



### REPORT OF THE NINETY-SIXTH 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-Sixth Session in The Hague at 10:19 on 9 March 2021. 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

2.1 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) Addressing the threat from chemical weapons use



- (g) Technical Secretariat's activities: update on the OPCW Fact-Finding Mission in Syria
  - (h) Timely submission of declarations under Article VI of the Convention
  - (i) Implementation by the Technical Secretariat in 2020 of the regime governing the handling of confidential information
  - (j) Status of implementation of the Verification Information System
7. OPCW Central Analytical Database
  8. Scientific Advisory Board
  9. Countering chemical terrorism
  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) Status of implementation of the External Auditor's recommendations
    - (d) Report on the status of implementation of the enterprise resource planning system
    - (e) Adjustment to the Director-General's gross salary
  11. Follow-up process to the Third Review Conference<sup>1</sup>
  12. Election of the Chairperson and the Vice-Chairpersons of the Executive Council
  13. Report by the Committee on Relations with the Host Country
  14. Any other business
  15. Adoption of the report
  16. Closure
- 2.2 The Russian Federation requested the inclusion of an additional subitem entitled "Consideration of the draft decision of the Conference of the States Parties 'Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic' " on the provisional agenda for the Ninety-Sixth Session of the Council and provided an oral explanation setting out its view that this matter should be considered separately from other items pertaining to the threat from chemical weapons use.

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<sup>1</sup> Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.

- 2.3 The following delegations made statements: the Russian Federation, France, and the United States of America.
- 2.4 Since consensus could not be achieved on the proposal for the revision of the Council's agenda to include the additional subitem, the proposal was voted on by the Council pursuant to Rules 21 and 42(b) of its Rules of Procedure. The vote led to the following results: five in favour (China, Iran (Islamic Republic of), Kenya, Pakistan, and the Russian Federation); 18 against (Australia, Austria, Belgium, Bulgaria, Chile, France, Germany, Guatemala, Italy, Japan, Lithuania, Norway, Poland, the Republic of Korea, Romania, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America); and 17 abstentions (Algeria, Argentina, Bangladesh, Brazil, El Salvador, Ghana, India, Mexico, Morocco, Nigeria, Peru, the Philippines, Saudi Arabia, Senegal, South Africa, the Sudan, and the United Arab Emirates). In light of that result, the proposal was not adopted.
- 2.5 The delegation of Mexico explained its vote.

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

The Council **noted** the opening statement by the Director-General (EC-96/DG.18, dated 9 March 2021).

### 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 facilitator for the Office of Internal Oversight and External Auditor reports, Mr Arata Mizukami of Japan, and **welcomed** the appointment of the new facilitator for the Office of Internal Oversight and External Auditor reports, Mr Nathaniel Haft of the United States of America, and the new co-facilitator for the full implementation of Article XI, Ms Fadhilah Halimatus Shifa Kusumaningrum of Malaysia.

## 5. AGENDA ITEM FIVE – General debate

- 5.1 The following delegations made statements under this agenda item: Azerbaijan (on behalf of the Non-Aligned Movement and China), Kenya (on behalf of the African Group), Portugal (on behalf of the European Union), Argentina, Australia, Bangladesh, Brazil, Canada (observer), Chile, China, Cuba (observer), Denmark (observer), El Salvador, Finland (observer), France, Germany, Guatemala, India, Iran (Islamic Republic of), Ireland (observer), Italy, Japan, Lithuania, Mexico, Morocco, New Zealand (observer), Nigeria, Norway, Pakistan, Peru, the Philippines, Poland, the Republic of Korea, Romania, the Russian Federation, Saudi Arabia, Slovakia (observer), Slovenia (observer), South Africa, Spain, Sweden (observer), Switzerland (observer), the Syrian Arab Republic (observer), the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the Bolivarian Republic of Venezuela (observer).
- 5.2 The Council **observed** a minute's silence in memory of Ambassador Xu Hong, the former Permanent Representative of the People's Republic of China to the OPCW.

## 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-96/DG.15, dated 5 March 2021).
- 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-96/DG.16, dated 8 March 2021).

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

- 6.3 The Technical Secretariat (hereinafter "the Secretariat") provided an update to the Council on its destruction-related verification activities (the presentations were posted on the external server of the OPCW).
- 6.4 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).
- 6.5 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.

- 6.6 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-96/NAT.2, dated 19 February 2021), 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.
- 6.7 The following delegations made statements: the Islamic Republic of Iran and the United States of America.
- 6.8 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-96/NAT.4, dated 26 February 2021) and a national paper by Japan (EC-96/NAT.5, dated 5 March 2021) 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.
- 6.9 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.
- 6.10 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.
- 6.11 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.

- 6.12 The Council **took note** of the impact of the COVID-19 pandemic on the overall progress of the destruction of chemical weapons abandoned by Japan on the territory of China.
- 6.13 The Council **noted** a voluntary presentation by Italy on the destruction of its old chemical weapons pursuant to Council decision EC-67/DEC.8 (dated 17 February 2012) (the presentation was posted on the external server of the OPCW).

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

- 6.14 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.
- 6.15 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).
- 6.16 The Council **noted** five reports by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-96/DG.2, dated 26 October 2020; EC-96/DG.3, dated 24 November 2020; EC-96/DG.4, dated 24 December 2020; EC-96/DG.6, dated 25 January 2021; and EC-96/DG.13, dated 24 February 2021).
- 6.17 The Council **noted** five national papers by the Syrian Arab Republic on the activities related to the destruction of Syrian chemical weapons and their production facilities (EC-96/P/NAT.1, dated 15 October 2020; EC-96/P/NAT.2, dated 18 November 2020; EC-96/P/NAT.3, dated 18 December 2020; EC-96/P/NAT.4, dated 19 January 2021; and EC-96/P/NAT.5, dated 15 February 2021).
- 6.18 The Council **noted** a Note by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (EC-96/HP/DG.1, dated 5 March 2021).
- 6.19 The following delegations made statements: the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, France, the Syrian Arab Republic (observer), the Islamic Republic of Iran, Australia, the United States of America, Kenya, and Belgium.
- 6.20 Following the aforementioned statements, the Director-General made a statement (EC-96/DG.17, dated 9 March 2021).

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

- 6.21 The Secretariat updated the Council on its other verification-related activities (the presentation was posted on the external server of the OPCW).

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

- 6.22 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).
- 6.23 The following delegations made statements: the Islamic Republic of Iran and the United States of America.
- 6.24 Further to its consideration of this issue at its previous session, the Council **considered** and **approved** the amendments to the aforementioned facility agreement with the United States of America (EC-96/DEC.5, dated 10 March 2021).
- 6.25 Further to its consideration of this issue at its previous session, the Council **considered** and **approved** the revised 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-96/DEC.6, dated 10 March 2021).
- 6.26 The Council **considered** and **approved** a facility agreement with the Government of India regarding on-site inspections at a Schedule 1 single small-scale facility located at CDEF, Defence Research and Development Organisation, Borkhedi Camp, Wardha Road, Nagpur, Maharashtra, India (EC-96/DEC.4 and EC-96/HP/DEC.1, both dated 9 March 2021).

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

- 6.27 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-96/DG.14, dated 25 February 2021).
- 6.28 The Council **noted** a report by the Director-General on the implementation of its decision “Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic” (EC-94/DEC.2, dated 9 July 2020) (EC-96/DG.1, dated 14 October 2020).
- 6.29 The following delegations made statements: the Syrian Arab Republic (observer), China, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, France, Bulgaria, Germany, the United States of America, the Islamic Republic of Iran, Belgium, and Spain.
- 6.30 The delegation of Lithuania presented a joint statement under this agenda item on behalf of Australia, Austria, Belgium, Bulgaria, France, Germany, Italy, Japan, Lithuania, Norway, Poland, the Republic of Korea, Romania, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.
- 6.31 The following delegations made statements: Australia (in its national capacity and subsequently on behalf of Canada and New Zealand), Germany, China, the Syrian Arab Republic (observer), the Islamic Republic of Iran, the Russian Federation, the United States of America, and the United Kingdom of Great Britain and Northern Ireland.

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

- 6.32 A Note by the Secretariat on a summary update of the activities carried out by the OPCW Fact-Finding Mission in Syria was circulated to States Parties (S/1922/2020, dated 21 December 2020).
- 6.33 The following delegations made statements: the Syrian Arab Republic (observer) and the Russian Federation.

**Subitem 6(h): Timely submission of declarations under Article VI of the Convention**

- 6.34 Further to a decision by the Council at its Fifty-First Session (EC-51/DEC.1, dated 27 November 2007), the Council **noted** a status report by the Director-General on the timely submission by States Parties of declarations under Article VI of the Convention for the period from 1 January to 31 December 2020 (EC-96/DG.5\*, dated 21 January 2021).

**Subitem 6(i): Implementation by the Technical Secretariat in 2020 of the regime governing the handling of confidential information**

- 6.35 The Council **considered** and **noted** a report by the Director-General on the implementation of the regime governing the handling of confidential information by the Secretariat in 2020 (EC-96/DG.12 C-26/DG.1, dated 19 February 2021).

**Subitem 6(j): Status of implementation of the Verification Information System**

- 6.36 The Council **noted** a status report on the Verification Information System (EC-96/S/5, dated 18 February 2021).

**7. AGENDA ITEM SEVEN – OPCW Central Analytical Database**

- 7.1 The Council **considered** a Note by the Director-General on lists of newly validated data on scheduled chemicals for approval by the Council for inclusion in the OPCW Central Analytical Database (OCAD) (EC-96/DG.7, dated 28 January 2021) and **adopted** a decision on the matter (EC-96/DEC.1, dated 9 March 2021).
- 7.2 The Council **considered** a Note by the Director-General on lists of newly validated data on non-scheduled chemicals relevant to the Convention for approval by the Council for inclusion in the OCAD (EC-96/DG.8, dated 28 January 2021) and **adopted** a decision on the matter (EC-96/DEC.2, dated 9 March 2021).

**8. AGENDA ITEM EIGHT – Scientific Advisory Board**

- 8.1 The report of the Thirtieth Session of the Scientific Advisory Board (SAB) (SAB-30/1, dated 12 November 2020) was circulated to the members of the Council.
- 8.2 The Council **noted** the response by the Director-General to the report of the Thirtieth Session of the SAB (EC-96/DG.9, dated 10 February 2021).



**9. AGENDA ITEM NINE – Countering chemical terrorism**

- 9.1 The Council **considered** and **noted** a Note by the Director-General on the status of the OPCW's contribution to global anti-terrorism efforts (EC-96/DG.10, dated 18 February 2021).
- 9.2 The Chairperson of the Open-Ended Working Group (OEWG) on Terrorism, Ambassador Vusimuzi Philemon Madonsela of South Africa, briefed the Council on the work of the OEWG during the intersessional period.
- 9.3 The delegation of the Islamic Republic of Iran made a statement under this agenda item.

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

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

- 10.1 The Council **noted** a Note by the Secretariat on a nomination for membership of the Advisory Body on Administrative and Financial Matters (ABAF) (EC-96/S/2, dated 8 February 2021), and **appointed** Mr Bahram Jamali of the Islamic Republic of Iran to replace Mr Seyed Mehdi Hosseini Esfidvajani, for a term with the ABAF starting on 9 March 2021.
- 10.2 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-96/S/3, dated 8 February 2021), and **appointed** Ms Qian Wang of China for a second term with the ABAF, starting on 25 May 2021.
- 10.3 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-96/S/6, dated 3 March 2021), and **appointed** Mr Milan Kerber of the Czech Republic for a fifth term with the ABAF, starting on 29 May 2021.

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

- 10.4 A draft decision entitled "OPCW Advisory Body on Administrative and Financial Matters – Rules of Procedure", co-sponsored 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 (EC-92/DEC/CRP.1/Rev.1, dated 4 October 2019), was submitted to the Council for consideration and adoption.
- 10.5 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).
- 10.6 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.2, dated 10 October 2019).
- 10.7 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).

10.8 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.3, dated 1 October 2020).

10.9 The following delegations made statements: the United States of America, the Russian Federation, and Belgium.

10.10 The Council **decided** to defer the matter until its next regular session.

**Subitem 10(c): Status of implementation of the External Auditor's recommendations**

10.11 The Council **considered** and **noted** a report on the status of implementation of the recommendations of the External Auditor (EC-96/S/1, dated 28 January 2021).

10.12 The facilitator for this issue, Mr Nathaniel Haft of the United States of America, reported on the consultations carried out during the intersessional period (the report was posted on the external server of the OPCW).

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

10.13 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-96/DG.11, dated 18 February 2021).

**Subitem 10(e): Adjustment to the Director-General's gross salary**

10.14 In accordance with a decision of the Conference at its First Special Session (C-SS-1/DEC.4, dated 25 July 2002) stipulating that the terms of appointment of the Director-General shall be subject to adjustments by the Council to keep the terms in line with those of other executive heads within the United Nations system, the Council **adopted** a decision adjusting the Director-General's gross salary (EC-96/DEC.3, dated 9 March 2021).

**11. AGENDA ITEM ELEVEN – 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-96/S/4, dated 18 February 2021).

**12. AGENDA ITEM TWELVE – Election of the Chairperson and the Vice-Chairpersons of the Executive Council**

12.1 In accordance with Rule 6 of its Rules of Procedure, and with effect from 12 May 2021, the Council is required to elect its new Chairperson for a term of office ending on 11 May 2022, and its new Vice-Chairpersons for the same period. The Chairperson and four Vice-Chairpersons shall be elected from among the representatives accredited to the Council.

12.2 The Council **decided** to defer the election of its Chairperson and the Vice-Chairpersons to a meeting of the Council to be held during Part II of the Twenty-Fifth Session of the Conference after the election of the new members of the Council by the Conference and before the expiry of the terms of office of the current officers of the Council on 11 May 2021.

**13. AGENDA ITEM THIRTEEN – Report by 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.

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

14.1 The draft decision entitled “Understanding Regarding the Aerosolized Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes” was issued under the symbol of EC-92/DEC/CRP.9/Rev.2 (dated 9 March 2020).

14.2 Subsequently, revisions to the above draft decision were submitted. The Council considered, at its Ninety-Fifth Session, a revision to the draft decision, 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”. An explanatory memorandum to this draft decision was also circulated (EC-95/NAT.2, dated 29 September 2020).

14.3 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).

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

14.5 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).

14.6 The United States of America submitted a working paper entitled “Working Paper on the Draft Decision ‘Understanding Regarding the Aerosolized Use of Central Nervous System-Acting Chemicals (CNSAC) for Law Enforcement Purposes’ (EC-92/DEC/CRP.9/Rev.4 dated 5 October 2020)” (EC-96/WP.1, dated 10 February 2021).

14.7 The Russian Federation submitted a national document entitled “Questions and Answers Regarding the Proposal to Prohibit the Aerosolized Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes” (EC-96/NAT.6, dated 5 March 2021).

- 14.8 Subsequently, a revision to the above-mentioned draft decision was issued under the symbol of EC-92/DEC/CRP.9/Rev.5 (dated 3 March 2021).
- 14.9 A further revision to the above-mentioned draft decision 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, Ireland, Japan, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, the Philippines, Poland, the Republic of Korea, Romania, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Arab Emirates, and the United States of America, was issued under the symbol of EC-92/DEC/CRP.9/Rev.6\* (dated 9 March 2021).
- 14.10 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.2, dated 9 March 2021).
- 14.11 The following delegations made statements: Switzerland (observer), the United States of America, Australia, the Russian Federation, China, Spain, Japan, Pakistan, the Islamic Republic of Iran, Bulgaria, Norway, the Republic of Korea, Austria, and Bangladesh.
- 14.12 Under Rule 29(d) of the Rules of Procedure of the Council, the Russian Federation introduced a motion to postpone a decision on the substance of EC-92/DEC/CRP.9/Rev.6\* until the next regular session of the Council. Under Rules 29(d), 40, and 42(b), the motion was voted on as a matter of substance. The vote led to the following results: five in favour (China, India, Iran (Islamic Republic of), Pakistan, and the Russian Federation); 27 against (Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Chile, El Salvador, France, Germany, Ghana, Guatemala, Italy, Japan, Lithuania, Mexico, Morocco, Norway, Peru, Poland, the Republic of Korea, Romania, Saudi Arabia, Spain, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America); and nine abstentions (Algeria, Bangladesh, Cameroon, Kenya, Nigeria, the Philippines, Senegal, South Africa, and the Sudan). In light of that result, the motion was not adopted.
- 14.13 The following delegations made a statement: the Russian Federation, the Islamic Republic of Iran, and the United States of America.
- 14.14 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: 28 in favour (Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Chile, El Salvador, France, Germany, Ghana, Guatemala, Italy, Japan, Lithuania, Mexico, Morocco, Norway, Peru, Poland, the Republic of Korea, Romania, Saudi Arabia, Senegal, Spain, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the United States of America); three against (China, Iran (Islamic Republic of), and the Russian Federation); and 10 abstentions (Algeria, Bangladesh, Cameroon, India, Kenya, Nigeria, Pakistan, the Philippines, South Africa, 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-Sixth Session (EC-96/DEC.7, dated 11 March 2021).

- 14.15 The following delegations made a statement explaining their vote: China, Saudi Arabia, Pakistan, Algeria, Belgium, the Islamic Republic of Iran, France, the United Kingdom of Great Britain and Northern Ireland, the Russian Federation, Chile, and South Africa.
- 14.16 Germany submitted a working paper entitled “Proposal for an Executive Council Decision to Allow for Convening Executive Council Meetings or Sessions in Emergency Circumstances” (EC-96/WP.2, dated 26 February 2021) and made a statement on the proposal.
- 14.17 The Russian Federation made a statement on the matter.
- 14.18 The United States of America informed the Council of the considerations given to the further postponement of the visit of the Council to the Blue Grass Chemical Agent-Destruction Pilot Plant to 2022 due to the COVID-19 pandemic.

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

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

**16. AGENDA ITEM SIXTEEN – Closure**

The Chairperson closed the session at 11:00 on 12 March 2021.

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