



Ninety-Ninth Session  
8 – 11 March 2022

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### ANNOTATED PROVISIONAL AGENDA FOR THE NINETY-NINTH SESSION OF THE EXECUTIVE COUNCIL 8 – 11 MARCH 2022

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-Ninth 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-Ninth Session of the Council will be opened in The Hague, in accordance with Rule 7 of its Rules of Procedure, by its Vice-Chairperson Ambassador Gudrun Lingner of Germany, acting as Chairperson of the Council, at 10:00 on 8 March 2022.

#### 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-99/1/Rev.2 (dated 2 March 2022).

1. Opening of the session
2. Adoption of the agenda
3. Replacement of the Chairperson of the Executive Council
4. Opening statement by the Director-General
5. Reports by the Vice-Chairpersons on the activities conducted under their respective clusters of issues
6. General debate
7. Status of implementation of the Chemical Weapons Convention:
  - (a) Reports by the Director-General 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-Ninth Session of the Executive Council, or prejudice the outcome of its deliberations.



- (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) Addressing the threat from chemical weapons use
  - (f) Timely submission of declarations under Article VI of the Chemical Weapons Convention
  - (g) Implementation by the Technical Secretariat in 2021 of the regime governing the handling of confidential information
8. OPCW Central Analytical Database
  9. Scientific Advisory Board
  10. Countering chemical terrorism
  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) 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
  12. Education and outreach
  13. Update of the Working Group on the Manner of Appointment of the External Auditor
  14. Follow-up process to the Third Review Conference<sup>2</sup>
  15. Election of the Chairperson and the Vice-Chairpersons of the Executive Council
  16. Establishment of an open-ended working group for the preparation of the Fifth Review Conference

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

17. Report by the Committee on Relations with the Host Country
18. Any other business
19. Adoption of the report
20. Closure

**3. AGENDA ITEM THREE – Replacement of the Chairperson of the Executive Council**

- 3.1 Further to the end of mission of Ambassador Abdelouahab Bellouki of Morocco prior to the expiry of his term of office as the Chairperson of the Council, and in accordance with Rule 8 of its Rules of Procedure, the Council is **requested** to elect a new Chairperson for the unexpired term of office until 11 May 2022.
- 3.2 The Permanent Representation of South Africa, on behalf of the African Group, informed the Secretariat by means of Note Verbale 003/2022 (dated 21 January 2022) that the African Group had nominated Ambassador Eniola Olaitan Ajayi of Nigeria to serve as Chairperson of the Council until the end of Africa's chairpersonship on 11 May 2022.

**4. AGENDA ITEM FOUR – 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).

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

- 5.1 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 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.
- 5.2 The co-facilitators for organisational governance issues, Ambassador Matthew Neuhaus of Australia and Ambassador Elizabeth Ward Neiman of Panama, will report to the Council on consultations held during the intersessional period.

**6. AGENDA ITEM SIX – General debate**

With respect to the general debate, delegations are encouraged to refer to paragraphs 9.1 and 9.2 of the “EC-99 Guidelines for the Delegates”, circulated to all States Parties under cover of the joint letter signed on 22 February 2022 by Vice-Chairperson Ambassador Gudrun Lingner of Germany, acting as Chairperson of the Council, and the Director-General.

**7. AGENDA ITEM SEVEN – Status of implementation of the Chemical Weapons Convention**

**Subitem 7(a): Reports by the Director-General on destruction-related issues**

- 7.1 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-99/DG.14, dated 28 February 2022).
- 7.2 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-99/DG.15, dated 2 March 2022).

**Subitem 7(b): Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues**

- 7.3 The Secretariat is expected to provide updates to the Council on its destruction-related verification activities and on Article III-related submissions (the presentations have been posted on the external server of the OPCW).
- 7.4 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 will be posted on the external server of the OPCW).
- 7.5 The Council is **requested** to note a voluntary statement by Italy on the destruction of its old chemical weapons pursuant to Council decision EC-67/DEC.8 (dated 17 February 2012) (the statement will be posted on the external server of the OPCW).
- 7.6 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 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. This report is also to include reporting on any specific measures undertaken to overcome problems in the destruction programme (EC-99/NAT.3, dated 17 February 2022).
- 7.7 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-99/NAT.4, dated 14 February 2022) and a national paper by Japan (EC-99/NAT.5, dated 23 February 2022) 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 7(c): Elimination of the Syrian chemical weapons programme**

- 7.8 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.
- 7.9 The Council is **requested** to note reports by the Director-General reporting on progress in the elimination of the Syrian chemical weapons programme (EC-99/DG.1, dated 26 October 2021; EC-99/DG.2, dated 24 November 2021; EC-99/DG.3, dated 23 December 2021; EC-99/DG.5, dated 24 January 2022; and EC-99/DG.13, dated 24 February 2022).
- 7.10 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-99/P/NAT.1, dated 19 October 2021; EC-99/P/NAT.2, dated 15 November 2021; EC-99/P/NAT.3, dated 16 December 2021; EC-99/P/NAT.4, dated 17 January 2022; and EC-99/P/NAT.5, dated 15 February 2022).
- 7.11 The Council is **requested** to note a Note by the Director-General entitled “Report on the Work of the Declaration Assessment Team” (this document will be assigned an official reference number when it is made available to delegations).
- 7.12 The Secretariat circulated the following Note by the Secretariat and two reports by the OPCW Fact-Finding Mission in Syria: “Summary Update of the Activities Carried out by the OPCW Fact-Finding Mission in Syria (S/2014/2021, dated 30 December 2021), “Report of the OPCW Fact-Finding Mission in Syria Regarding the Incidents of the Alleged Use of Chemicals as a Weapon in Marea, Syrian Arab Republic, on 1 and 3 September 2015” (S/2017/2022\*, dated 24 January 2022) and “Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident of the Alleged Use of Chemicals as a Weapon in Kafr Zeita, Syrian Arab Republic, 1 October 2016” (S/2020/2022, dated 31 January 2022).
- 7.13 The Secretariat on 23 February 2022 provided a briefing to the States Parties 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.

**Subitem 7(d): Other verification-related issues**

- 7.14 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 7(e): Addressing the threat from chemical weapons use**

- 7.15 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-99/DG.8, dated 15 February 2022).

**Subitem 7(f): Timely submission of declarations under Article VI of the Chemical Weapons Convention**

7.16 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 2021 (EC-99/DG.6, dated 27 January 2022).

**Subitem 7(g): Implementation by the Technical Secretariat in 2021 of the regime governing the handling of confidential information**

7.17 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 2021 (EC-99/DG.9 C-27/DG.1, dated 17 February 2022).

**8. AGENDA ITEM EIGHT – OPCW Central Analytical Database**

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 (EC-99/DG.4, dated 21 January 2022) and to adopt a draft decision on the matter (EC-99/DEC/CRP.1, dated 21 January 2022).

**9. AGENDA ITEM NINE – Scientific Advisory Board**

9.1 The report of the Thirty-Third Session of the Scientific Advisory Board (SAB) has been circulated to the members of the Council (SAB-33/1, dated 18 November 2021).

9.2 The Council is **requested** to note the response by the Director-General to the report of the Thirty-Third Session of the SAB (this document will be assigned an official reference number when it is made available to delegations).

**10. AGENDA ITEM TEN – Countering chemical terrorism**

10.1 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-99/DG.7, dated 14 February 2022).

10.2 The Chairperson of the Open-Ended Working Group on Terrorism (OEWG-T), Ambassador Vusimuzi Philemon Madonsela of South Africa, is expected to brief the Council on the work of the OEWG-T during the intersessional period.

**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-99/S/1, dated 14 February 2022), and to appoint Mr John Foggo of the

United Kingdom of Great Britain and Northern Ireland for a third term with the ABAF, starting on 28 June 2022.

**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” (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.
- 11.3 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).
- 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 delegation of the Russian Federation submitted new amendments to the above-mentioned draft decision and requested, through a note verbale dated 5 July 2021 (EC-97/NAT.5, dated 6 July 2021), the circulation of a document at the Ninety-Seventh Session of the Council.
- 11.8 The Council at its previous session decided to defer the matter until its next regular session.
- 11.9 The Council is **requested** to take appropriate action on the matter.

**Subitem 11(c): Status of implementation of the External Auditor’s recommendations**

- 11.10 The Council is **requested** to consider and note a report on the status of implementation of the recommendations of the External Auditor (EC-99/S/3, dated 24 February 2022).
- 11.11 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 will be posted on the external server of the OPCW).

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

11.12 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-99/DG.11, dated 21 February 2022).

**Subitem 11(e): Adjustment to the Director-General's gross salary**

11.13 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-99/DEC/CRP.2, dated 28 January 2022).

**12. AGENDA ITEM TWELVE – Education and outreach**

The Council is **requested** to consider and note a Note by the Director-General reviewing the operation of the Advisory Board on Education and Outreach for the period from 2019 to 2021 (EC-99/DG.10, dated 17 February 2022).

**13. AGENDA ITEM THIRTEEN – Update of the Working Group on the Manner of Appointment of the External Auditor**

13.1 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.

13.2 The Chairperson of the Working Group, Ambassador Jorge Skinner-Klée Arenales of Guatemala, provided an update on its activities to the Council (EC-99/WP.1, dated 10 February 2022).

**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 “Matrix of Actionable Items Identified at the Third Review Conference”. The Council is **requested** to consider and note the updated Matrix (EC-99/S/2, dated 17 February 2022).

**15. AGENDA ITEM FIFTEEN – 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 2022, the Council is requested to elect its new Chairperson for a term of office ending on 11 May 2023, 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.



**16. AGENDA ITEM SIXTEEN – Establishment of an open-ended working group for the preparation of the Fifth Review Conference**

- 16.1 The Conference at its Twenty-Sixth Session recommended that the Council at its next session establish an open-ended working group to begin preparations, in cooperation with the Secretariat, for the Fifth Review Conference, which will be convened in accordance with paragraph 22 of Article VIII of the Convention from 15 to 19 May 2023 (paragraphs 25.1 and 25.2 of C-26/5, dated 2 December 2021).
- 16.2 The Council is **requested** to establish the above-mentioned open-ended working group.
- 16.3 The Council is further **requested** to establish a Bureau of the Open-Ended Working Group for the Preparation of the Fifth Review Conference, consisting of a Chairperson and four Vice-Chairpersons, in accordance with the practice of rotation (paragraph 9.4 of EC-68/3, dated 4 May 2012).

**17. AGENDA ITEM SEVENTEEN – 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.

**18. AGENDA ITEM EIGHTEEN – Any other business**

**Convening Executive Council meetings or sessions in extraordinary circumstances**

- 18.1 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).
- 18.2 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).
- 18.3 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 circulated 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).
- 18.4 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).
- 18.5 At its previous session, the Council decided to defer the matter until its next regular session.

- 18.6 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-99/WP.2, dated 28 February 2022).
- 18.7 Subsequently, a revision to the above-mentioned draft decision was issued under the symbol of EC-98/DEC/CRP.7/Rev.1 (dated 28 February 2022) entitled “Allowing the Convening of Executive Council Meetings or Sessions in Extraordinary Circumstances” co-sponsored by Austria, Belgium, Brazil, Canada, Colombia, Germany, Iraq, Ireland, Japan, Lithuania, Poland, the Republic of Korea, Romania, Saudi Arabia, and Slovakia.
- 18.8 The Council is **requested** to take appropriate action on the matter.

**Sale of the OPCW Headquarters building**

- 18.9 The Council is **requested** to note a Note by the Director-General on the sale of the OPCW Headquarters building (EC-99/DG.12, dated 24 February 2022).
- 19. AGENDA ITEM NINETEEN – Adoption of the report**
- 20. AGENDA ITEM TWENTY – Closure**