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REPORT BY THE DIRECTOR-GENERAL**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****Introduction**

1. In operative paragraph 1 of the decision on the follow-up to the plan of action regarding the implementation of obligations under Article VII of the Chemical Weapons Convention (hereinafter “the Convention”) (C-10/DEC.16, dated 11 November 2005), the Conference of the States Parties (hereinafter “the Conference”) stressed that it was imperative for States Parties that had yet to fulfil their obligations under Article VII to do so without delay.
2. The Third Review Conference¹ “[e]ncouraged the Secretariat to explore innovative methods of providing assistance on tailor-made approaches as a potential means to further advance the implementation of Article VII” (subparagraph 9.103(c) of RC-3/3*, dated 19 April 2013). Furthermore, the Technical Secretariat (hereinafter “the Secretariat”) was requested to “continue to submit its annual report on the implementation of Article VII to the Conference, and [...] to include an assessment in this report, for consideration by the policy-making organs, containing a comprehensive and objective analysis of the current status of national implementation, with a view to tracking the progress made and formulation of focused assistance programmes” (subparagraph 9.103(h) of RC-3/3*).
3. Pursuant to the request received from the Third Review Conference, and in close cooperation with States Parties, the Secretariat has updated the two matrices included in the annual reports—the one addressing the initial measures taken by States Parties in accordance with Article VII and the second listing additional measures—and is presenting them in two concurrent reports, as invited by the Conference (paragraph 8 of C-14/DEC.12, dated 4 December 2009).

Legislative and administrative implementation

4. This document provides an update on the status and progress in adopting the additional measures that are required by States Parties possessing declarable chemical facilities.

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



5. The information is based on the responses received from States Parties to the note verbale sent by the Secretariat on 8 March 2021 requesting them to provide updates on the status of implementation of Article VII and to fill in the matrices attached to the note verbale. As at the cut-off date of the current report (31 July 2021), 105 States Parties had replied to the note verbale (Table 1).

TABLE 1: STATES PARTIES THAT SUBMITTED RESPONSES TO THE SECRETARIAT

Albania	Algeria	Andorra
Antigua and Barbuda	Argentina	Armenia
Australia	Austria	Bahrain
Bangladesh	Belarus	Belgium
Bhutan	Bolivia (Plurinational State of)	Bosnia and Herzegovina
Brazil	Bulgaria	Burkina Faso
Burundi	Canada	Chile
China	Colombia	Costa Rica
Croatia	Cuba	Czech Republic
Denmark	Dominica	Dominican Republic
Ecuador	El Salvador	Estonia
Ethiopia	Finland	France
Georgia	Germany	Greece
Guatemala	Guyana	Holy See
Honduras	Hungary	Iceland
India	Iran (Islamic Republic of)	Iraq
Ireland	Italy	Japan
Kenya	Lao People's Democratic Republic	Latvia
Liechtenstein	Lithuania	Luxembourg
Madagascar	Malaysia	Maldives
Mali	Mauritania	Mexico
Mongolia	Montenegro	Morocco
Netherlands	New Zealand	Nicaragua
Nigeria	Norway	Pakistan
Panama	Peru	Philippines
Poland	Portugal	Qatar
Republic of Korea	Republic of Moldova	Romania
Russian Federation	Saint Kitts and Nevis	Samoa
Saudi Arabia	Serbia	Seychelles
Singapore	Slovakia	South Africa
Spain	Sri Lanka	Sudan
Sweden	Switzerland	Thailand
Turkey	Uganda	United Arab Emirates
United Kingdom of Great Britain and Northern Ireland	United Republic of Tanzania	United States of America
Uruguay	Uzbekistan	Venezuela (Bolivarian Republic of)

6. The global status, as at 31 July 2021, of the relevant elements of legislative and administrative implementation is reflected in the tables below.

TABLE 2: OVERVIEW OF THE LEGISLATIVE IMPLEMENTATION OF THE CONVENTION

Article VII(5) submission received	172 (89%)
Legislation covers initial measures	118 (61%) in full 40 (21%) in part
Legislation covers additional measures	103 (53%)
Text of adopted measures provided	154 (80%)

TABLE 3: STATUS OF ELEMENTS OF LEGISLATIVE AND ADMINISTRATIVE IMPLEMENTATION UNDER THE PURVIEW OF THE PRESENT REPORT (AS AT 31 JULY 2021)

Indicators		Number and Percentage of States Parties Having Implemented the Measure
Control Regime (Including Penalties)		
Initial declarations for relevant industrial facilities		164 (85%) in full 7 (4%) in part
Licensing of Schedule 1 chemical production facilities		106 (55%) in full 5 (3%) in part
Reporting on production (including reporting on processing and consumption for Schedule 2)	Schedule 1	114 (59%) in full 12 (6%) in part
	Schedule 2	113 (59%) in full 13 (7%) in part
	Schedule 3	113 (59%) in full 13 (7%) in part
Declaration regime for other chemical production facilities (OCPFs)		112 (58%) in full 15 (8%) in part
Verification Regime (Including Penalties)		
Access to facilities and other inspection powers		111 (58%) in full 11 (6%) in part
On-site support from operators and staff		111 (58%) in full 10 (5%) in part
Confidentiality Regime (Including Penalties)		
Provisions ensuring the protection of confidential information		118 (61%) in full 6 (3%) in part

TABLE 4: EXPLANATION OF COLUMN HEADINGS IN THE TABLES CONTAINED IN THE ANNEX TO THIS REPORT

Heading	Explanation		
Initial declarations for relevant industrial facilities	Control Regime (Including Penalties)		
	"X" indicates that the national legislation/regulations ensure that the State Party is in a position to provide all information required for the initial declarations required under Article VI of the Convention.		
Licensing of Schedule 1 chemical production facilities	Schedule 1	Schedule 2	Schedule 3
	"X" indicates that the legislative/administrative measures establish licensing in line with paragraphs 8, 9, 10, and 11 of Part VI of the Verification Annex to the Convention (hereinafter "the Verification Annex").		
Reporting on production (including reporting on processing and consumption for Schedule 2)	"X" indicates that the national legislation/regulations ensure that the State Party is in a position to fulfil the reporting requirements concerning production of Schedule 1 chemicals, as required under section D of Part VI of the Verification Annex.	"X" indicates that the national legislation/regulations ensure that the State Party is in a position to fulfil the reporting requirements concerning production, processing and consumption of Schedule 2 chemicals, as required under section A of Part VII of the Verification Annex.	"X" indicates that the national legislation/regulations ensure that the State Party is in a position to fulfil the reporting requirements concerning production of Schedule 3 chemicals, as required under section A of Part VIII of the Verification Annex.
Declaration regime for OCPF's	"X" indicates that the national legislation/regulations ensure that the State Party is in a position to provide all information required for the declaration, pursuant to paragraph 1 of Part IX of the Verification Annex and any update of that information (see paragraph 3 of Part IX of the Verification Annex).		

Heading	Explanation
Verification Regime (Including Penalties)	
Access to facilities and other inspection powers	“X” indicates that the national legislation/regulations ensure that the State Party is in a position to warrant OPCW inspectors’ access to the relevant facilities during the execution of inspection activities (including challenge inspections), pursuant to the relevant provisions of the Convention.
On-site support from operators and staff	“X” indicates that the national legislation/regulations ensure that the State Party is in a position to ensure support from operators and staff of relevant facilities during the execution of inspection activities by the Organisation.
Confidentiality Regime (Including Penalties)	
Provisions ensuring the protection of confidential information	“X” indicates that the national legislation/regulations ensure the protection of confidentiality, pursuant to the relevant provisions of the Convention.

Note: “(X)”, that is, X in brackets, for any of the above indicators means that the measure has been partially implemented.

Please note that the prohibition of certain activities can also be imposed by legal measures other than direct prohibitions. For example, when a licensing regime in a State Party ensures that no natural or legal person will be permitted to carry out an activity that is prohibited to States Parties under the Convention, then the column for the prohibition will be checked with the indication “X”.

Annex (English only):

Status of Implementation of Additional Measures for States Parties That Possess Industrial Facilities Which Are Declarable Under the Convention as at 31 July 2021

State Party	Control Regime (Including Penalties)							Verification Regime (Including Penalties)		Confidentiality Regime (Including Penalties)	Confirmation Regarding Article XI(2)(e) Review	
	Initial Declarations	Licensing of Schedule 1 Production Facilities			Reporting on Production (Including Processing and Consumption for Schedule 2)			Declaration Regime for OCPF's	Access to Facilities			On-Site Support
		Schedule 1	Schedule 2	Schedule 3	Schedule 1	Schedule 2	Schedule 3					
116. Mozambique	X											
117. Myanmar	X			X	X			(X)	(X)		(X)	
118. Namibia	X											
119. Nauru	X											
120. Nepal	X	X		(X)	(X)			(X)	(X)		(X)	
121. Netherlands	X	X		X	X			X	X	X	X	X
122. New Zealand	X	X		X	X			X	X	X	X	X
123. Nicaragua	X											
124. Niger	X	X		X	X			X	X	X	X	X
125. Nigeria	X											
126. Niue	X			(X)	(X)							
127. North Macedonia	X	X		X	X			X	X	X	X	X
128. Norway	X	X		X	X			X	X	X	X	X
129. Oman	X	X		X	X			X	X	X	X	X
130. Pakistan	X	X		X	X			X	X	X	X	X
131. Palau	X	X		X	X			X	X	X	X	X
132. Panama	X	X		X	X			X	X	X	X	X
133. Papua New Guinea	X											
134. Paraguay	X											
135. Peru	X	X		X	X			X	X	X	X	X

State Party	Control Regime (Including Penalties)						Verification Regime (Including Penalties)			Confidentiality Regime (Including Penalties)	Confirmation Regarding Article XI(2)(e) Review	
	Initial Declarations	Licensing of Schedule 1 Production Facilities			Reporting on Production (Including Processing and Consumption for Schedule 2)			Declaration Regime for OCPF's	Access to Facilities	On-Site Support	Provisions Ensuring the Protection of Confidential Information	
		Schedule 1	Schedule 2	Schedule 3	Schedule 1	Schedule 2	Schedule 3					
156. Singapore	X	/	/	X	X	X	X	X	X	X	X	X
157. Slovakia	X	/	/	X	X	X	X	X	X	X	X	X
158. Slovenia	X	/	/	X	X	X	X	X	X	X	X	X
159. Solomon Islands	X	/	/									
160. Somalia	X	/	/									
161. South Africa	X	/	/	X	X	X	X	X	X	X	X	X
162. Spain	X	/	/	X	X	X	X	X	X	X	X	X
163. Sri Lanka	X	/	/	X	X	X	X	X	X	X	X	X
164. State of Palestine		/	/				X					
165. Sudan	X	/	/	X	X	X	X	X	X	X	X	X
166. Suriname	X	/	/									
167. Sweden	X	/	/	X	X	X	X	X	X	X	X	X
168. Switzerland	X	/	/	X	X	X	X	X	X	X	X	X
169. Syrian Arab Republic	X	/	/									
170. Tajikistan	X	/	/	X	X	X	X	X	X	X	X	X
171. Thailand	(X) ²	/	/	X	X ^{***}	X	(X) [*]	(X)	(X)	(X)	(X)	X

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*** Thailand indicated that the above-mentioned regime can be obtained with the engagement and supervision of the factory under the Factory Act, B.E. 2535 (1992).
Production of Schedule 1 chemicals is prohibited.

*** Production of Schedule 2A chemicals is prohibited.

	State Party	Control Regime (Including Penalties)						Verification Regime (Including Penalties)		Confidentiality Regime (Including Penalties)	Confirmation Regarding Article XI(2)(e) Review		
		Initial Declarations	Licensing of Schedule 1 Production Facilities	Reporting on Production (Including Processing and Consumption for Schedule 2)			Declaration Regime for OCPF's	Access to Facilities	On-Site Support			Provisions Ensuring the Protection of Confidential Information	
192.	Zambia	(X)	Schedule 1 (X)	Schedule 2 (X)	Schedule 3 (X)	Schedule 1 (X)	Schedule 2 (X)	Schedule 3 (X)	(X)	X		(X)	
193.	Zimbabwe	X	/	/	/	X	X	X	(X)				

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