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Office of the Legal Adviser

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**REPORT ON THE WORKSHOP ON LEGISLATIVE ISSUES  
RELATED TO THE IMPLEMENTATION OF THE CONVENTION  
SEVILLE, SPAIN, 26 - 27 OCTOBER 2000**

1. The Government of Spain and the OPCW Secretariat together organised a workshop on legislative issues related to the implementation of the Chemical Weapons Convention, including the provisions on the monitoring of transfers of scheduled chemicals and their precursors. This workshop was held in Seville, Spain, on 26 and 27 October 2000 (the programme is contained in annex 1 to this report).
2. Sixty government officials from 48 States Parties attended the workshop (the list of participants is contained in annex 2 to this report). The participants exchanged views on their experiences of the establishment of the regulatory framework which is necessary to implement the Chemical Weapons Convention (hereinafter the "Convention").
3. Throughout the workshop there was lively discussion of the differing experiences of the various participating States Parties in the use of legislation to implement the Convention, with particular emphasis on, inter alia, the following: different codes for trade in dual-use goods; declarations of the import and export of chemicals involving members of customs unions, or common markets which, under their regulations, are not required to declare such transfers; problems arising from the fact that customs authorities commonly use the Harmonised System to name chemicals, rather than the CAS numbers prescribed by the Convention; and difficulties posed by the control of the transport of chemicals, including the use of free ports, free trade zones, and special regime customs zones.
4. In addition to the contributions from the host country, Spain, delegates from eighteen other States Parties (Albania, Argentina, Bangladesh, Belarus, Croatia, Cuba, the Czech Republic, Ecuador, Germany, Hungary, the Islamic Republic of Iran, Italy, Pakistan, Saudi Arabia, Slovenia, Sweden, Switzerland, and the United Kingdom of Great Britain and Northern Ireland) provided presentations on their own experience of establishing the regulatory framework for implementing the Convention.

5. At the conclusion of the workshop all participants agreed that, even for those States Parties which already have substantial legislation in place, the way ahead is very challenging. A sustained effort by both States Parties and the policy-making organs of the OPCW will consequently be required for the foreseeable future.

Annexes:

Annex 1: Programme

Annex 2: List of participants

**Annex 1**

**WORKSHOP ON LEGISLATIVE ISSUES**

**Seville, Spain**

**26 - 27 October 2000**

**PROGRAMME**

**Thursday 26 October**

- 10:00 - 10:15 Welcoming address by the President of the Spanish National Authority
- 10:15 - 10:45 Introduction: the role of legislation in the implementation process, by Mr Rodrigo Yepes-Enríquez, Legal Adviser to the OPCW
- 10:45 - 11:15 Status of ratification/accession to the Chemical Weapons Convention and legislative issues related thereto: assistance available from the OPCW in the area of drafting legislation, by Ms María Luisa Martinod-Jacome, OPCW Secretariat
- 11:15 - 11:30 *Coffee break*
- 11:30 - 12:00 Regulations under the CWC with respect to exports and imports of scheduled chemicals: an overview, by Ms Brigitta Exterkate, OPCW Secretariat
- 12:00 - 13:00 Spanish legislation to implement the Chemical Weapons Convention:  
- Ratification Act  
- Penal Code  
- Law no. 49/1999 to control dual-use chemicals and precursors  
- Regulations creating the National Authority and Permanent Representation
- Presentation by Mr Jaime Alejandre, expert in chemical weapons issues, Spanish National Authority / Ministry of Science and Technology
- 13:00 - 13:30 Advantages of and possibilities for an integrated approach to the implementation of international treaties related to the safe management of chemicals, including the CWC, by Ms María Luisa Martinod-Jacome, OPCW Secretariat
- 13:30 - 14:00 Discussion

14:00 - 16:00 *Lunch*

16:00 - 16:30 Spanish legislation to implement the Chemical Weapons Convention:  
- International legal instruments: details of the process of implementation in Spain  
- National implementation of the Chemical Weapons Convention and related agreements

Presentation by Mr José María Fuente, Head of the Chemical and Biological Disarmament Branch, Ministry of Foreign Affairs

16:30 - 17:15 Spanish legislation to implement the Chemical Weapons Convention:  
Control of transfers; law to suppress contraband; regulation of foreign trade in war materiel and dual-use goods; directives of the European Union

Presentation by Mr Antonio Segura, Deputy Director-General of Control of Foreign Trade for Defence and Dual Use Goods, Ministry of Economy and Finance

17:15 - 17:30 *Coffee break*

17:30 - 18:00 Cooperation and legal assistance under the Chemical Weapons Convention, by Ms Brigitta Exterkate, OPCW Secretariat

18:00 - 18:30 Discussion

### **Friday 27 October**

10:00 - 14:00 Presentations by representatives of participating Member States, and exchanges of information and experiences concerning the establishment of the regulatory framework for implementing the CWC

14:00 – 15:30 *Lunch*

15:30 – 17:30 Experiences in implementing export/import regulations, and the role of customs organisations: round table discussion

18:00 – 19:00 Closure, with contributions from the Vice-President of the Spanish National Authority, the representative of the Junta de Andalucía, and the Legal Adviser to the OPCW

**Annex 2****WORKSHOP ON LEGISLATIVE ISSUES****Seville, Spain, 26-27 October 2000****List of participants**

<i>Country</i>	<i>Name of Participant</i>
<b>Albania</b>	Mr Alfred Madhi
<b>Algeria</b>	Mr Missoum Ramla
<b>Argentina</b>	Ms Ana María Cerini
<b>Armenia</b>	Mr Vahram Gabrielyan
<b>Austria</b>	Mr Bernhard Kainradl
<b>Azerbaijan</b>	Mr Mir-Gamza Efendiev
<b>Bangladesh</b>	Ms Saida Muna Tasneem
<b>Belarus</b>	Mr Ivan Grinevich
<b>Brazil</b>	Ms Ibrahim Abdul-Hak Neto
<b>Burkina Faso</b>	Mr Harouna Ouedraogo
<b>Chile</b>	Mr Ramón Hormazábal Cuevas
<b>Costa Rica</b>	Mr Randolph Coto Echeverría
<b>Croatia</b>	Ms Ivana Halle
<b>Cuba</b>	Ms Irene Romero López
<b>Czech Republic</b>	Ms Marie Koubova
<b>Ecuador</b>	Mr Juan Carrillo
<b>Ethiopia</b>	Mr Andualem Demissachew Hailu
<b>Georgia</b>	Mr Revaz Beshidze
<b>Germany</b>	Mr Dirk Berg

<i>Country</i>	<i>Name of Participant</i>
<b>Hungary</b>	Mr László Máté
<b>Indonesia</b>	Mr Weddy Mallyan
<b>Islamic Republic of Iran</b>	Mr Mohammad Khodadadi
<b>Italy</b>	Mr Rio Cocco
<b>Italy</b>	Mr Amedeo Teti
<b>Kazakhstan</b>	Ms Nelya Tlepbergenova
<b>Kuwait</b>	Mr Abdullah Al-Sahli
<b>Lao People's Democratic Republic</b>	Mr Southam Sakonhnhinhom
<b>Mexico</b>	Mr Carlos Amézquita-Martínez
<b>Mexico</b>	Mr Víctor Corzo
<b>Morocco</b>	Ms Rabia Janati Idrissi
<b>Oman</b>	Mr Yagoob Al-Sidi
<b>Pakistan</b>	Mr Liaquat Ali Khan
<b>Panama</b>	Mr Pedro Sitton Ureta
<b>Paraguay</b>	Mr Edgar Fabian Lugo Garay
<b>Peru</b>	Mr Antonio Miranda
<b>Poland</b>	Ms Emilia Klimaszewswka
<b>Portugal</b>	Mr Adriano Teixeira
<b>Romania</b>	Mr Calin Sima
<b>Romania</b>	Mr Marius Petrescu
<b>Romania</b>	Ms Gabriela Petrescu
<b>Romania</b>	Mr Neferoiu Nicolaenelae
<b>Romania</b>	Ms Nela-Florentina Scherer

<i>Country</i>	<i>Name of Participant</i>
<b>Saudi Arabia</b>	Mr Tariq Baghdadi
<b>Saudi Arabia</b>	Mr Naif Al-Sudairy
<b>Slovenia</b>	Ms Karmen Krajnc
<b>Spain</b>	Ms María Luisa Llanos
<b>Spain</b>	Consuelo Sebastian de Frutos
<b>Spain</b>	Mr Fernando Herencia Robles
<b>Spain</b>	Ms Nieves Gómez Sáinz de Aja
<b>Spain</b>	Mr Jaime Alejandro
<b>Spain</b>	Mr Antonio Segura
<b>Spain</b>	Mr José María Fuente
<b>Spain</b>	Manuel José Prieto Santiago
<b>Sri Lanka</b>	Mr Nalin Abeyesekere
<b>Swaziland</b>	Mr Mashikilisana Moses Fakudze
<b>Sweden</b>	Mr Christer Ljungqvist
<b>Switzerland</b>	Ms Andrea Heinzer
<b>United Kingdom</b>	Mr Martin Rudduck
<b>Uruguay</b>	Mr Gustavo Somma

<i>Organisation</i>	<i>Name of Participant</i>
<b>CTBTO</b>	Ms Laura Noriega Martín
<b>OPCW</b>	Mr Rodrigo Yepes-Enríquez
<b>OPCW</b>	Ms Brigitta Exterkate
<b>OPCW</b>	Ms María-Luisa Martinod-Jácome
<b>OPCW</b>	Ms Cecilia Echevarría
<b>OPCW</b>	Mr Pedro Pablo Oviedo

<i>Organisation</i>	<i>Name of Participant</i>
<b>OPCW</b>	Mr Jalel Ben Khechine

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