



REPORT OF THE NINETY-FIFTH SESSION OF THE EXECUTIVE COUNCIL

1. AGENDA ITEM ONE – Opening of the session

The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Agustín Vásquez Gómez of El Salvador, opened its Ninety-Fifth Session in The Hague at 10:09 on 6 October 2020. The Council **observed** a minute’s silence in memory of and out of respect for all those around the world who had lost their lives due to the COVID-19 pandemic.

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. 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
 - (c) Elimination of the Syrian chemical weapons programme
 - (d) Other verification-related issues
 - (e) Destruction-related plans and facility agreements
 - (f) Verification Implementation Report for 2019
 - (g) Addressing the threat from chemical weapons use



- (h) Technical Secretariat's activities: update on the OPCW Fact-Finding Mission in Syria
 - (i) Status of implementation of Article VII
 - (j) Status of implementation of Article X
 - (k) Status of implementation of Article XI
 - (l) Progress made in the implementation of the action plan for the universality of the Convention
7. Scientific Advisory Board
8. Countering chemical terrorism
9. Education and outreach
10. Administrative and financial matters:
- (a) Nominations for membership of the Advisory Body on Administrative and Financial Matters
 - (b) Rules of Procedure of the Advisory Body on Administrative and Financial Matters
 - (c) Report of the Advisory Body on Administrative and Financial Matters
 - (d) Financial Statements of the OPCW and the External Auditor's report for the year ending 31 December 2019
 - (e) Submission of the 2020 Financial Statements to the External Auditor
 - (f) Status of implementation of the recommendations of the External Auditor
 - (g) Cash situation and the use of the Working Capital Fund for the financial year to 31 August 2020
 - (h) Report on the status of implementation of the enterprise resource planning system
 - (i) Draft Programme and Budget of the OPCW for 2021, and all items pertaining to this Budget, including relevant special funds and the cash surplus for 2018
 - (j) Extension of the special fund for OPCW special missions
 - (k) Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions

- (l) Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2019 to 13 August 2020

11. Nomination of the External Auditor of the OPCW
12. The OPCW Programme for Africa
13. Draft report of the Executive Council on the performance of its activities
14. Follow-up process to the Third Review Conference¹
15. Report of the Committee on Relations with the Host Country
16. Any other business
17. Adoption of the report
18. Closure

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

The Council **noted** the opening statement by the Director-General (EC-95/DG.28, dated 6 October 2020).

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

- 4.1 The Vice-Chairpersons and coordinators for clusters of issues reported 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.
- 4.2 The co-facilitators on “organisational governance issues”, Ambassador Matthew Neuhaus of Australia and Ambassador Laura Dupuy of Uruguay, reported to the Council on consultations held during the intersessional period.
- 4.3 The Council **decided** to extend to Ambassador Matthew Neuhaus of Australia and Ambassador Laura Dupuy of Uruguay the mandate of the facilitation on organisational governance issues for the next intersessional period, and **requested** the co-facilitators to report back on the status of their consultations at its next regular session.
- 4.4 The Council **expressed appreciation** for the work done by the outgoing Chairperson of the Open-Ended Working Group (OEWG) on Terrorism, Ambassador Oji Nyimenuate Ngofa of Nigeria, and **welcomed** the appointment of Ambassador Vusimuzi Philemon Madonsela of South Africa as the new Chairperson.

¹ 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

- 5.1 The following delegations made statements under this agenda item: Azerbaijan (observer) (on behalf of the Non-Aligned Movement and China), Germany (on behalf of the European Union), Kenya (on behalf of the African Group), Algeria, Argentina, Armenia (observer), Australia, Austria, Bangladesh, Belarus (observer), the Bolivarian Republic of Venezuela (observer), Brazil, Burundi (observer), Canada (observer), Chile, China, Cuba (observer), Denmark (observer), El Salvador, Estonia (observer), Finland (observer), France, Germany, Guatemala, India, Indonesia (observer), Iran (Islamic Republic of), Ireland (observer), Italy, Japan, Lithuania, Mexico, Morocco, the Netherlands (observer), New Zealand (observer), Nigeria, Norway, Pakistan, Peru, the Philippines, Poland, Portugal (observer), the Republic of Korea, Romania, the Russian Federation, Saudi Arabia, Senegal, Slovenia (observer), South Africa, Spain, the State of Palestine (observer), Sweden (observer), Switzerland (observer), the Syrian Arab Republic (observer), the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.
- 5.2 Exceptionally, without prejudice to the normal procedures of the Council, the Russian Federation provided a joint statement on behalf of the Collective Security Treaty Organization (EC-95/NAT.7, dated 9 October 2020).

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 **considered** and **noted** a report by the Director-General on the overall progress with respect to the destruction of the remaining chemical weapons stockpiles (EC-95/DG.27, dated 2 October 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 **considered** and **noted** a report by the Director-General on the overall progress of the destruction of abandoned chemical weapons (EC-95/DG.25, dated 2 October 2020).
- 6.3 The Council **considered** and **noted** a Note by the Director-General entitled “Schedule for Submission by Chemical Weapons Possessor States of the Reports on their Destruction Activities after the Extended Deadline of 29 April 2012” (EC-95/DG.6, dated 31 August 2020).

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

- 6.4 The Technical Secretariat (hereinafter “the Secretariat”) provided an update to the Council on its destruction-related verification activities (the presentation was posted on the external server of the OPCW).

- 6.5 The United States of America, Japan, and China provided an update to the Council on their destruction-related activities (the presentations were posted on the external server of the OPCW).
- 6.6 The following delegations made statements under this agenda item: the Islamic Republic of Iran and the United States of America.
- 6.7 The Council **noted** the statements and comments made by States Parties on the destruction of the only remaining declared chemical weapons by the sole possessor State Party, recalling the relevant obligations under the Chemical Weapons Convention (hereinafter “the Convention”), and relevant decisions by the Conference and the Council. The Council **recalled** that the destruction of the only remaining declared chemical weapons by the sole possessor State Party should continue in accordance with the provisions of the Convention and its Annex on Implementation and Verification, and with the application of the measures contained in decision C-16/DEC.11.
- 6.8 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered and noted** a national paper by the United States of America 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 (EC-95/NAT.4, dated 16 September 2020), along with comments on the issue as mentioned above. The Council **noted** the confirmation provided by the delegation of the United States of America that the necessary measures continue to be undertaken in order to meet the planned completion date of September 2023 for its destruction activities, as submitted to the Council at its Sixty-Eighth Session in accordance with subparagraph 3(c) of decision C-16/DEC.11.
- 6.9 The delegation of the Islamic Republic of Iran made a statement under this agenda item.
- 6.10 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 the Council’s 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-95/NAT.3, dated 15 September 2020) and a national paper by Japan (EC-95/NAT.1, dated 15 September 2020) on the overall progress of the destruction of chemical weapons abandoned by Japan on the territory of China were circulated to the members of the Council.
- 6.11 The Council **recalled** the provisions of the Convention that the Abandoning State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party and shall provide all necessary financial, technical, expert, facility, as well as other resources, **expressed its determination** to remain seized of the matter, and **urged** the Abandoning State Party to continue to make the fullest possible effort to complete the destruction of chemical weapons abandoned by Japan on the territory of China as early as possible in accordance with the Council’s decision (EC-67/DEC.6) and its Annex 2 in a faithful manner, and to address challenges including ensuring the safety of people and protecting the environment. The Council **reaffirmed** that the Territorial State Party shall provide appropriate cooperation.

- 6.12 The Council also **reaffirmed** the obligation of the Abandoning State Party to provide all available information including, to the extent possible, the location, type, and quantity as well as information on the abandonment in accordance with relevant provisions of the Convention, so as to facilitate the expedited destruction of chemical weapons abandoned by Japan on the territory of China.
- 6.13 The Council **recalled** that the review of the destruction of abandoned chemical weapons was welcomed by the Third Review Conference and the report of the Third Review Conference (RC-3/3*, dated 19 April 2013), which reaffirmed the role of the Council, the Conference, and the Review Conference with regard to the issues related to the abandoned chemical weapons destruction as defined in the provisions of the Convention and in the Council's decision (EC-67/DEC.6), and **welcomed** the review of this issue by the Fourth Review Conference.
- 6.14 The Council **took note** of the impact of the coronavirus (COVID-19) pandemic on the overall progress of the destruction of chemical weapons abandoned by Japan on the territory of China.

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

- 6.15 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.
- 6.16 As stated in the report of the Secretariat (EC-81/DG.5, dated 25 January 2016), all of the chemicals declared by the Syrian Arab Republic that had been removed from its territory in 2014 had now been destroyed. The Secretariat has also verified the destruction of all 27 chemical weapons production facilities declared by the Syrian Arab Republic (EC-89/DG.1, dated 24 July 2018).
- 6.17 The Council **noted** three reports by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-95/DG.1, dated 24 July 2020; EC-95/DG.4, dated 24 August 2020; and EC-95/DG.19, dated 24 September 2020).
- 6.18 The following delegations made statements under this agenda item: the United Kingdom of Great Britain and Northern Ireland, Australia, the Russian Federation, the Syrian Arab Republic (observer), the United States of America, China, Belgium, France, the Islamic Republic of Iran, Bulgaria, and Germany.
- 6.19 The Council **noted** three national papers by the Syrian Arab Republic on the activities related to the destruction of Syrian chemical weapons and their production facilities (EC-95/P/NAT.1, dated 16 July 2020; EC-95/P/NAT.2, dated 18 August 2020; and EC-95/P/NAT.3, dated 15 September 2020).
- 6.20 The Council **noted** a Note by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (EC-95/HP/DG.2, dated 1 October 2020).

- 6.21 The following delegations made statements: the Islamic Republic of Iran, the United States of America, and the Syrian Arab Republic (observer).

Subitem 6(d): Other verification-related issues

- 6.22 The Secretariat updated the Council on its other verification-related activities and on the Article III-related declarations received during the intersessional period (the presentations were posted on the external server of the OPCW).

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

- 6.23 The Secretariat had submitted to the Council a Note on amendments and modifications to the agreed detailed plan for verification and 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 (CWDF), Pueblo, Colorado, the United States of America (EC-95/S/5, dated 22 September 2020).
- 6.24 The Council **decided** to defer to its next regular session consideration of the amendments to the aforementioned facility agreement with the United States of America (EC-95/DEC/CRP.3, dated 22 September 2020).
- 6.25 The Council **decided** to defer to its next regular session consideration of the amendments to the agreed detailed plan for verification of the destruction of chemical weapons at the CWDF located at the Pueblo Chemical Agent-Destruction Pilot Plant, Pueblo, Colorado, the United States of America (EC-95/DEC/CRP.2, dated 22 September 2020).
- 6.26 The following delegations made statements: the Islamic Republic of Iran and Bulgaria.

Subitem 6(f): Verification Implementation Report for 2019

- 6.27 Further to its consideration of this issue at its previous session, the Council **considered** and **noted** the Verification Implementation Report (VIR) for the period from 1 January to 31 December 2019 (EC-94/HP/DG.1, dated 11 May 2020; Add.1, dated 29 June 2020; and Add.2, dated 11 September 2020) and the Note by the Secretariat on comments and views received on the 2019 VIR (EC-94/S/9, dated 25 June 2020 and Add.1, dated 15 September 2020), as well as the Chairperson's summary of the informal consultations on it (EC-94/2, dated 25 June 2020).
- 6.28 The Council **considered** and **noted** the supplement to the Verification Implementation Report for 2019 (EC-95/HP/DG.1, dated 14 August 2020).

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

- 6.29 The Council **noted** 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-95/DG.15, dated 21 September 2020).
- 6.30 The following delegations made statements: the Islamic Republic of Iran and the Syrian Arab Republic (observer).

- 6.31 The delegation of Romania presented a joint statement under this agenda item on behalf of Albania (observer), Australia, Austria, Belgium, Bulgaria, Canada (observer), Colombia (observer), Croatia (observer), Cyprus (observer), the Czech Republic (observer), Denmark (observer), Ecuador (observer), Estonia (observer), Finland (observer), France, Georgia (observer), Germany, Greece (observer), Hungary (observer), Iceland (observer), Ireland (observer), Italy, Japan, Latvia (observer), Lithuania, Luxembourg (observer), Malta (observer), the Netherlands (observer), New Zealand (observer), Norway, Peru, Poland, Portugal (observer), Romania, the Republic of Korea, Slovakia (observer), Slovenia (observer), Spain, Sweden (observer), Switzerland (observer), Turkey (observer), Ukraine (observer), the United Kingdom of Great Britain and Northern Ireland, and the United States of America.
- 6.32 The Director-General briefed the Council on activities carried out in support of a request for technical assistance by Germany (S/1906/2020, dated 6 October 2020).
- 6.33 The following delegations made statements: the Russian Federation, Germany, China, France, Australia (in its national capacity and subsequently on behalf of Canada and New Zealand), Lithuania, Norway (on behalf of the Nordic countries), the United Kingdom of Great Britain and Northern Ireland, the Syrian Arab Republic (observer), Belgium, Poland, the United States of America, the Islamic Republic of Iran, and Bulgaria.
- 6.34 The delegation of the Russian Federation submitted to the Director-General a letter dated 6 October 2020, regarding technical assistance pursuant to subparagraph 38(e) of Article VIII of the Convention, to which the Director-General provided his response, through a letter dated 7 October 2020.

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

- 6.35 The Secretariat circulated the following reports by the Fact-Finding Mission: "Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident of Alleged Use of Chemicals as a Weapon in Saraqib, Syrian Arab Republic, on 1 August 2016" (S/1901/2020, dated 1 October 2020) and "Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident in Aleppo, Syrian Arab Republic on 24 November 2018" (S/1902/2020, dated 1 October 2020).
- 6.36 The following delegations made statements: Germany (on behalf of the European Union), France, the Russian Federation, the Syrian Arab Republic (observer), the United Kingdom of Great Britain and Northern Ireland, the Islamic Republic of Iran, the United States of America, and China.
- 6.37 The Director-General made a statement under this item.

Subitem 6(i): Status of implementation of Article VII

- 6.38 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 **noted** a report by the Director-General on the "Overview of the Status of

Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2020” (EC-95/DG.8 C-25/DG.6, dated 4 September 2020 and Corr.1, dated 2 October 2020); a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2020: Article VII – Initial Measures” (EC-95/DG.9 C-25/DG.7, dated 4 September 2020 and Corr.1, dated 2 October 2020); and a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2020: Additional Measures for States Parties that Possess Industrial Facilities Which are Declarable Under the Convention” (EC-95/DG.10 C-25/DG.8, dated 4 September 2020 and Corr.1, dated 2 October 2020). The Council **submitted** the documents to the Conference at its Twenty-Fifth Session, along with its recommendations, as appropriate, for consideration.

Subitem 6(j): Status of implementation of Article X

- 6.39 The Council **considered** and **noted** a report by the Director-General on the status of implementation of Article X of the Convention as at 30 June 2020 (EC-95/DG.2, dated 11 August 2020 and Corr.1, dated 29 September 2020).
- 6.40 The facilitator for this issue, Mr Martin Pizinger of the Czech Republic, reported on the consultations carried out during the intersessional period (the report was posted on the external server of the OPCW).

Subitem 6(k): Status of implementation of Article XI

- 6.41 The Council **considered** and **noted** 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-95/DG.17 C-25/DG.10, dated 22 September 2020).

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

- 6.42 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.
- 6.43 The Council **considered** and **noted** the annual report on the implementation of the action plan for the universality of the Convention during the period from 16 August 2019 to 15 August 2020, which is being submitted to both the Council and the Conference (EC-95/DG.20 C-25/DG.12, dated 25 September 2020).
- 6.44 The delegation of the Islamic Republic of Iran made a statement on this matter.

7. AGENDA ITEM SEVEN – Scientific Advisory Board

- 7.1 The report of the Twenty-Ninth Session of the Scientific Advisory Board (SAB) (SAB-29/1, dated 2 September 2020) was circulated to the members of the Council.
- 7.2 The Council **noted** the response by the Director-General to the report of the Twenty-Ninth Session of the SAB (EC-95/DG.26, dated 2 October 2020).

8. AGENDA ITEM EIGHT – Countering chemical terrorism

The Chairperson of the OEWG on Terrorism, Ambassador Vusimuzi Philemon Madonsela of South Africa, briefed the Council on the work of the OEWG during the intersessional period.

9. AGENDA ITEM NINE – Education and outreach

The Council **considered** and **noted** a Note by the Director-General on the activities of the Advisory Board on Education and Outreach covering the period from 1 September 2019 to 31 August 2020 (EC-95/DG.18 C-25/DG.11, dated 24 September 2020).

10. AGENDA ITEM TEN – Administrative and financial matters

- 10.1 The delegation of the United States of America made a statement.

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

- 10.2 The Council **noted** a Note by the Secretariat on the nomination of 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) for membership of the Advisory Body on Administrative and Financial Matters (ABAF) (EC-94/S/6, dated 15 June 2020).
- 10.3 The following delegations made statements: the Russian Federation, the United States of America, the Islamic Republic of Iran, and Argentina.
- 10.4 The proposed nomination was considered and voted on by the Council, pursuant to Rule 42(b) of its Rules of Procedure. The vote led to the following results: 38 in favour (Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Cameroon, Chile, China, El Salvador, France, Germany, Ghana, Guatemala, India, Italy, Japan, Kenya, Lithuania, Mexico, Morocco, Nigeria, Norway, Pakistan, Peru, Poland, the Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, the Sudan, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America), one against (the Russian Federation), and one abstention (the Philippines). The delegation of the Islamic Republic of Iran stated that they would not participate in the voting. In light of that result, Ms Hollie Marie Mance was appointed to the ABAF to replace Ms Leslie Hyland, retroactive to the date of the letter of nomination for Ms Mance (29 May 2020).

- 10.5 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-95/S/1, dated 17 August 2020), and **appointed** Mr Hans-Christian Mangelsdorf of Germany for a second term with the ABAF.
- 10.6 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-95/S/3, dated 16 September 2020), and **appointed** Ms Fatima Hamdia Tanweer of Pakistan, to replace Mr Aizaz Khan, retroactive to the date of the letter of nomination for Ms Tanweer (4 September 2020).
- 10.7 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-95/S/4, dated 16 September 2020), and **appointed** Ms Yoko Sakurai of Japan, to replace Mr Arata Mizukami, retroactive to the date of the letter of nomination for Ms Sakurai (8 September 2020).
- 10.8 The Council **noted** a Note by the Secretariat on the nomination of Mr Vladimir V. Kuznetsov of the Russian Federation for the membership of the ABAF (EC-95/S/7, dated 6 October 2020) for a second term.
- 10.9 The following delegations made statements: the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Russian Federation.
- 10.10 The proposed nomination was considered and voted on by the Council, pursuant to Rule 42(b) of its Rules of Procedure. The vote led to the following results: 15 in favour (Algeria, Bangladesh, Cameroon, China, Ghana, India, Iran (Islamic Republic of), Kenya, Nigeria, Pakistan, the Russian Federation, Senegal, South Africa, the Sudan, and the United Arab Emirates), 15 against (Australia, Austria, Belgium, Bulgaria, France, Germany, Italy, Lithuania, Mexico, Norway, Poland, Romania, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America), and 11 abstentions (Argentina, Brazil, Chile, El Salvador, Guatemala, Japan, Morocco, Peru, the Philippines, the Republic of Korea, and Saudi Arabia). In light of that result, Mr Vladimir V. Kuznetsov was not appointed to the ABAF for a second term.
- 10.11 The following delegations made statements explaining their votes under this agenda item: China, Nigeria, Bangladesh, the Russian Federation, Pakistan, the Islamic Republic of Iran, and the United States of America.
- 10.12 The delegation of Bulgaria made a statement on the matter.

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

- 10.13 A draft decision submitted by 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 entitled “OPCW Advisory Body on Administrative and Financial Matters – Rules of Procedure” (EC-92/DEC/CRP.1/Rev.1, dated 4 October 2019) was submitted to the Council for consideration and adoption.

- 10.14 Following the circulation of EC-92/DEC/CRP.1/Rev.1, the delegation of the Russian Federation submitted a draft decision containing amendments to that draft decision (EC-92/DEC/CRP.6, dated 4 October 2019).
- 10.15 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.2, dated 10 October 2019).
- 10.16 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).
- 10.17 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.3, dated 1 October 2020).
- 10.18 The following delegations made statements: the United States of America and the Russian Federation.
- 10.19 The Council **decided** to defer the matter until its next regular session.

Subitem 10(c): Reports of the Advisory Body on Administrative and Financial Matters

- 10.20 Further to its consideration of this issue at its previous sessions, the Council **considered** and **noted** the report of the Forty-Fifth Session of the 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).
- 10.21 Further to its consideration of this issue at its previous sessions, the Council **considered** and **noted** 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).
- 10.22 Further to its consideration of this issue at its previous session, the Council **considered** and **noted** 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).
- 10.23 Further to its consideration of this issue at its previous session, the Council **considered** and **noted** 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).
- 10.24 The Council **considered** and **noted** the report of the Forty-Ninth Session of the ABAF, which took place from 28 to 31 July 2020 (ABAF-49/1, dated 31 July 2020), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-95/DG.24, dated 1 October 2020).

Subitem 10(d): Financial Statements of the OPCW and the External Auditor's report for the year ending 31 December 2019

10.25 The Council **noted** the Financial Statements of the OPCW and the report of the External Auditor for the year ending 31 December 2019 (EC 95/DG.3 C 25/DG.4, dated 17 August 2020), and **forwarded** them to the Conference for consideration at its Twenty-Fifth Session. Mr Damian Brewitt from the National Audit Office of the United Kingdom of Great Britain and Northern Ireland submitted the report of the External Auditor (EC 95/2, dated 6 October 2020) (the report was posted on the external server of the OPCW).

Subitem 10(e): Submission of the 2020 Financial Statements to the External Auditor

10.26 The Council **noted** a Note by the Director-General entitled "Submission of the 2020 OPCW Financial Statements to the External Auditor" (Financial Rule 11.1.02) (EC-95/DG.22, dated 25 September 2020), **considered** and **adopted** a decision on the matter (EC-95/DEC.1, dated 7 October 2020), and **transmitted** it to the Conference for approval at its Twenty-Fifth Session.

Subitem 10(f): Status of implementation of the recommendations of the External Auditor

10.27 The Council **considered** and **noted** a report on the status of implementation of the recommendations of the External Auditor (EC-95/S/2, dated 14 September 2020).

10.28 The facilitator for this issue, Mr Arata Mizukami of Japan, reported on the consultations carried out during the intersessional period (the report was posted on the external server of the OPCW).

Subitem 10(g): Cash situation and the use of the Working Capital Fund for the financial year to 31 August 2020

10.29 The Council **considered** and **forwarded** to the Conference at its Twenty-Fifth 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 2020 (EC-95/DG.21 C-25/DG.13, dated 25 September 2020).

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

10.30 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 **noted** a Note by the Director-General reporting on the status of implementation of the ERP system (EC-95/DG.23, dated 25 September 2020).

Subitem 10(i): Draft Programme and Budget of the OPCW for 2021, and all items pertaining to this Budget, including relevant special funds and the cash surplus for 2018

- 10.31 The co-facilitators for the budget, Mr Marcin Kawalowski of Poland and Mr Matteo Fachinotti of Switzerland, reported on the consultations held during the intersessional period.
- 10.32 The following delegations made statements: China, the Russian Federation, the Islamic Republic of Iran, the United Kingdom of Great Britain and Northern Ireland, and Belgium.
- 10.33 In accordance with subparagraph 32(a) of Article VIII of the Convention, the Council **considered** the Draft Programme and Budget of the OPCW for 2021 (EC-95/CRP.1, dated 3 July 2020 and Corr.1, dated 2 October 2020). The draft decision was voted on by the Council, pursuant to Rule 42(b) of its Rules of Procedure. The vote led to the following results: 33 in favour (Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Cameroon, Chile, El Salvador, France, Germany, Ghana, Guatemala, Italy, Japan, Lithuania, Mexico, Morocco, Nigeria, Norway, Peru, the Philippines, Poland, the Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America), three against (China, the Islamic Republic of Iran, and the Russian Federation), and five abstentions (Algeria, India, Kenya, Pakistan, and the Sudan). In light of that result, the Council **adopted** the decision and **submitted** it, together with its recommendation, to the Conference at its Twenty-Fifth Session (EC-95/DEC.3, dated 7 October 2020).
- 10.34 The following delegations made a statement explaining their vote: Brazil, Bangladesh, Guatemala, India, Argentina, Mexico, Chile, Morocco, and Peru.
- 10.35 Under this subitem the Secretariat circulated Notes by the Director-General entitled “Financial Status of the Special Fund for Cyber Security, Business Continuity, and Physical Infrastructure Security” (EC-95/DG.13, dated 16 September 2020), “Financial Status of the Special Fund for IT Infrastructure to Support Implementation of Decision C-SS-4/DEC.3” (EC-95/DG.16, dated 22 September 2020), and “Request for the Establishment of a COVID-19 Variability Impact Fund” (EC-95/DG.14, dated 21 September 2020).
- 10.36 A Note by the Secretariat on the programme performance for the year 2019 (S/1872/2020, dated 4 May 2020 and Corr.1, dated 20 May 2020) was circulated to the members of the Council.

Subitem 10(j): Extension of the special fund for OPCW special missions

- 10.37 The Council **noted** a Note by the Director-General entitled “Financial Status of the Special Fund for OPCW Special Missions” (EC-95/DG.12, dated 10 September 2020).
- 10.38 The Council **considered** and **adopted** a decision entitled “Extension of the Special Fund for OPCW Special Missions” (EC-95/DEC.2, dated 7 October 2020) and **transmitted** it to the Conference for approval at its Twenty-Fifth Session.

Subitem 10(k): Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions

10.39 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.5, dated 7 December 2006), the Council **considered** and **forwarded** to the Conference at its Twenty-Fifth Session a Note by the Director-General reporting on the status of implementation by States Parties of agreed multi-year payment plans (EC-95/DG.5 C-25/DG.5, dated 25 August 2020).

Subitem 10(l): Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2019 to 13 August 2020

10.40 The Council **noted** a report by the Director-General on the implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2019 to 13 August 2020 (EC-95/DG.7, dated 31 August 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 of the OPCW at its Twenty-Fifth Session in November/December 2020.

11.2 The Director-General issued a Note requesting nominations for the post of External Auditor of the OPCW (S/1824/2020, dated 17 January 2020). The Council **considered** a Note by the Director-General containing a summary of the nominations received (EC-94/DG.9, dated 15 June 2020), and **requested** the Director-General to forward it to the Conference at its Twenty-Fifth Session for its consideration.

11.3 The following delegations made statements on this matter: India, the Russian Federation, Turkey (observer), the United Kingdom of Great Britain and Northern Ireland, France, Mexico, China, Bangladesh, Bulgaria, and Germany.

12. AGENDA ITEM TWELVE – The OPCW Programme for Africa

12.1 The Council **considered** and **noted** a Note by the Director-General on the Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention (EC-95/DG.11 C-25/DG.9, dated 10 September 2020).

12.2 The delegation of Kenya provided a statement under this agenda item on behalf of the African Group.

13. AGENDA ITEM THIRTEEN – Draft report of the Executive Council on the performance of its activities

The Council **considered** and **approved** a report on the performance of its activities in the period from 13 July 2019 to 12 July 2020 (EC-95/3 C-25/2, dated 7 October 2020), and **submitted** it to the Conference for consideration at its Twenty-Fifth Session.

14. AGENDA ITEM FOURTEEN – 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 **considered** and **noted** the updated Matrix (EC-95/S/6, dated 29 September 2020).

15. AGENDA ITEM FIFTEEN – Report of the Committee on Relations with the Host Country

The Chairperson reported to the Council on the status of the work of the Committee on Relations with the Host Country.

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).

16.2 Subsequently, revisions to the above draft decision were submitted, the latest of which was issued under the symbol of EC-92/DEC/CRP.9/Rev.4 (dated 5 October 2020), entitled “Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes”, co-sponsored by Albania, Australia, Austria, Bulgaria, Canada, Colombia, Croatia, Cyprus, the Czech Republic, Estonia, Finland, Greece, Japan, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, the Republic of Korea, Romania, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, and the United States of America, with an explanatory memorandum to it (EC-95/NAT.2, dated 29 September 2020). The delegation of the United States of America informed the Secretariat by diplomatic note that the United Arab Emirates and the Philippines co-sponsored the draft decision.

16.3 In accordance with Rule 34 of the Rules of Procedure of the Council, the Secretariat circulated a revised report by the Director-General on the financial, administrative, and Programme and Budget implications of the proposal (EC-93/DG.2/Rev.1, dated 5 October 2020).

16.4 The Russian Federation submitted a national paper on the matter (EC-93/NAT.6, dated 6 March 2020).

- 16.5 China, the Islamic Republic of Iran, and the Syrian Arab Republic submitted a working paper entitled “Technical Ambiguity and Legal Uncertainty on the Proposed Draft Decision Entitled “Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes”” (EC-95/WP.1, dated 2 October 2020).
- 16.6 The following delegations made statements: the United States of America, the Islamic Republic of Iran, the Russian Federation, Australia, and India.
- 16.7 The Council **decided** to defer the matter for future consideration.
- 16.8 The delegation of Germany made a statement about an initiative taken together with States Parties on how to support the Secretariat in its endeavour to guarantee the continuation of day-to-day business of the Organisation under any possible conditions or emergency circumstances.
- 16.9 The following delegations made statements: the Russian Federation, Mexico, the Islamic Republic of Iran, the United States of America, the United Kingdom of Great Britain and Northern Ireland, and China.
- 16.10 The United States of America announced that it was planning a Council visit to the Blue Grass Chemical Agent-Destruction Pilot Plant (BGCAPP), COVID-19 restrictions permitting, to take place from 22 to 26 March 2021. Invitation letters were transmitted to the Council Chairperson and the Director-General.
- 16.11 The delegation of the Russian Federation informed the Council about a letter of 8 October sent to the Director-General concerning the situation as mentioned in paragraphs 6.31 to 6.34 above (EC-95/NAT.6, dated 8 October 2020).

17. AGENDA ITEM SEVENTEEN – Adoption of the report

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

18. AGENDA ITEM EIGHTEEN – Closure

The Chairperson closed the session at 12:01 on 9 October 2020.

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