



REPORT OF THE NINETY-EIGHTH SESSION OF THE EXECUTIVE COUNCIL

1. AGENDA ITEM ONE – Opening of the session

The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Abdelouahab Bellouki of Morocco, opened its Ninety-Eighth Session in The Hague at 10:00 on 5 October 2021.

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 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
 - (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 2020
 - (g) Addressing the threat from chemical weapons use
 - (h) Status of implementation of Article VII



- (i) Status of implementation of Article X
 - (j) Status of implementation of Article XI
 - (k) Status of implementation of the International Support Network for Victims of Chemical Weapons
 - (l) Progress made in the implementation of the action plan for the universality of the Chemical Weapons Convention
7. Scientific Advisory Board
 8. Countering chemical terrorism
 9. Education and outreach
 10. Administrative and financial matters:
 - (a) Rules of Procedure of the Advisory Body on Administrative and Financial Matters
 - (b) Report of the Advisory Body on Administrative and Financial Matters
 - (c) Financial Statements of the OPCW and the External Auditor's report for the year ending 31 December 2020
 - (d) Submission of the 2021 Financial Statements to the External Auditor
 - (e) Status of implementation of the recommendations of the External Auditor
 - (f) Recommendation for write-offs of irrecoverable accounts receivable and losses of assets
 - (g) Report on the status of implementation of the enterprise resource planning system
 - (h) Draft Programme and Budget of the OPCW for 2022–2023, and all items pertaining to this Budget, including relevant special funds and the cash deficit for 2019
 - (i) Extension of the special fund for OPCW special missions
 - (j) Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions
 - (k) Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2020 to 13 August 2021
 - (l) Rehiring of inspectors
 11. Update of the 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)

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. Appointment of the Director-General
17. Any other business
18. Adoption of the report
19. Closure

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

The Council **noted** the opening statement by the Director-General (EC-98/DG.30, dated 5 October 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 Gudrun Lingner of Germany on chemical weapons issues; Ambassador Vidmantas Purlys of Lithuania on chemical industry and other Article VI issues; a representative of the delegation of Ecuador (on behalf of Ambassador Andrés Terán Parral) 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 the mandate of Ambassador Matthew Neuhaus of Australia and Ambassador Laura Dupuy of Uruguay as the co-facilitators 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 facilitators, Mr Marcin Kawałowski of Poland, Mr Martin Pizinger of the Czech Republic, and Mr Junaid Sadiq of Pakistan and **welcomed** the appointment of Mr Jerzy Gierasimiuk of Poland as co-facilitator for the draft Programme and Budget of the OPCW; Ms Giedrė Geleževičienė of Lithuania as facilitator for assistance and protection against chemical weapons issues (Article X); and Ms Fadhilah Halimatus Shifa Kusumaningrum of Malaysia as the sole facilitator for the full implementation of Article XI.

¹ Review Conference = 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; Algeria (on behalf of the African Group), Slovenia (observer) (on behalf of the European Union), Azerbaijan (observer) (on behalf of the Non-Aligned Movement and China), Australia, Austria, Brazil, Canada (observer), Chile, China, Cuba (observer), the Czech Republic, Ecuador, El Salvador, Finland (observer), France, Germany, Guatemala, India, Iran (Islamic Republic of), Ireland (observer), Japan, Lithuania, Mexico, Morocco, New Zealand (observer), Nigeria, Norway, Pakistan, Peru, Poland, the Republic of Korea, the Russian Federation, Saudi Arabia, Senegal, Slovakia, South Africa, Spain, Sweden (observer), the United Kingdom of Great Britain and Northern Ireland, and the United States of America.
- 5.2 The delegations of the Russian Federation and the United Kingdom of Great Britain and Northern Ireland exercised their right of reply.

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 **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-98/DG.26, dated 29 September 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-98/DG.27, dated 29 September 2021).
- 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-98/DG.8, dated 31 August 2021).

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 presentations were 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/statements were posted on the external server of the OPCW).
- 6.6 The Council **noted** the statements and comments made and posted 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.

- 6.7 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 towards 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-98/NAT.4, dated 14 September 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.
- 6.8 The following delegations made statements: the Islamic Republic of Iran and the United States of America.
- 6.9 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-98/NAT.5, dated 14 September 2021) and a national paper by Japan (EC-98/NAT.3, dated 17 September 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.
- 6.10 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.
- 6.11 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.

- 6.12 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.
- 6.13 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 and the encouraging partial implementation of excavation and recovery operations and destruction operations.
- 6.14 The Council **considered** and **noted** the information provided by the delegation of Latvia on its destruction-related verification activities (EC-98/NAT.2, dated 13 September 2021).

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 Note by the Director-General 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 have 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 Secretariat provided a briefing to the States Parties on 30 September 2021 on its activities related to the Syrian Arab Republic, including on the activities of the Declaration Assessment Team, the Fact-Finding Mission, and the Investigation and Identification Team.
- 6.18 The Council **noted** three reports by the Director-General on progress in the elimination of the Syrian chemical weapons programme (EC-98/DG.1, dated 23 July 2021; EC-98/DG.6, dated 24 August 2021; and EC-98/DG.24, dated 24 September 2021).
- 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-98/P/NAT.1, dated 16 July 2021; EC-98/P/NAT.2, dated 16 August 2021; and EC-98/P/NAT.3, dated 16 September 2021).
- 6.20 The following delegations made statements: the Islamic Republic of Iran, France, the Syrian Arab Republic (observer), the Russian Federation, Germany, the United States of America, Australia, China, the United Kingdom of Great Britain and Northern Ireland, and the Republic of Korea.

- 6.21 The Council **noted** the Notes by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (EC-98/DG.28 and EC-98/HP/DG.2, both dated 30 September 2021).

Subitem 6(d): Other verification-related issues

- 6.22 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

- 6.23 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 Blue Grass Chemical Agent-Destruction Pilot Plant Chemical Weapons Destruction Facility, Richmond, Kentucky, the United States of America (EC-98/S/3, dated 24 September 2021).
- 6.24 The Council **considered** and **approved** the amendments to the aforementioned facility agreement with the United States of America (EC-98/DEC.6, dated 6 October 2021).
- 6.25 The Council **considered** and **approved** the 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-98/DEC.7, dated 6 October 2021).
- 6.26 The following delegations made statements: the Islamic Republic of Iran, the United States of America, and Belgium.

Subitem 6(f): Verification Implementation Report for 2020

- 6.27 The Council **considered** and **noted** the Verification Implementation Report for the period from 1 January to 31 December 2020 (EC-98/HP/DG.1, dated 24 June 2021 and Add.1, dated 30 September 2021) and the Chairperson’s summary of the informal consultations on it (EC-98/2, dated 4 October 2021).

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

- 6.28 Further to the briefing to the States Parties held on 30 September 2021 on the activities of the Secretariat related to the Syrian Arab Republic, the following delegations made statements during the session: the Syrian Arab Republic (observer), the Russian Federation, the Islamic Republic of Iran, China, France, the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Belgium.
- 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-98/DG.22, dated 22 September 2021).
- 6.30 Further under this agenda item, the delegation of Bulgaria (observer) presented a joint statement on behalf of Albania (observer), Australia, Austria, Belgium, Bulgaria (observer), Canada (observer), Colombia (observer), Croatia (observer), Cyprus

(observer), the Czech Republic, Denmark (observer), Estonia (observer), Finland (observer), France, Georgia (observer), Germany, Greece (observer), Honduras (observer), Hungary (observer), Iceland (observer), Ireland (observer), Italy, Japan, Latvia (observer), Liberia (observer), Liechtenstein (observer), Lithuania, Luxembourg (observer), Malta (observer), Montenegro (observer), the Netherlands (observer), New Zealand (observer), North Macedonia (observer), Norway, Poland, Portugal (observer), Romania (observer), Slovakia, Slovenia (observer), Spain, Sweden (observer), Switzerland (observer), Ukraine (observer), the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and requested circulation of Note Verbale no. 093/2021, dated 5 October 2021 (EC-98/NAT.7, dated 5 October 2021).

- 6.31 The following delegations made statements: the Russian Federation, the United Kingdom of Great Britain and the Northern Ireland, Australia, the United States of America, Germany, China, Poland, and Lithuania.

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

- 6.32 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 2021” (EC-98/DG.13 C-26/DG.11, dated 14 September 2021); a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2021: Article VII – Initial Measures” (EC-98/DG.12 C-26/DG.10, dated 14 September 2021); and a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2021: Additional Measures for States Parties that Possess Industrial Facilities Which are Declarable Under the Convention” (EC-98/DG.11 C-26/DG.9, dated 14 September 2021). The Council **submitted** the documents to the Conference at its Twenty-Sixth Session, along with its recommendations, as appropriate, for consideration.

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

- 6.33 The Council **considered** and **noted** a report by the Director-General on the “Status of Implementation of Article X of the Chemical Weapons Convention as at 30 June 2021” (EC-98/DG.3, dated 13 August 2021 and Corr.1, dated 29 September 2021).
- 6.34 The facilitator for this issue, Ms Giedrė Geleževičienė of Lithuania, reported on the consultations carried out during the intersessional period (the report was posted on the external server of the OPCW).

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

- 6.35 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 Chemical Weapons Convention” (EC-98/DG.9 C-26/DG.7, dated 2 September 2021).

Subitem 6(k): Status of implementation of the International Support Network for Victims of Chemical Weapons

- 6.36 The Conference at its Sixteenth Session endorsed a proposal for the establishment of the International Support Network for Victims of Chemical Weapons and the establishment of a voluntary trust fund for this purpose (C-16/DEC.13, dated 2 December 2011). It requested the Director-General to report every two years, through the Council, to the Conference at its regular sessions on the status of implementation of this decision (paragraph 5 of C-16/DEC.13). The Council **noted** the report by the Director-General on the status of implementation of the International Support Network for Victims of Chemical Weapons (EC-98/DG.19 C-26/DG.14, dated 21 September 2021).

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

- 6.37 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.
- 6.38 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 2020 to 15 August 2021, which is being submitted to both the Council and the Conference (EC-98/DG.10 C-26/DG.8, dated 3 September 2021).

7. AGENDA ITEM SEVEN – Scientific Advisory Board

- 7.1 The report of the Thirty-Second Session of the Scientific Advisory Board (SAB) (SAB-32/1, dated 17 June 2021) was circulated to the members of the Council.
- 7.2 The Council **noted** the response by the Director-General to the report of the Thirty-Second Session of the SAB (EC-98/DG.21, dated 22 September 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, briefed the Council on the work of the OEWG during the intersessional period (EC-98/WP.2, dated 6 October 2021).

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 2020 to 31 August 2021 (EC-98/DG.17 C-26/DG.13, dated 16 September 2021).

10. AGENDA ITEM TEN – Administrative and financial matters

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

- 10.1 A draft decision entitled “OPCW Advisory Body on Administrative and Financial Matters – Rules of Procedure” (EC-92/DEC/CRP.1/Rev.1, dated 4 October 2019), 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, was submitted to the Council for consideration and adoption.
- 10.2 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).
- 10.3 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.2, dated 10 October 2019).
- 10.4 The 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).
- 10.5 Subsequently, the sponsoring delegations submitted a revision to the above-mentioned draft decision (EC-92/DEC/CRP.1/Rev.3, dated 1 October 2020).
- 10.6 The delegation of the Russian Federation submitted new amendments to the above-mentioned draft decision and requested, through a note verbale dated 5 July 2021, the circulation of a document at the Ninety-Seventh Session of the Council (EC-97/NAT.5, dated 6 July 2021).
- 10.7 The following delegations made statements: the United States of America and the Russian Federation.
- 10.8 The Council **decided** to defer the matter until its next regular session.

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

- 10.9 The Council **considered** and **noted** the report of the Fifty-First Session of the Advisory Body on Administrative and Financial Matters (ABAF), which took place from 27 to 30 July 2021 (ABAF-51/1, dated 30 July 2021), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-98/DG.18, dated 21 September 2021).

Subitem 10(c): Financial Statements of the OPCW and the External Auditor’s report for the year ending 31 December 2020

- 10.10 The Council **noted** the Financial Statements of the OPCW and the report of the External Auditor for the year ending 31 December 2020 (EC-98/DG.7 C-26/DG.6, dated 30 August 2021) and **forwarded** them to the Conference for consideration at its Twenty-Sixth Session. Mr Damian Brewitt of the National Audit Office of the United Kingdom of Great Britain and Northern Ireland posted a statement on the report on behalf of Mr Gareth Davies (EC-98/3, dated 5 October 2021).

Subitem 10(d): Submission of the 2021 Financial Statements to the External Auditor

10.11 The Council **noted** a Note by the Director-General entitled “Submission of the 2021 OPCW Financial Statements to the External Auditor” (EC-98/DG.20, dated 21 September 2021), **considered** and **adopted** a decision on the matter (EC-98/DEC.1, dated 5 October 2021), and **transmitted** it to the Conference for approval at its Twenty-Sixth Session.

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

10.12 The Council **considered** and **noted** a report on the status of implementation of the recommendations of the External Auditor (EC-98/S/1, dated 7 September 2021).

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

Subitem 10(f): Recommendation for write-offs of irrecoverable accounts receivable and losses of assets

10.14 The Council **considered** a Note by the Director-General on the recommendation for write-offs of irrecoverable accounts receivable and losses of assets, and **recommended** that the Conference at its Twenty-Sixth Session approve these write-offs, totalling EUR 12,821.95 (EC-98/DG.2 C-26/DG.4, dated 26 July 2021).

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

10.15 Further to the decision by the Conference at its Nineteenth Session on the implementation of an enterprise resource planning (ERP) system and the establishment of a special fund for this purpose (C-19/DEC.7, dated 3 December 2014), the Council **noted** a Note by the Director-General reporting on the status of implementation of the ERP system (EC-98/DG.23, dated 23 September 2021).

Subitem 10(h): Draft Programme and Budget of the OPCW for 2022–2023, and all items pertaining to this Budget, including relevant special funds and the cash deficit for 2019

10.16 The Council **noted** Notes by the Director-General entitled “Financial Status of the Special Fund for Cybersecurity, Business Continuity, and Physical Infrastructure Security” (EC-98/DG.15, dated 14 September 2021) and “Financial Status of the Special Fund for IT Infrastructure to Support Implementation of Decision C-SS-4/DEC.3” (EC-98/DG.25, dated 27 September 2021).

10.17 The co-facilitators for the budget, Mr Jerzy Gierasimiuk of Poland and Mr Matteo Fachinotti of Switzerland, reported on the consultations held during the intersessional period.

- 10.18 The following delegations made statements: Algeria (on behalf of the African Group), China, the Russian Federation, Austria, the Islamic Republic of Iran, the United States of America, France, the United Kingdom of Great Britain and Northern Ireland, Mexico, Japan, and Chile.
- 10.19 In accordance with subparagraph 32(a) of Article VIII of the Convention, the Council **considered** the Draft Programme and Budget of the OPCW for 2022–2023 (EC-98/CRP.1/Rev.1, dated 4 October 2021). 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: 31 in favour (Argentina, Australia, Austria, Belgium, Cameroon, Chile, the Czech Republic, Ecuador, France, Germany, Ghana, Guatemala, Italy, Japan, Kenya, Lithuania, Morocco, Nigeria, Norway, Peru, the Philippines, Poland, the Republic of Korea, Saudi Arabia, Senegal, Slovakia, 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, Iran (Islamic Republic of), and the Russian Federation), and seven abstentions (Algeria, Brazil, El Salvador, India, Mexico, 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-Sixth Session (EC-98/DEC.5, dated 6 October 2021).
- 10.20 The following delegations made statements explaining their vote: Algeria, Ecuador, Brazil, Pakistan, Ghana, and Mexico.
- 10.21 The Council **noted** that the final cash deficit for 2019 amounted to EUR 1.2 million, as stated in the report by the Director-General entitled “Financial Statements of the Organisation for the Prohibition of Chemical Weapons and Report of the External Auditor for the Year Ending 31 December 2020” (EC-98/DG.7 C-26/DG.6), and as reported to the ABAF at its Fifty-First Session (ABAF-51/1).
- 10.22 The Council **considered** and **adopted** a decision to suspend, on an exceptional basis, the application of Financial Regulation 6.3 in respect of the allocation among States Parties of cash surpluses in light of the cash deficit for the year 2019 and to review the treatment of future cash surpluses as and when such surpluses are determined (EC-98/DEC.2, dated 6 October 2021).

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

- 10.23 The Council **noted** a Note by the Director-General entitled “Financial Status of the Special Fund for OPCW Special Missions” (EC-98/DG.16, dated 14 September 2021).
- 10.24 The Council **considered** and **adopted** a decision entitled “Extension of the Special Fund for OPCW Special Missions” (EC-98/DEC.3, dated 6 October 2021) and **transmitted** it to the Conference for approval at its Twenty-Sixth Session.

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

- 10.25 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-Sixth Session a Note by the Director-General reporting on the status of implementation by States Parties of agreed multi-year payment plans (EC-98/DG.4* C-26/DG.5, dated 19 August 2021).

Subitem 10(k): Implementation of the amendment to the Staff Regulations regarding downward classification of posts during the period from 14 August 2020 to 13 August 2021

- 10.26 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 2020 to 13 August 2021 (EC-98/DG.5, dated 19 August 2021).

Subitem 10(l): Rehiring of inspectors

- 10.27 At its Twenty-Fourth Session, the Conference adopted a decision on the rehiring of inspectors (C-24/DEC.10, dated 28 November 2019) and decided to review the implementation of this decision at its Twenty-Sixth Session, in 2021.
- 10.28 The Council **considered** and **noted** an addendum to the report by the Director-General on the implementation of the tenure policy in 2020 (EC-97/DG.8/Add.1, dated 1 October 2021).

11. AGENDA ITEM ELEVEN – Update of the 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)

- 11.1 Further to a decision by the Conference at its Twenty-Fifth Session (C-25/DEC.10, dated 21 April 2021), the Council at its Ninety-Seventh Session established the Working Group on the Manner of Appointment of the External Auditor.
- 11.2 The Chairperson of the Working Group, Ambassador Jorge Skinner-Klée Arenales of Guatemala, provided an update on its activities to the Council (EC-98/WP.3, dated 6 October 2021).

12. AGENDA ITEM TWELVE – The OPCW Programme for Africa

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-98/DG.14 C-26/DG.12, dated 9 September 2021 and Corr.1, dated 27 September 2021).

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

- 13.1 The Council **considered** and **approved** a report on the performance of its activities in the period from 13 July 2020 to 12 July 2021 (EC-98/4 C-26/2, dated 5 October 2021), and **submitted** it to the Conference for consideration at its Twenty-Sixth Session.
- 13.2 The delegation of the Russian Federation made a statement.

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 “Updated Matrix of Actionable Items Identified at the Third Review Conference”. The Council **considered** and **noted** the updated Matrix (EC-98/S/2, dated 22 September 2021).

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 – Appointment of the Director-General

16.1 At its previous session, the Chairperson informed the Council that it would be requested at its Ninety-Eighth Session to adopt a decision on its recommendation to the Conference at its Twenty-Sixth Session on the appointment of the Director-General.

16.2 The Council **approved** a decision entitled “Recommendation to the Conference of the States Parties at its Twenty-Sixth Session on the Renewal of the Appointment of the Director-General” (EC-98/DEC.4, dated 6 October 2021).

16.3 The following delegations made statements: Slovenia (observer) (on behalf of the European Union), Algeria (on behalf of the African Group), the Russian Federation, Brazil, the Republic of Korea, Morocco, Saudi Arabia, Mexico, Chile, Norway, Peru, El Salvador, Guatemala, Ecuador, China, and the United Arab Emirates.

16.4 The Russian Federation dissociated itself from the consensus on the matter.

17. AGENDA ITEM SEVENTEEN – Any other business

Convening Executive Council meetings or sessions in extraordinary circumstances

17.1 At previous sessions of the Council, Germany submitted working papers 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 EC-97/WP.1, dated 21 June 2021).

17.2 The Russian Federation submitted a working paper entitled “Response to German Proposal for a Possible Wording and Suggestions for the Draft Decision to Allow for Convening Executive Council Meetings or Sessions in Emergency Circumstances” (EC-98/WP.1, dated 6 August 2021).

17.3 Subsequently, a draft decision entitled “Allowing the Convening of Executive Council Meetings or Sessions in Extraordinary Circumstances” co-sponsored by Belgium, Brazil, Canada, Colombia, Germany, Ireland, Japan, Lithuania, Poland, the Republic of Korea, Saudi Arabia, and Slovakia, was issued under the symbol EC-98/DEC/CRP.7 (dated 28 September 2021). An explanatory memorandum to this draft decision was also circulated (EC-98/NAT.6, dated 28 September 2021).

17.4 In accordance with Rule 34 of the Rules of Procedure of the Council, the Secretariat circulated a report by the Director-General on the financial, administrative, and programme and budget implications of the proposal (EC-98/DG.29, dated 1 October 2021).

17.5 The delegation of Germany made a statement.

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

Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes

- 17.7 The delegation of the United States of America informed the Council in respect of a draft decision entitled “Understanding Regarding the Aerosolised Use of Central Nervous System-Acting Chemicals for Law Enforcement Purposes” sponsored by Albania, Australia, Austria, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Estonia, Finland, Georgia, Greece, Haiti, Iceland, Ireland, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, the Philippines, Poland, Portugal, Qatar, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Arab Emirates, the United States of America, and Vanuatu, which will be submitted for consideration by the Conference at its Twenty-Sixth Session (C-26/DEC/CRP.1, dated 6 October 2021).
- 17.8 The following delegations made statements: Australia, the Russian Federation, China, and the Islamic Republic of Iran.

Composition of the Technical Secretariat

- 17.9 The delegation of Guatemala made a statement.

Request under paragraph 2 of Article IX of the Chemical Weapons Convention

- 17.10 The delegation of the Russian Federation made a statement and requested circulation of Note Verbale no. 44, dated 7 October 2021 (EC-98/NAT.8, dated 7 October 2021).

18. AGENDA ITEM EIGHTEEN – Adoption of the report

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

19. AGENDA ITEM NINETEEN – Closure

The Chairperson closed the session at 13:58 on 7 October 2021.