

OPCW

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REPORT BY THE DIRECTOR-GENERAL

STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CHEMICAL WEAPONS CONVENTION AS AT 31 JULY 2018: ARTICLE VII - INITIAL MEASURES

Introduction

- 1. In operative paragraph 1 of the decision on the follow-up to the plan of action regarding the implementation of obligations under Article VII of the Chemical Weapons Convention (hereinafter "the Convention") (C-10/DEC.16, dated 11 November 2005), the Conference of the States Parties (hereinafter "the Conference") stressed that it was imperative for States Parties that had yet to fulfil their obligations under Article VII to do so without delay.
- 2. The Third Review Conference¹ "[e]ncouraged the Secretariat to explore innovative methods of providing assistance on tailor-made approaches as a potential means to further advance the implementation of Article VII" (subparagraph 9.103(c) of RC-3/3*, dated 19 April 2013). Furthermore, the Technical Secretariat (hereinafter "the Secretariat") was requested to "continue to submit its annual report on the implementation of Article VII to the Conference, and ... to include an assessment in this report, for consideration by the policy-making organs, containing a comprehensive and objective analysis of the current status of national implementation, with a view to tracking the progress made and formulation of focused assistance programmes" (subparagraph 9.103(h) of RC-3/3*).
- 3. Pursuant to the request received from the Third Review Conference, and in close cooperation with States Parties, the Secretariat has updated the two matrices included in the annual reports—the one addressing the initial measures taken by States Parties in accordance with Article VII and the second listing additional measures—and is presenting them in two concurrent reports, as invited by the Conference (paragraph 8 of C-14/DEC.12, dated 4 December 2009).

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Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.

Legislative and administrative implementation

- 4. This document provides an update on the status and progress in adopting the initial measures that are necessary for all States Parties to implement in order to achieve the objectives set forth under the Convention.
- 5. The information is based on the responses received from States Parties to the note verbale sent by the Secretariat on 28 February 2018 requesting them to provide updates on the status of implementation of Article VII and to fill in the matrices attached to the note verbale. As at the cut-off date of the current report, 130 States Parties had replied to the note verbale (Table 1).

TABLE 1:STATES PARTIES THAT HAVE SUBMITTED RESPONSES TO THE
SECRETARIAT

SECKETAK		
Albania	Algeria	Andorra
Angola	Antigua and Barbuda	Argentina
Armenia	Australia	Austria
Bahrain	Bangladesh	Barbados
Belarus	Belgium	Bhutan
Bolivia (Plurinational State of)	Bosnia and Herzegovina	Botswana
Brazil	Bulgaria	Burkina Faso
Burundi	Canada	Chile
Colombia	Congo	Cook Islands
Costa Rica	Côte d'Ivoire	Croatia
Cuba	Cyprus	Czech Republic
Denmark	Dominican Republic	Democratic Republic of the Congo
Ecuador	El Salvador	Estonia
Ethiopia	Fiji	Finland
France	Georgia	Germany
Ghana	Greece	Guatemala
Holy See	Honduras	Hungary
Iceland	India	Iran (Islamic Republic of)
Iraq	Ireland	Italy
Japan	Kazakhstan	Kenya
Kyrgyzstan	Latvia	Liechtenstein
Lithuania	Luxembourg	Madagascar
Malaysia	Maldives	Mali
Malta	Mauritius	Man
Monaco	Mongolia	Montenegro
Morocco	Morgona Mozambique	Namibia
Netherlands	New Zealand	Nicaragua
	Norway	Pakistan
Nigeria Palau	Panama	Pakistan Paraguay
Peru	Philippines	Poland
Portugal	Qatar	Republic of Korea
Republic of Moldova	Romania	Russian Federation
Saint Kitts and Nevis	Saint Vincent and the Grenadines	Samoa
San Marino	Saudi Arabia	Senegal
Serbia	Seychelles	Singapore
Slovakia	Slovenia	South Africa
Spain	Sri Lanka	Sudan
Sweden	Switzerland	Thailand
The former Yugoslav Republic of	Togo	Turkey
Macedonia		
Uganda	Ukraine	United Arab Emirates
United Kingdom of Great Britain and	United Republic of Tanzania	United States of America
Northern Ireland		
Uruguay	Uzbekistan	Vanuatu
Venezuela	Viet Nam	Zambia
Zimbabwe		

6. The global status, as at 31 July 2018, of the relevant elements of legislative and administrative implementation is reflected in the tables below.

TABLE 2:OVERVIEW OF THE LEGISLATIVE IMPLEMENTATION OF THE
CONVENTION

Article VII(5) submission received	162 (84%)
Legislation covers initial measures	122 (63%) in full
	33 (17%) in part
Legislation covers additional measures	111 (58%)
Text of adopted measures provided	145 (75%)

TABLE 3:STATUS OF ELEMENTS OF LEGISLATIVE AND ADMINISTRATIVE
IMPLEMENTATION UNDER THE PURVIEW OF THE PRESENT
REPORT, AS AT 31 JULY 2018

Chemical Weapons Toxic Chemical Precursor Purposes Not Prohibited Scheduled Chemical Reporting on Transfers Schedule 1 Schedule 2 Schedule 3 Prohibitions Prohibitions Chemical Weapons Penalties Chemical Weapons Scheduled Chemicals		Number and Percentage of States Parties Having Implemented the Measure
	Definitions	
Chemical Weapons		138 (72%) in full
		1 (1%) in part
Toxic Chemical		132 (68%) in full
		1 (1%) in part
Precursor		128 (66%) in full
		2 (1%) in part
Purposes Not Prohibited		130 (67%) in full
		0 (0%) in part
	Scheduled Chemical	0
Reporting on Transfers	Schedule 1	124 (64%) in full
		7 (4%) in part
	Schedule 2	122 (63%) in full
		11 (6%) in part
	Schedule 3	122 (63%) in full
		11 (6%) in part
Prohibitions	Chemical Weapons	146(76%) in full
		5 (3%) in part
	Scheduled Chemicals	129 (67%) in full
		10 (5%) in part
Penalties	Chemical Weapons	145 (75%) in full
		3 (2%) in part
	Scheduled Chemicals	127 (66%) in full
		12 (6%) in part
	Other Initial Mea	asures
Extraterritoriality		129 (67%)
Legal basis for regulatio	ns	128 (66%) in full
		6 (3%) in part
Establishment/designation	on of National Authority	190 (98%)

TABLE 4:EXPLANATION OF COLUMN HEADINGS IN THE TABLES
CONTAINED IN THE ANNEX TO THIS REPORT

~ .		D IN THE ANNEX TO THIS REPORT
Column	Heading	Explanation
		Definitions
Chemical We	apons	Indicates that the legislation of the State Party in question
		contains a definition of chemical weapons that fully reflects the
		meaning of <i>chemical weapons</i> as defined by paragraph 1 of
		Article II of the Convention.
Toxic Chemi	cal	Indicates that the legislation of the State Party in question
		contains a definition of toxic chemical that fully reflects the
		meaning of <i>toxic chemical</i> as defined by paragraph 2 of
		Article II of the Convention.
Precursor		Indicates that the legislation of the State Party in question
		contains a definition of precursor that fully reflects the meaning
		of precursor as defined by paragraph 3 of Article II of the
		Convention.
Purposes Not	Prohibited	Indicates that the legislation of the State Party in question
		contains a definition of purposes not prohibited that fully reflects
		the meaning of <i>purposes not prohibited</i> under the Convention as
		defined by paragraph 9 of Article II of the Convention.
		Scheduled Chemicals Regime
Reporting	Schedule 1	"X" indicates that the national legislation ensures that the State
on Transfers		Party is in a position to fulfil the prior reporting requirements
		concerning transfers of Schedule 1 chemicals (see paragraphs 5
		and 5bis. of Part VI of the Verification Annex to the Convention
		(hereinafter "the Verification Annex")) and to provide all
		information that is to be included in the declaration required by
		paragraph 6 of Part VI of the Verification Annex and that a
		sanction is applicable in the event of non-compliance by natural
		and legal persons.
	Schedule 2	"X" indicates that the national legislation ensures that the State
		Party is in a position to provide all transfer-related information
		that is to be included in annual declarations required by
		paragraph 1 and 2 of Part VII of the Verification Annex and that
		a sanction is applicable in the event of non-compliance by
		natural and legal persons.
	Schedule 3	"X" indicates that the national legislation ensures that the State
		Party is in a position to provide all transfer-related information
		that is to be included in declarations pursuant to paragraph 1 of
		Part VIII of the Verification Annex and that a sanction is
		applicable in the event of non-compliance by natural and legal
		persons.
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Column Heading	E	xplanation
	Prohibitions and Penal	-
	Chemical Weapons	Scheduled Chemicals
Prohibition	"X" indicates that the activities prohibited to States Parties under paragraph 1 of Article I of the Convention are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.	"X" indicates that the activities prohibited to States Parties under: - paragraphs 1, 2, 3, and 4 of Part
Penalties	"X" indicates that penal sanctions are applicable in the event of violation of the above prohibitions. Other Initial Measur	"X" indicates that penal sanctions are applicable in the event of violation of the above prohibitions.
Extraterritoriality		tate Party has extended its penal
	legislation enacted to in Convention to any activit persons possessing its nation	nplement the prohibitions of the ty undertaken anywhere by natural nality.
Legal Basis for	-	ation of the State Party contains
Regulations	departments to issue mea processing, and consump measures detailing the verif	ne relevant ministries/governmental asures to regulate the production, tion of scheduled chemicals, and fication and confidentiality regimes.
Establishment/designation		hal Authority has been designated or
of National Authority	established. It should be n have been designated on a p	noted that some National Authorities purely interim basis.

"(X)", that is, X in brackets, for any of the above indicators means that the measure has been partially implemented.

Please note that the prohibition of certain activities can also be imposed by legal measures other than direct prohibitions. For example, when a licensing regime in a State Party ensures that no natural or legal person will be permitted to carry out an activity that is prohibited to

² For exceptions, please refer to C-V/DEC.16, dated 17 May 2000.

³ For exceptions, please refer to C-VI/DEC.10, dated 17 May 2001.

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States Parties under the Convention, then the column for the prohibition will be checked with the indication "X".

Annex (English only):

Status of Implementation of Article VII, Initial Measures by State Party, as at 31 July 2018

Annex

STATUS OF IMPLEMENTATION OF ARTICLE VII INITIAL MEASURES BY STATE PARTY AS AT 31 JULY 2018

																		С	-2
easures		Establishment/designation of National Authority	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	
Other Initial Measures		Legal Basis for Regulations		Х	Х		Х	Х	Х	Х	Х	Х	Х			Х		Х	
Other]		Extraterritoriality		Х	Х				Х		Х	Х	Х			Х		Х	
ies	lties	slsəimədƏ bəlubədə2		Х	Х			(X)	Х	Х	Х	Х	Х		Х	Х		Х	
nd Penalt	Penalties	chemical Weapons		Х	Х	Х			Х	Х	Х	Х	Х		Х	Х		Х	
Prohibitions and Penalties	itions	slsəimədƏ bəlubədəS		Х	Х			(X)	Х	Х	Х	Х	Х		Х	Х		Х	
Prob	Prohibitions	Chemical Weapons		Х	Х	Х			Х	Х	Х	Х	Х		Х	Х		Х	
nicals	ansfers	£ əlubədə2		X	Х			(X)	Х	Х	Х	Х	Х		(X)	Х		Х	
Scheduled Chemicals Regime	Reporting on Transfers	2 əlubədə2		X	Х			(X)	Х	Х	Х	Х	Х		(X)	Х		Х	
Schee	Repor	I əlubədəS		Х	Х			(X)	Х	Х	Х	Х	Х		Х	Х		Х	
		Purposes Not Prohibited		Х	Х	Х			Х	Х	Х	Х	Х			Х		Х	
Definitions		Precursor		Х	Х	Х			Х	Х	Х	Х	Х			Х		(X)	
Defin		Toxic Chemical		Х	Х	Х			Х	Х	Х	Х	Х			Х		Х	
		chemical Weapons		x	Х	Х			Х	Х	Х	Х	Х		Х	Х		Х	
		State Party	Afghanistan	Albania	Algeria	Andorra	Angola	Antigua and Barbuda	Argentina	Armenia	Australia	Austria	Azerbaijan	Bahamas	Bahrain	Bangladesh	Barbados	Belarus	
			1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	
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Establishment/designation																	-				_	-	_	
leasures		Establishment/designation of National Authority	Х	Х	Х	X	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х
Other Initial Measures		Legal Basis for Regulations	Х	Х			(X)	Х	Х	Х		Х	Х		Х	Х	Х	Х	Х			Х	Х	Х
Other		Extraterritoriality	Х	Х			(X)		Х	Х		Х	Х	Х		Х	Х	Х	Х				Х	Х
ties	Penalties	slsəimədƏ bəlubədəS	X	Х			(X)	Х	Х	Х		Х	Х	Х	Х	(X)	Х	Х	Х			Х	Х	Х
ind Penalt	Pens	snoqa9W lasimədD	X	Х			(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х		Х	Х	Х	Х
Prohibitions and Penalties	itions	slæsimədƏ bəlubədəS	X	X			(X)	Х	Х	Х		Х	Х	Х	Х	(X)	Х	Х	Х			Х	Х	Х
Pro	Prohibitions	enoqa9W lasimədƏ	Х	Х			(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х		Х	Х	Х	Х
micals	Transfers	£ əlubədə2	X	X			(X)	Х	Х	Х		Х	Х	Х	Х	(X)	Х	Х	Х			Х	Х	(X)
Scheduled Chemicals Regime	Reporting on Tr	Schedule 2	Х	Х			(X)	Х	Х	Х		Х	Х	Х	Х	(X)	Х	Х	Х			Х	Х	(X)
Sched	Report	I əlubədəS	Х	Х			(X)	Х	Х	Х		Х	Х	Х	Х	(X)	Х	Х	Х			Х	Х	(X)
		Purposes Not Prohibited	Х	Х		X	(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х			Х	Х	Х
Definitions		Precursor	Х	Х		Х	(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х			Х	Х	Х
Defii		Toxic Chemical	Х	Х		Х	(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х			(X)	Х	Х
		enoqesW lesimədD	Х	х		x	(X)	Х	Х	Х		Х	Х	Х	Х	Х	Х	Х	Х			(X)	Х	Х
		State Party	Belgium	Belize	Benin	Bhutan	Bolivia (Plurinational State of)	Bosnia and Herzegovina	Botswana	Brazil	Brunei Darussalam	Bulgaria	Burkina Faso	Burundi	Cabo Verde	Cambodia	Cameroon	Canada	Central African Republic	Chad	Chile	China	Colombia	Comoros
			17.	18.	19.	20.	21.	22.	23.	24.	25.	26.	27.	28.	29.	30.	31.	32.	33.	34.	35.	36.	37.	38.
L			· ·	<u> </u>	<u> </u>	- 1										•								

Additional Longities State and Longities				1																						-2
Petinitions Prohibitions Prohibitions </th <th>easures</th> <th></th> <th></th> <th>(X)</th> <th>X</th> <th>x</th> <th>Х</th> <th>Х</th> <th>Х</th> <th>Х</th> <th>Х</th> <th>X</th> <th>X</th> <th>X</th> <th>Х</th> <th></th>	easures			(X)	X	x	Х	Х	Х	Х	Х	X	X	X	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	
Petinitions Prohibitions Prohibitions </th <th>Initial M</th> <th></th> <th></th> <th>(X)</th> <th>Х</th> <th>x</th> <th>Х</th> <th>Х</th> <th>Х</th> <th>Х</th> <th>Х</th> <th></th> <th>x</th> <th></th> <th></th> <th></th> <th>(X)</th> <th></th> <th></th> <th></th> <th>Х</th> <th></th> <th>Х</th> <th>Х</th> <th>Х</th> <th></th>	Initial M			(X)	Х	x	Х	Х	Х	Х	Х		x				(X)				Х		Х	Х	Х	
Performical Regime Performical Regime Performical Regime Performical Regime Performical Regime Performical Regime Performical Regime Performical Regime Compo No	Other]		Extraterritoriality	Х		(X)		Х	Х	Х	Х		Х					Х			Х		Х	Х	Х	
Performed Chemical Weapons Affinitions State Party Scheduled Chemical Weapons Prohibitions Regime Compo Compo Scheduled Chemical Weapons Prohibitions Regime No Const Riands Scheduled Chemical Weapons Prohibitions Regime No Const Riands No Schedule Chemical Weapons Prohibitions Regime No No No No No No No Regime No No No No No No No Regime No No No No No No No State Particip No	ies	lties	slsəimədƏ bəlubədə2		X	(X)	Х	Х	Х	Х	Х		X				(X)				X		Х	Х	Х	
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State Party Toxic Chemical Weapons Congo ×	Schee	Repor	I əlubərəS		Х	Х	Х	Х	Х	Х	Х		Х				(X)				Х		Х	Х	Х	
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State Party State Party State Party State Party Congo Congo Cook Islands X Cook Islands X Cost Ricands X Cost Republic X Cost Republic X Cost Republic X Dominican Republic X Dominican X Equatorial Guinea X Estonia X Estonia X Estonia X Estonia X Estonia X Estonia X Finition X	itions		Precursor	х	Х	Х	Х	Х	Х	Х	Х		Х								Х		Х	Х	Х	
State Party State Party State Party State Party State Party Congo Congo Cook Islands Dominica Dominica Elal Salvador	Defir		Toxic Chemical	х	Х	Х	Х	Х	Х	Х	Х		Х				Х				Х		Х	Х	Х	
			chemical Weapons	х	х	x	Х	Х	Х	Х	Х		x				(X)				Х		Х	Х	Х	
			State Party	Congo	Cook Islands	Costa Rica	Côte d'Ivoire	Croatia	Cuba	Cyprus	Czech Republic	Democratic Republic of the Congo	Denmark	Djibouti	Dominica	Dominican Republic	Ecuador	El Salvador	Equatorial Guinea	Eritrea	Estonia	Eswatini	Ethiopia	Fiji	Finland	
0 4 4 4 4 4 4 4 4 4 4 0 0 0 0 0 0 0 0				39.	40.	41.	42.	43.	44.	45.	46.	47.	48.	49.	50.	51.	52.	53.	54.	55.	56.	57.	58.	59.	60.	

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easures		Establishment/designation of National Authority	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х
Other Initial Measures		Legal Basis for Regulations	Х		Х	Х	Х		Х	Х				Х		Х	Х	Х		Х	Х	Х	Х	Х
Other		Extraterritoriality	Х		Х	Х	Х	(X)	Х	Х	Х			Х		Х		Х	Х	Х	Х	Х	Х	Х
ies	lties	slsəimədƏ bəlubədəS	Х		Х	(X)	Х	(X)	Х	Х	(X)					Х	Х	Х		Х	Х	Х	Х	Х
nd Penalt	Penalties	eapons Wespons	Х	Х	Х	Х	Х	(X)	Х	Х	Х			Х		Х	Х	Х	Х	Х	Х	Х	Х	Х
Prohibitions and Penalties	itions	slæsimedD belubeds2	Х		Х	(X)	Х	(X)	Х	Х	(X)					Х	Х	Х		Х	Х	Х	Х	Х
\mathbf{Prok}	Prohibitions	znoqsəW lsəimədƏ	Х	Х	Х	Х	Х	(X)	Х	Х	Х			(X)		Х	Х	Х	Х	Х	Х	Х	Х	Х
nicals	ansfers	£ əlubədə2	Х		Х	Х	Х	(X)	Х	Х						Х	Х	Х		Х	Х	Х	Х	Х
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easures		Establishment/designation of National Authority	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х	X	Х	Х	Х	Х	Х	Х	Х	Х	Х	page 11
Other Initial Measures		Legal Basis for Regulations	Х		Х	х	Х		Х			Х	Х		X	Х		Х	Х	Х	Х		Х	Х	
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 | Peru | Philippines | Poland
 | Portugal | Qatar | Republic of Korea

 | Republic of Moldova | Romania
 | Russian Federation | Rwanda | Saint Kitts and Nevis
 | Saint Lucia | Saint Vincent and the Grenadines | Samoa | San Marino |
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