



### ANNOTATED PROVISIONAL AGENDA FOR THE NINETY-FOURTH SESSION OF THE EXECUTIVE COUNCIL 7 – 10 JULY 2020

This revised 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 Ninety-Fourth 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 Ninety-Fourth Session of the Council will be opened in The Hague by the Chairperson of the Council, Ambassador Agustín Vásquez Gómez of El Salvador, at 10:00 on 7 July 2020.

#### 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-94/1 (dated 8 June 2020):

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 Chemical Weapons Convention:

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



- (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
  - (c) Elimination of the Syrian chemical weapons programme
  - (d) Other verification-related issues
  - (e) Destruction-related plans and facility agreements
  - (f) Addressing the threat from chemical weapons use
  - (g) Verification Implementation Report for 2019
  - (h) Technical Secretariat's activities: update on the OPCW Fact-Finding Mission in Syria
  - (i) Timely submission of declarations under Article VI
  - (j) Article VII: briefings by the facilitator and by the Technical Secretariat
  - (k) The content of the assistance and protection data bank and its use
  - (l) Article X: briefings by the facilitator and by the Technical Secretariat
  - (m) Article XI: briefings by the facilitator and by the Technical Secretariat
  - (n) Report by the Director-General on the Technical Secretariat's readiness to conduct a challenge inspection or an investigation of alleged use
7. Countering chemical terrorism
8. Draft annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2019
9. Reports of the Office of Internal Oversight:
- (a) Implementation in 2019 of the recommendations contained in the 2018 annual report of the Office of Internal Oversight
  - (b) Annual Report of the Office of Internal Oversight for the period from 1 January to 31 December 2019
10. Administrative and financial matters:
- (a) Rules of Procedure of the Advisory Body on Administrative and Financial Matters
  - (b) Report of the Advisory Body on Administrative and Financial Matters

- (c) Nominations for membership of the Advisory Body on Administrative and Financial Matters
  - (d) Transfers of funds during 2019
  - (e) Amendments to the OPCW Financial Regulations and Rules
  - (f) Report on the status of implementation of the enterprise resource planning system
  - (g) Composition of the Technical Secretariat
  - (h) Report by the Director-General on the implementation of the tenure policy in 2019
11. Nomination of the External Auditor of the OPCW
  12. Follow-up process to the Third Review Conference<sup>2</sup>
  13. Credentials of representatives of the members of the Executive Council
  14. Provisional agenda for the Twenty-Fifth Session of the Conference of the States Parties
  15. Dates for the regular sessions of the Executive Council in 2021
  16. Any other business
  17. Adoption of the report
  18. 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 Abdelouahab Bellouki of Morocco on chemical weapons issues; Ambassador Marcin Czepelak of Poland on chemical industry and other Article VI issues; Ambassador Matthew Neuhaus of Australia on administrative and financial issues; and Ambassador Alireza Kazemi Abadi of the Islamic Republic of Iran on legal, organisational, and other issues.

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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.

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

**6. AGENDA ITEM SIX – Status of implementation of the Chemical Weapons 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 with respect to the destruction of the remaining chemical weapons stockpiles (EC-94/DG.18, dated 1 July 2020).

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 in the destruction of abandoned chemical weapons (EC-94/DG.19, dated 1 July 2020).

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

6.3 The Secretariat provided an update to the Council on its destruction-related verification activities (presentations were posted on the external server of the OPCW).

6.4 The States Parties concerned provided an update to the Council on their destruction-related activities (presentations/a statement were posted on the external server of the OPCW).

6.5 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 United States of America on the progress achieved towards complete destruction of its chemical weapons stockpile, 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-94/NAT.11, dated 17 June 2020).

6.6 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6) and the destruction plan beyond the year 2016 for the chemical weapons abandoned by Japan in China (EC-84/NAT.6, dated 2 March 2017), attached as Annex 2 to Council decision EC-67/DEC.6 and adopted by the Council at its Eighty-Fourth Session (paragraph 6.14 of EC-84/2, dated 9 March 2017), a national paper by China (EC-94/NAT.12, dated 18 June 2020) and a national paper by Japan (EC-94/NAT.13, dated 18 June 2020) on the overall progress of the destruction of chemical weapons abandoned by Japan on the territory of China have been circulated to the members of the Council.

**Subitem 6(c): Elimination of the Syrian chemical weapons programme**

- 6.7 Further to its decision at its Eighty-Third Session (EC-83/DEC.5, dated 11 November 2016), the Council decided to place “Elimination of the Syrian Chemical Weapons Programme” on the agenda of all future Council sessions until the Council determines that all elements of the Syrian chemical weapons programme have been eliminated.
- 6.8 The Council is **requested** to note Notes by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-94/DG.1, dated 24 March 2020; EC-94/DG.3, dated 24 April 2020; EC-94/DG.5, dated 25 May 2020; and EC-94/DG.12, dated 24 June 2020).
- 6.9 The Council is **requested** to note the national papers by the Syrian Arab Republic on the activities related to the destruction of Syrian chemical weapons and their production facilities (EC-94/P/NAT.1, dated 18 March 2020; EC-94/P/NAT.2, dated 16 April 2020; EC-94/P/NAT.3, dated 20 May 2020; and EC-94/P/NAT.4, dated 16 June 2020).
- 6.10 Pursuant to subparagraph 12(a) of its decision EC-83/DEC.5, the Council decided that the Director-General shall regularly inform the Council on the implementation of this decision. The Council is **requested** to note a report by the Director-General on the matter (EC-94/DG.20, dated 3 July 2020).
- 6.11 The Council is **requested** to note a Note by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (EC-94/HP/DG.2, dated 29 June 2020).

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

- 6.12 The Secretariat provided to the Council an update on its other verification-related activities (a presentation was posted on the external server of the OPCW).
- 6.13 Further to the decision of the Council at its Sixty-Sixth Session on the policy guidelines for determining the number of Article VI inspections (EC-66/DEC.10, dated 7 October 2011), the Council is **requested** to note a report by the Director-General on the results of the eighth year of implementation of these policy guidelines (EC-94/DG.2, dated 7 April 2020).

**Subitem 6(e): Destruction-related plans and facility agreements**

- 6.14 The Secretariat has submitted to the Council a Note on modifications to the facility agreement with the United States of America regarding on-site inspections at the Pueblo Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Pueblo, Colorado, the United States of America (EC-94/S/1, dated 6 April 2020).

- 6.15 The Secretariat has submitted to the Council a Note on modifications to the agreed detailed plan for verification of the destruction of chemical weapons at the Pueblo Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Pueblo, Colorado, the United States of America (EC-94/S/2, dated 6 April 2020).
- 6.16 The Secretariat has submitted to the Council a Note on modifications to the agreed detailed plan for verification of the destruction of chemical weapons at the Blue Grass Chemical Agent-Destruction Pilot Plant, Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-94/S/3, dated 6 April 2020).
- 6.17 The Secretariat has submitted to the Council a Note on modifications to the agreed detailed plan for verification of the destruction of chemical weapons at the Blue Grass Chemical Agent-Destruction Pilot Plant Static Detonation Chamber Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-94/S/4, dated 6 April 2020).

**Subitem 6(f): Addressing the threat from chemical weapons use**

- 6.18 The Council is **requested** to note the regular report by the Director-General to the Council on progress made in the implementation of the decision of the Conference entitled “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3, dated 27 June 2018) (EC-94/DG.17, dated 1 July 2020).
- 6.19 The Secretariat circulated a Note entitled “First Report of the Technical Secretariat Pursuant to Paragraph 10 of Decision C-SS-4/DEC.3 (dated 27 June 2018)” (EC-94/S/5, dated 8 April 2020). The report (S/1867/2020, dated 8 April 2020) is provided to the Council and the United Nations Secretary-General for their consideration.
- 6.20 The Secretariat circulated a national paper by France (EC-94/NAT.18, dated 2 July 2020) as well as a draft decision, supported by 40 delegations, entitled “Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic” (EC-94/DEC/CRP.2/Rev.1, dated 7 July 2020), which the Council is **requested** to consider and adopt.
- 6.21 In accordance with Rule 34 of the Rules of Procedure of the Council, the Secretariat circulated a Report by the Director-General (EC-94/DG.21, dated 2 July 2020) on the financial, administrative, and programme and budget implications of the above-mentioned draft decision.

**Subitem 6(g): Verification Implementation Report for 2019**

- 6.22 The Council is **requested** to consider and note the Verification Implementation Report (VIR) for the period from 1 January to 31 December 2019 (EC-94/HP/DG.1, dated 11 May 2020 and Add.1, dated 29 June 2020). The Council is also **requested** to note a Note by the Secretariat on comments and views received on the 2019 VIR (EC-94/S/9, dated 25 June 2020), as well as the Chairperson’s summary of the informal consultations on it (EC-94/2, dated 25 June 2020).

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

6.23 The Secretariat is expected to provide an update in regard to the OPCW Fact-Finding Mission in Syria.

**Subitem 6(i): Timely submission of declarations under Article VI**

6.24 Further to a decision by the Council at its Fifty-First Session (EC-51/DEC.1, dated 27 November 2007), the Council is **requested** to note a status report by the Director-General on the timely submission by States Parties of declarations under Article VI of the Chemical Weapons Convention (hereinafter "the Convention") for the period from 1 January to 31 May 2020 (EC-94/DG.13, dated 24 June 2020).

**Subitem 6(j): Article VII: briefings by the facilitator and by the Technical Secretariat**

6.25 The Secretariat circulated a presentation on the status of implementation of Article VII.

**Subitem 6(k): The content of the protection and assistance databank and its use**

6.26 The Council is **requested** to consider and note a Note by the Secretariat on the content of the protection and assistance databank and its use (EC-94/S/8, dated 25 June 2020).

**Subitem 6(l): Article X: briefings by the facilitator and by the Technical Secretariat**

6.27 The Secretariat circulated a presentation on the status of implementation of Article X.

**Subitem 6(m): Article XI: briefings by the facilitator and by the Technical Secretariat**

6.28 The Secretariat circulated a presentation on the programme of activities for 2020 in relation to Article XI.

**Subitem 6(n): Report by the Director-General on the Technical Secretariat's readiness to conduct a challenge inspection or an investigation of alleged use**

6.29 The Council is **requested** to consider and note a Note by the Director-General reporting on the readiness of the Secretariat to conduct a challenge inspection or an investigation of alleged use (EC-94/DG.14, dated 25 June 2020).

**7. AGENDA ITEM SEVEN – Countering chemical terrorism**

**8. AGENDA ITEM EIGHT – Draft annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2019**

The Council is **requested** to consider the “Draft Report of the OPCW on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in 2019” (EC-94/CRP.1, dated 3 June 2020), and to submit it to the Conference for consideration at its Twenty-Fifth Session.

**9. AGENDA ITEM NINE – Reports of the Office of Internal Oversight**

**Subitem 9(a): Implementation in 2019 of the recommendations contained in the 2018 annual report of the Office of Internal Oversight**

9.1 The Council is **requested** to consider and note a report by the Director-General on the implementation in 2019 of the recommendations contained in the 2018 annual report of the Office of Internal Oversight (OIO) (EC-94/DG.6, dated 29 May 2020).

**Subitem 9(b): Annual report of the Office of Internal Oversight for the period from 1 January to 31 December 2019**

9.2 The Council is **requested** to consider and note the annual report of the OIO for the period from 1 January to 31 December 2019 (EC-94/DG.4 C-25/DG.2, dated 24 April 2020), which the Director-General has submitted to it, along with his comments. The Council is also **requested** to make any comments it deems appropriate on the report. In accordance with Financial Regulation 12.5, the Director-General will transmit the report to the Conference at its Twenty-Fifth Session, together with his own comments and any that the Council may deem appropriate.

**10. AGENDA ITEM TEN – Administrative and financial matters**

**Subitem 10(a): Rules of Procedure of the Advisory Body on Administrative and Financial Matters**

10.1 The delegations of Bulgaria, Canada, the Czech Republic, Germany, Japan, the Netherlands, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America submitted a draft decision entitled “OPCW Advisory Body on Administrative and Financial Matters – Rules of Procedure” (EC-92/DEC/CRP.1/Rev.1, dated 4 October 2019).

10.2 In accordance with Rule 31 of the Rules of Procedure of the Council, the delegation of the Russian Federation submitted amendments to the above-mentioned draft decision (EC-92/DEC/CRP.6, dated 4 October 2019).

10.3 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.2, dated 10 October 2019).



- 10.4 The Council at its previous session decided to defer the matter until its next regular session.
- 10.5 The delegation of the Russian Federation withdrew its proposal through a note verbale dated 25 February 2020 and submitted new amendments on the matter (EC-93/DEC/CRP.2, dated 21 February 2020), together with an explanatory note to it (EC-93/NAT.3, dated 20 February 2020).
- 10.6 The Council is **requested** to take appropriate action on the matter.

**Subitem 10(b): Report of the Advisory Body on Administrative and Financial Matters**

- 10.7 Further to its consideration of this issue at its previous sessions, the Council is **requested** to consider and note the report of the Forty-Fifth Session of the Advisory Body on Administrative and Financial Matters (ABAF), which took place from 31 July to 3 August 2018 (ABAF-45/1, dated 3 August 2018), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-89/DG.11, dated 28 August 2018).
- 10.8 Further to its consideration of this issue at its previous sessions, the Council is **requested** to consider and note the report of the Forty-Sixth Session of the ABAF, which took place from 4 to 7 June 2019 (ABAF-46/1, dated 7 June 2019), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-91/DG.19\*, dated 1 July 2019).
- 10.9 Further to its consideration of this issue at its previous session, the Council is **requested** to consider and note the report of the Forty-Seventh Session of the ABAF, which took place from 30 July to 2 August 2019 (ABAF-47/1, dated 2 August 2019), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-92/DG.11, dated 9 September 2019).
- 10.10 The Council is also **requested** to consider and note the report of the Forty-Eighth Session of the ABAF, which took place from 2 to 5 June 2020 (ABAF-48/1, dated 5 June 2020), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-94/DG.22, dated 6 July 2020).

**Subitem 10(c): Nominations for membership of the Advisory Body on Administrative and Financial Matters**

- 10.11 The Council is **requested** to note a Note by the Secretariat on a nomination for membership of the ABAF (EC-94/S/6, dated 15 June 2020), and to appoint Ms Hollie Marie Mance of the United States of America, to replace Ms Leslie Hyland, retroactive to the date of the letter of nomination for Ms Mance (29 May 2020).

**Subitem 10(d): Transfers of funds during 2019**

- 10.12 The Council is **requested** to note a Note by the Director-General on transfers of funds during 2019 (EC-94/DG.10 C-25/DG.3, dated 19 June 2020).

**Subitem 10(e): Amendments to the OPCW Financial Regulations and Rules**

10.13 The Secretariat circulated a Note on proposed amendments to the OPCW Financial Regulations and Rules (S/1869/2020/Rev.1, dated 24 June 2020).

10.14 The Council is **requested** to consider and adopt a draft decision entitled “Amendments to the OPCW Financial Regulations and Rules” (EC-94/DEC/CRP.1, dated 24 June 2020).

**Subitem 10(f): Report on the status of implementation of the enterprise resource planning system**

10.15 Further to the decision by the Conference at its Nineteenth Session on the implementation of an enterprise resource planning (ERP) system and the establishment of a special fund for this purpose (C-19/DEC.7, dated 3 December 2014), the Council is **requested** to note a Note by the Director-General reporting on the status of implementation of the ERP system (EC-94/DG.15, dated 25 June 2020).

**Subitem 10(g): Composition of the Technical Secretariat**

10.16 The Council is **requested** to note the Director-General’s annual report on the composition of the Secretariat (EC-94/DG.7, dated 3 June 2020).

**Subitem 10(h): Report by the Director-General on the implementation of the tenure policy in 2019**

10.17 The Council is **requested** to consider and note a report by the Director-General on the implementation of the tenure policy in 2019 (EC-94/DG.11, dated 19 June 2020).

**11. AGENDA ITEM ELEVEN – Nomination of the External Auditor of the OPCW**

11.1 According to Article 13.1 of the OPCW Financial Regulations, the Conference shall appoint the External Auditor, who shall be the Auditor-General (or an officer holding an equivalent title) of a State Party, and such appointment shall be in the manner and for the period determined by the Conference and for a single period of not less than two years, but not exceeding six years. The Conference will appoint the next External Auditor at its Twenty-Fifth Session in November/December 2020.

11.2 The Director-General has issued a Note requesting nominations for the post of External Auditor of the OPCW (S/1824/2020, dated 17 January 2020). The Council is **requested** to consider the Note by the Director-General containing a summary of nominations for this post (EC-94/DG.9, dated 15 June 2020). 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 Twenty-Fifth Session.

**12. AGENDA ITEM TWELVE – Follow-up process to the Third Review Conference**

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”. The Council is **requested** to consider and note the updated Matrix (EC-94/S/7, dated 15 June 2020).

**13. AGENDA ITEM THIRTEEN – Credentials of representatives of the members of the Executive Council**

The Council is **requested** to consider and approve a report by the Director-General on the credentials of representatives of members of the Council, which covers the credentials of the newly elected members of the Council (EC-94/DG.16, dated 25 June 2020).

**14. AGENDA ITEM FOURTEEN – Provisional agenda for the Twenty-Fifth Session of the Conference of the States Parties**

The Council is **requested** to draw up the provisional agenda for the Twenty-Fifth Session of the Conference (EC-94/DG.8, dated 8 June 2020).

**15. AGENDA ITEM FIFTEEN – Dates for the regular sessions of the Executive Council in 2021**

The Council is **requested** to consider dates for its regular sessions in 2021.

**16. AGENDA ITEM SIXTEEN – Any other business**

16.1 The draft decision entitled “Understanding Regarding the Aerosolized Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes”, co-sponsored by Albania, Argentina, Australia, Austria, Bulgaria, Canada, Colombia, Croatia, the Czech Republic, Estonia, Finland, Greece, Japan, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, the Republic of Korea, Romania, Slovenia, Sweden, Switzerland, Turkey, Ukraine, and the United States of America, was issued under the symbol of EC-92/DEC/CRP.9/Rev.2 (dated 9 March 2020). The Russian Federation submitted a national paper on the matter (EC-93/NAT.6, dated 6 March 2020).

16.2 Further to its consideration of this issue at its previous session, the Council is **requested** to take appropriate action on the matter.

**17. AGENDA ITEM SEVENTEEN – Adoption of the report**

**18. AGENDA ITEM EIGHTEEN – Closure**