



Ninety-Seventh Session  
6 – 9 July 2021

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### ANNOTATED PROVISIONAL AGENDA FOR THE NINETY-SEVENTH SESSION OF THE EXECUTIVE COUNCIL 6 – 9 JULY 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-Seventh 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-Seventh Session of the Council will be opened in The Hague by the Chairperson of the Council, Ambassador Abdelouahab Bellouki of Morocco, at 10:00 on 6 July 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-97/1/Rev.1 (dated 18 June 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 Chemical Weapons 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-Seventh 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) Timely submission of declarations under Article VI
  - (h) Article VII: briefings by the facilitator and by the Technical Secretariat
  - (i) The content of the Protection and Assistance Databank and its use
  - (j) Article X: briefings by the facilitator and by the Technical Secretariat
  - (k) Article XI: briefings by the facilitator and by the Technical Secretariat
  - (l) Report by the Director-General on the Technical Secretariat's readiness to conduct a challenge inspection or an investigation of alleged use
7. Scientific Advisory Board
8. Countering chemical terrorism
9. Draft annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2020
10. Reports of the Office of Internal Oversight:
- (a) Implementation in 2020 of the recommendations contained in the 2019 Annual Report of the Office of Internal Oversight
  - (b) Annual Report of the Office of Internal Oversight for the period from 1 January to 31 December 2020
11. 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) Transfers of funds during 2020
  - (e) Report on the status of implementation of the enterprise resource planning system
  - (f) Composition of the Technical Secretariat
  - (g) Implementation of the tenure policy

12. Establishment of a working group to develop a proposal on the manner of appointment of future External Auditors of the OPCW by the Conference of the States Parties pursuant to C-25/DEC.10 (dated 21 April 2021)
13. Follow-up process to the Third Review Conference<sup>2</sup>
14. Credentials of representatives of the members of the Executive Council
15. Provisional agenda for the Twenty-Sixth Session of the Conference of the States Parties
16. Dates for the regular sessions of the Executive Council in 2022
17. Any other business
18. Adoption of the report
19. Closure

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

The Council is **requested** to note the opening statement by the Director-General (this document will be assigned an official reference number when it is made available to delegations).

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

- 4.1 The Vice-Chairpersons and coordinators for clusters of issues will report to the Council on informal consultations held during the intersessional period: Ambassador Gudrun Lingner of Germany on chemical weapons issues; Ambassador Vidmantas Purlys of Lithuania on chemical industry and other Article VI issues; Ambassador Andrés Terán Parral of Ecuador 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 11.1 and 11.2 of the “Guidelines for the Delegates” circulated to the members of the Council under cover of a joint letter signed by the Chairperson of the Council and the Director-General on 21 June 2021.

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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.

**6. AGENDA ITEM SIX – Status of implementation of the Chemical Weapons Convention**

**Subitem 6(a): Reports by the Director-General on destruction-related issues**

6.1 Further to a decision by the Conference of the States Parties (hereinafter “the Conference”) at its Sixteenth Session (C-16/DEC.11, dated 1 December 2011), the Council is **requested** to consider and note a report by the Director-General on the overall progress with respect to the destruction of the remaining chemical weapons stockpiles (EC-97/DG.18, dated 30 June 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 in the destruction of abandoned chemical weapons (EC-97/DG.17, dated 30 June 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 brief the Council on their destruction-related activities (a presentation by Japan has been posted on the external server of the OPCW).

6.5 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council is **requested** to consider and note a national paper by the United States of America on the progress achieved towards complete destruction of its chemical weapons stockpile, including information on measures to accelerate such progress, and identifying progress made since the last briefing in order to meet the planned completion date. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-97/NAT.4, dated 29 June 2021).

6.6 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6) and the destruction plan beyond the year 2016 for the chemical weapons abandoned by Japan in China (EC-84/NAT.6, dated 2 March 2017), attached as Annex 2 to Council decision EC-67/DEC.6 and adopted by the Council at its Eighty-Fourth Session (paragraph 6.14 of EC-84/2, dated 9 March 2017), a national paper by China (EC-97/NAT.2, dated 16 June 2021) and a national paper by Japan (EC-97/NAT.3, dated 16 June 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.

6.7 The Council is **requested** to consider and note the information provided by the delegation of the Netherlands on its destruction-related verification activities (EC-97/NAT.1, dated 24 June 2021).

**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 Secretariat provided a briefing to the States Parties on 30 June 2021 on its activities related to the Syrian Arab Republic, including a presentation by the Declaration Assessment Team.
- 6.10 The Council is **requested** to note reports by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-97/DG.2, dated 24 March 2021; EC-97/DG.3, dated 23 April 2021; EC-97/DG.7, dated 25 May 2021; and EC-97/DG.15, dated 24 June 2021).
- 6.11 The Council is **requested** to note the national papers by the Syrian Arab Republic on the activities related to the destruction of Syrian chemical weapons and their production facilities (EC-97/P/NAT.1, dated 12 March 2021; EC-97/P/NAT.2, dated 15 April 2021; EC-97/P/NAT.3, dated 18 May 2021; and EC-97/P/NAT.4, dated 15 June 2021).
- 6.12 The Council is **requested** to note a Note by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (EC-97/HP/DG.1, dated 30 June 2021).

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

- 6.13 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).
- 6.14 Further to the decision of the Council at its Sixty-Sixth Session on the policy guidelines for determining the number of Article VI inspections (EC-66/DEC.10, dated 7 October 2011), the Council is **requested** to note a Note by the Director-General on the results of the ninth year of implementation of these policy guidelines (EC-97/DG.1, dated 23 March 2021).

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

- 6.15 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 Blue Grass Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-97/S/1, dated 8 June 2021).
- 6.16 The Council is **requested** to consider and approve amendments to the agreed detailed plan for verification of the destruction of chemical weapons at the Blue Grass Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-97/DEC/CRP.2, dated 8 June 2021).

6.17 The Council is **requested** to consider and approve amendments to the facility agreement with the United States of America regarding on-site inspections at the Blue Grass Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-97/DEC/CRP.3, dated 8 June 2021).

6.18 The Council is **requested** to consider and approve a facility agreement between the OPCW and Austria regarding on-site inspections at the Schedule 1 other facility for protective purposes located at 2444 Seibersdorf, Forschungszentrum, Austria (EC-97/DEC/CRP.1, dated 10 June 2021).

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

6.19 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-97/DG.13, dated 22 June 2021).

6.20 The Secretariat circulated a Note entitled “Second Report by the OPCW Investigation and Identification Team Pursuant to Paragraph 10 of Decision C-SS-4/DEC.3 ‘Addressing the Threat from Chemical Weapons Use’ Saraqib (Syrian Arab Republic) – 4 February 2018” (S/1943/2021, dated 12 April 2021), which has been provided to the Council and the United Nations Secretary-General for their consideration.

6.21 The Secretariat provided a briefing to the States Parties on 30 June 2021 on its activities related to the Syrian Arab Republic, including a presentation by both the OPCW Fact-Finding Mission in Syria and the Investigation and Identification Team.

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

6.22 Further to a decision by the Council at its Fifty-First Session (EC-51/DEC.1, dated 27 November 2007), the Council is **requested** to note a status report by the Director-General on the timely submission by States Parties of declarations under Article VI of the Chemical Weapons Convention (hereinafter “the Convention”) for the period from 1 January to 31 May 2021 (EC-97/DG.11, dated 15 June 2021).

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

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

**Subitem 6(i): The content of the Protection and Assistance Databank and its use**

6.24 The Council is **requested** to consider and note a Note by the Secretariat on the content of the Protection and Assistance Databank and its use (EC-97/S/2, dated 15 June 2021).

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

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

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

- 6.26 The Secretariat has circulated a presentation on the programme of activities for 2021 in relation to Article XI.

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

- 6.27 The Council is **requested** to consider and note a Note by the Director-General reporting on the readiness of the Secretariat to conduct a challenge inspection or an investigation of alleged use (EC-97/DG.14, dated 24 June 2021).

**7. AGENDA ITEM SEVEN – Scientific Advisory Board**

- 7.1 The report of the Thirty-First Session of the Scientific Advisory Board (SAB) (SAB-31/1, dated 4 March 2021) has been circulated to the members of the Council.

- 7.2 The Council is **requested** to note the response by the Director-General to the report of the Thirty-First Session of the SAB (EC-97/DG.5, dated 18 May 2021).

**8. AGENDA ITEM EIGHT – Countering chemical terrorism**

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.

**9. AGENDA ITEM NINE – Draft annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2020**

The Council is **requested** to consider the “Draft Report of the OPCW on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in 2020” (EC-97/CRP.1, dated 17 May 2021), and to submit it to the Conference for consideration at its Twenty-Sixth Session.

**10. AGENDA ITEM TEN – Reports of the Office of Internal Oversight**

**Subitem 10(a): Implementation in 2020 of the recommendations contained in the 2019 Annual Report of the Office of Internal Oversight**

- 10.1 The Council is **requested** to consider and note a Note by the Director-General on the implementation in 2020 of the recommendations contained in the 2019 annual report of the Office of Internal Oversight (OIO) (EC-97/DG.4, dated 14 May 2021).

**Subitem 10(b): Annual report of the Office of Internal Oversight for the period from 1 January to 31 December 2020**

- 10.2 The Council is **requested** to consider and note the annual report of the OIO for the period from 1 January to 31 December 2020 (EC-97/DG.6 C-26/DG.2, dated 17 May 2021), which the Director-General has submitted to it, along with his

comments. The Council is also **requested** to make any comments it deems appropriate on the report. In accordance with Financial Regulation 12.5, the Director-General will transmit the report to the Conference at its Twenty-Sixth Session, together with his own comments and any that the Council may deem appropriate.

## **11. AGENDA ITEM ELEVEN – Administrative and financial matters**

### **Subitem 11(a): Nominations for membership of the Advisory Body on Administrative and Financial Matters**

11.1 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-97/S/4\*, dated 24 June 2021), and to appoint Mr Anton Minaev of the Russian Federation for a first term with the ABAF, as of the date of Mr Minaev's appointment by the Council.

### **Subitem 11(b): Rules of Procedure of the Advisory Body on Administrative and Financial Matters**

11.2 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.

11.3 Following the circulation of EC-92/DEC/CRP.1/Rev.1, the delegation of the Russian Federation submitted amendments to that draft decision (EC-92/DEC/CRP.6, dated 4 October 2019).

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

11.5 The delegation of the Russian Federation withdrew its proposal through a note verbale dated 25 February 2020 and submitted new amendments on the matter (EC-93/DEC/CRP.2, dated 21 February 2020), together with an explanatory note to it (EC-93/NAT.3, dated 20 February 2020).

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

11.7 The Council at its previous session decided to defer the matter until its next regular session.

11.8 The Council is **requested** to take appropriate action on the matter.

### **Subitem 11(c): Report of the Advisory Body on Administrative and Financial Matters**

11.9 The Council is **requested** to consider and note the report of the Fiftieth Session of the ABAF, which took place from 1 to 4 June 2021 (ABAF-50/1, dated 4 June 2021), and a Note by the Director-General containing comments on the report of the ABAF at that session (this document will be assigned an official reference number when it is made available to delegations).



**Subitem 11(d): Transfers of funds during 2020**

- 11.10 The Council is **requested** to note a Note by the Director-General on transfers of funds during 2020 (EC-97/DG.12 C-26/DG.3, dated 22 June 2021).

**Subitem 11(e): Report on the status of implementation of the enterprise resource planning system**

- 11.11 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-97/DG.16, dated 29 June 2021).

**Subitem 11(f): Composition of the Technical Secretariat**

- 11.12 The Council is **requested** to note the Director-General's annual report on the composition of the Secretariat (EC-97/DG.9, dated 8 June 2021).

**Subitem 11(g): Implementation of the tenure policy**

- 11.13 The Council is **requested** to consider and note a report by the Director-General on the implementation of the tenure policy in 2020 (EC-97/DG.8, dated 8 June 2021).

**12. AGENDA ITEM TWELVE – Establishment of a working group to develop a proposal on the manner of appointment of future External Auditors of the OPCW by the Conference of the States Parties pursuant to C-25/DEC.10 (dated 21 April 2021)**

Further to a decision by the Conference at its Twenty-Fifth Session (C-25/DEC.10, dated 21 April 2021), the Council is **requested** to establish, as early as possible, a working group to develop a proposal for the manner in which the Conference shall appoint the External Auditor of the OPCW in the future. The working group may include representatives of the Council, assisted by staff of the Secretariat. To fulfil its mandate, the working group may also consider best practices from other international organisations and rely on the advice of the ABAF. The Conference further requested the Council to report to the Conference at its Twenty-Sixth Session on the results of its working group towards the development of the proposal. The Chairperson of the Council is expected to provide an update to the Council on the steps proposed to implement decision C-25/DEC.10.

**13. AGENDA ITEM THIRTEEN – 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 document (EC-97/S/3, dated 18 June 2021).

**14. AGENDA ITEM FOURTEEN – Credentials of representatives of the members of the Executive Council**

The Council is **requested** to consider and approve a report by the Director-General on the credentials of representatives of members of the Council, which covers the credentials of the newly elected members of the Council (EC-97/DG.19, dated 1 July 2021).

**15. AGENDA ITEM FIFTEEN – Provisional agenda for the Twenty-Sixth Session of the Conference of the States Parties**

The Council is **requested** to draw up the provisional agenda for the Twenty-Sixth Session of the Conference (EC-97/DG.10, dated 15 June 2021).

**16. AGENDA ITEM SIXTEEN – Dates for the regular sessions of the Executive Council in 2022**

The Council is **requested** to consider dates for its regular sessions in 2022.

**17. AGENDA ITEM SEVENTEEN – Any other business**

- 17.1 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-97/WP.1, dated 21 June 2021).

**Appointment of the Director-General**

- 17.2 A decision on the appointment of the Director-General will have to be adopted by the Conference at its Twenty-Sixth Session, upon the recommendation of the Council. The Chairperson of the Council is expected to provide an update to the Council on this matter.

**18. AGENDA ITEM EIGHTEEN – Adoption of the report**

**19. AGENDA ITEM NINETEEN – Closure**