



Ninety-Sixth Session  
9 – 12 March 2021

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### **ANNOTATED PROVISIONAL AGENDA FOR THE NINETY-SIXTH SESSION OF THE EXECUTIVE COUNCIL 9 – 12 MARCH 2021**

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-Sixth 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-Sixth 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 9 March 2021.

#### **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-96/1/Rev.1 (dated 10 February 2021).

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

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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-Sixth Session of the Executive Council, or prejudice the outcome of its deliberations.

- (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>2</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

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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.

**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**

4.1 The Vice-Chairpersons and coordinators for clusters of issues are expected to 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.

4.2 The co-facilitators on organisational governance issues, Ambassador Matthew Neuhaus of Australia and Ambassador Laura Dupuy of Uruguay, are expected to report to the Council on consultations held during the intersessional period.

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

With respect to the general debate, delegations are encouraged to refer to paragraphs 10.1 and 10.2 of the “Guidelines for the Delegates” circulated to States Parties under cover of a joint letter signed by the Chairperson of the Council and the Director-General on 26 February 2021.

**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 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-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 is **requested** to consider and note 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 Secretariat is expected to provide an update to the Council on its destruction-related verification activities (the presentations have been posted on the external server of the OPCW).

- 6.4 The States Parties concerned are expected to provide an update to the Council on their destruction-related activities (presentations by the United States of America and Japan have been posted on the external server of the OPCW).
- 6.5 The Council is **requested** to note 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 has been posted on the external server of the OPCW).
- 6.6 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 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. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-96/NAT.2, dated 19 February 2021).
- 6.7 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 have been circulated to the members of the Council.

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

- 6.8 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.
- 6.9 The Council is **requested** to note 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).
- 6.10 The Council is **requested** to note 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).
- 6.11 The Council is **requested** to note 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).

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

- 6.12 The Secretariat is expected to provide an update to the Council on its other verification-related activities (the presentation has been posted on the external server of the OPCW).

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

- 6.13 The Secretariat has 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).
- 6.14 Further to its consideration of this issue at its previous session, the Council is **requested** to consider and approve the amendments to the aforementioned facility agreement with the United States of America (EC-95/DEC/CRP.3, dated 22 September 2020).
- 6.15 Further to its consideration of this issue at its previous session, the Council is also **requested** to consider and approve 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-95/DEC/CRP.2/Rev.1, dated 16 November 2020).
- 6.16 The Council is **requested** to consider and approve 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/CRP.4 and EC-96/HP/DEC/CRP.1, both dated 5 March 2021).

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

- 6.17 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-96/DG.14, dated 25 February 2021).
- 6.18 The Council is **requested** to note 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).

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

- 6.19 A Note by the Secretariat on a summary update of the activities carried out by the OPCW Fact-Finding Mission in Syria has been circulated to States Parties (S/1922/2020, dated 21 December 2020).

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

6.20 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 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**

6.21 The Council is **requested** to consider and note 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**

6.22 The Council is **requested** to take note of 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 is **requested** to consider 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 to adopt a draft decision on the matter (EC-96/DEC/CRP.2, dated 28 January 2021).

7.2 The Council is also **requested** to consider 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 to adopt a draft decision on the matter (EC-96/DEC/CRP.3, dated 28 January 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) has been circulated to the members of the Council.

8.2 The Council is **requested** to note 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 is **requested** to consider and note 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, is expected to brief the Council on the work of the OEWG during the intersessional period.

**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 is **requested** to note 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 to appoint Mr Bahram Jamali of the Islamic Republic of Iran to replace Mr Seyed Mehdi Hosseini Esfidvajani, as of the date of Mr Jamali’s appointment by the Council.
- 10.2 The Council is **requested** to note a Note by the Secretariat on a nomination for membership of the ABAF (EC-96/S/3, dated 8 February 2021), and to appoint Ms Qian Wang of China for a second term with the ABAF, starting on 25 May 2021.
- 10.3 The Council is **requested** to note a Note by the Secretariat on a nomination for membership of the ABAF (EC-96/S/6, dated 3 March 2021), and to appoint 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 Further to its consideration of this issue at its previous sessions, the Council is **requested** to take appropriate action on the matter.

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

- 10.10 The Council is **requested** to consider and note a report on the status of implementation of the recommendations of the External Auditor (EC-96/S/1, dated 28 January 2021).
- 10.11 The facilitator for this issue, Mr Nathaniel Haft of the United States of America, is expected to report on the consultations carried out during the intersessional period (the report has been posted on the external server of the OPCW).

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

- 10.12 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-96/DG.11, dated 18 February 2021).

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

- 10.13 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 is **requested** to adopt a draft decision adjusting the Director-General's gross salary (EC-96/DEC/CRP.1, dated 21 January 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 is **requested** to consider and note 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**

In accordance with Rule 6 of its Rules of Procedure, and with effect from 12 May 2021, the Council is **requested** 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.

**13. AGENDA ITEM THIRTEEN – Report by the Committee on Relations with the Host Country**

The Chairperson is expected to report 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”, 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).
- 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”, 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. An explanatory memorandum to this draft decision was also circulated (EC-95/NAT.2, dated 29 September 2020). The delegation of the United States of America informed the Secretariat by note verbale that the United Arab Emirates and the Philippines co-sponsored this draft decision.
- 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 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), 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, New Zealand, Norway, the Philippines, Poland, the Republic of Korea, Romania, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Arab Emirates, and the United States of America.

- 14.8 Further to its consideration of this issue at its previous sessions, the Council is **requested** to take appropriate action on the matter.
- 14.9 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).
15. **AGENDA ITEM FIFTEEN – Adoption of the report**
16. **AGENDA ITEM SIXTEEN – Closure**

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