 8.22 At its previous session, the Council noted the background Note from the Secretariat contained in EC-76/S/5 (dated 2 July 2014) regarding the financial and other implications of rehiring former inspectors. Noting also the report of the Thirty-Sixth Session of the ABAF (ABAF-36/1) and the views expressed by the Director-General in his opening statement to the Seventy-Sixth Session of the Council (EC-76/DG.18, dated 8 July 2014), the Council agreed to consider further this issue at its next session, with a view to examining the possibility of its consideration at the Nineteenth Session of the Conference (paragraph 10.7 of EC-76/6).

- 8.23 Following the informal discussion with the ABAF members and the questions raised by interested delegations, the Secretariat circulated an addendum to its background Note in order to provide more information on the subject (EC-76/S/5/Add.1, dated 26 September 2014).

- 8.24 The Council is **requested** to consider and adopt a draft decision on the rehiring of inspectors (EC-74/DEC/CRP.4/Rev.3, dated 1 October 2014).

**Subitem 8(n): Nomination of the External Auditor of the OPCW**

- 8.25 The term of the current External Auditor ends in 2014, and a new auditor needs to be appointed for the term beginning in 2015. According to Regulation 13.1 of the OPCW Financial Regulations, “[a]n External Auditor, who shall be the Auditor-General (or an officer holding an equivalent title) of a State Party, shall be appointed in the manner and for the period determined by the Conference of the States Parties and for a single period of not less than two years, but not exceeding six years”.

- 8.26 The Director-General has issued a Note requesting nominations for External Auditor of the OPCW (S/1164/2014/Rev.2, dated 12 June 2014) and a Note summarising the nominations (EC-77/DG.12, dated 8 September 2014). In the light of these nominations, the Council is **requested** to make a recommendation on the appointment of the External Auditor of the OPCW, and to forward it to the Conference at its Nineteenth Session, with such comments as it deems appropriate.

**Subitem 8(o): New interim staff rule on independent mediation**

- 8.27 The Council is **requested** to note a Note by the Director-General on the proposed new interim staff rule on independent mediation (EC-77/DG.24, dated 29 September 2014) and to consider and adopt a draft decision on this matter (EC-77/DEC/CRP.6, dated 29 September 2014).

**9. AGENDA ITEM NINE – Follow-up process to the Third Review Conference**

- 9.1 At its Seventy-Third Session (paragraph 13.1 of EC-73/6, dated 19 July 2013), the Council requested the Director-General to submit to each regular session of the Council the updated version of the “Matrix of Actionable Items Identified at the Third Review Conference”, which the Council is **requested** to consider and note (this document will be assigned an official reference number when it is made available to delegations).

- 9.2 A Note by the Director-General on the status of the follow-up to the recommendations on science and technology made to the Third Review Conference (EC-77/DG.11, dated 5 September 2014) has been circulated to the members of the Council.

**10. AGENDA ITEM TEN – The OPCW Programme for Africa**

The Council is **requested** to consider and note a Note by the Director-General on the Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention (EC-77/DG.21 C-19/DG.13, dated 23 September 2014).

**11. AGENDA ITEM ELEVEN – Draft report of the Executive Council on the performance of its activities**

The Council is **requested** to consider and approve a draft report on the performance of its activities in the period from 20 July 2013 to 11 July 2014 (EC-77/CRP.2\*, dated 12 August 2014), and to submit it to the Conference for consideration at its Nineteenth Session.

**12. AGENDA ITEM TWELVE – Report by the Committee on Relations with the Host Country**

The Chairperson will report to the Council on the status of the work of the Host Country Committee.

**13. AGENDA ITEM THIRTEEN – Agreement on the privileges and immunities of the OPCW**

The Council is **requested** to consider and conclude an agreement between the OPCW and Georgia on the privileges and immunities of the OPCW (EC-77/DEC/CRP.1, dated 4 September 2014).

**14. AGENDA ITEM FOURTEEN – Any other business**

**OPCW commemoration of the centenary of the first large-scale use of chemical weapons**

The Council is **requested** to note a Note by the Secretariat on the OPCW commemoration of the centenary of the first large-scale use of chemical weapons (S/1214/2014, dated 16 September 2014).

**15. AGENDA ITEM FIFTEEN – Adoption of the report**

**16. AGENDA ITEM SIXTEEN – Closure**

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