This annotated provisional agenda\(^1\) has been prepared by the Technical Secretariat (the Secretariat) to guide and assist Member States in their substantive preparations for the Twenty-Eighth Session of the Conference of the States Parties (the Conference). It lists the items of business for the session in the sequence in which they appear in the provisional agenda set out for it (see paragraph 4 below) (C-28/1, dated 11 July 2023).

1. **AGENDA ITEM ONE – Opening of the session**

   The Conference at its Twenty-Sixth Session decided to hold its Twenty-Eighth Session from 27 November to 1 December 2023 (paragraph 25.3 of C-26/5, dated 2 December 2021). The Twenty-Eighth Session will open on 27 November 2023 at 10:00 in the King Willem-Alexander Theater in the World Forum. The Chairperson of the Conference for its Twenty-Seventh Session, Ambassador Vusimuzi Philemon Madonsela of South Africa, will open the Twenty-Eighth Session.

2. **AGENDA ITEM TWO – Election of the Chairperson**

   Paragraph 15 of Article VIII of the Chemical Weapons Convention (the Convention) provides, inter alia, that the Conference shall elect its Chairperson at the beginning of each regular session, and that the Chairperson shall hold office until a new Chairperson is elected at the next regular session.

3. **AGENDA ITEM THREE – Election of Vice-Chairpersons and other officers**

   In accordance with Rule 34 of the Rules of Procedure of the Conference, the Conference shall elect 10 Vice-Chairpersons of the Conference, the Chairperson of the Committee of the Whole, and such other officers as it may decide to elect, having due regard to equitable geographical representation. Rule 35 states that such officers of the Conference shall hold office until their successors are elected at its next regular session.

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\(^1\) This document is issued for information purposes only and does not supersede in any way the provisional agenda for the Twenty-Eighth Session of the Conference of the States Parties, or prejudge the outcome of its deliberations.
4. **AGENDA ITEM FOUR – Adoption of the agenda**

   In accordance with Rule 14 of the Rules of Procedure of the Conference, any request for the inclusion in the agenda of supplementary items must be received not later than 30 days before the date set for the opening of any regular session. Because the Director-General had received no such request by 28 October 2023, the Conference is requested, subject to the recommendation of the General Committee, to approve the following agenda, which was circulated in C-28/1.

   AGENDA ITEM ONE – Opening of the session

   AGENDA ITEM TWO – Election of the Chairperson

   AGENDA ITEM THREE – Election of Vice-Chairpersons and other officers

   AGENDA ITEM FOUR – Adoption of the agenda

   AGENDA ITEM FIVE – Organisation of work and establishment of subsidiary bodies

   AGENDA ITEM SIX – Appointment of the Credentials Committee

   AGENDA ITEM SEVEN – Opening statement by the Director-General

   AGENDA ITEM EIGHT – General debate

   AGENDA ITEM NINE – Status of implementation of the Chemical Weapons Convention

   AGENDA ITEM TEN – Annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2022

   AGENDA ITEM ELEVEN – Annual report of the Executive Council on the performance of its activities for the period from 9 July 2022 to 14 July 2023

   AGENDA ITEM TWELVE – Election of Member States to membership in the Executive Council

   AGENDA ITEM THIRTEEN – Biennial Programme and Budget of the OPCW for 2024 and 2025, submitted by the Executive Council, and all items pertaining to this Budget

   AGENDA ITEM FOURTEEN – Scale of assessments for 2024

   AGENDA ITEM FIFTEEN – External Auditor’s report on the audited Financial Statements of the OPCW and the Provident Fund for 2022

   AGENDA ITEM SIXTEEN – Administrative and financial matters

   AGENDA ITEM SEVENTEEN – Fostering of international cooperation for peaceful purposes in the field of chemical activities

   AGENDA ITEM EIGHTEEN – Ensuring the universality of the Chemical Weapons Convention
AGENDA ITEM NINETEEN – The OPCW Programme for Africa

AGENDA ITEM TWENTY – Engagement with the chemical industry and the scientific community

AGENDA ITEM TWENTY-ONE – Reports of subsidiary bodies

AGENDA ITEM TWENTY-TWO – Follow-up to the Review Conferences²

AGENDA ITEM TWENTY-THREE – Any other business

AGENDA ITEM TWENTY-FOUR – Adoption of the report of the Conference of the States Parties

AGENDA ITEM TWENTY-FIVE – Closure

5. AGENDA ITEM FIVE – Organisation of work and establishment of subsidiary bodies

The Conference is requested to consider such recommendations as the General Committee may make to it in accordance with Rule 43(b) of the Rules of Procedure of the Conference, and to take such action as it deems appropriate.

6. AGENDA ITEM SIX – Appointment of the Credentials Committee

Rule 27 of the Rules of Procedure of the Conference provides that a Credentials Committee shall be appointed at the beginning of each session of the Conference; that it shall consist of 10 members, who shall be appointed by the Conference on the proposal of its Chairperson; that it shall elect its own officers; and that it shall examine the credentials of all representatives and report without delay to the Conference.

7. AGENDA ITEM SEVEN – Opening statement by the Director-General

The Conference 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).

8. AGENDA ITEM EIGHT – General debate

8.1 Delegations are requested to provide their regional or national statements to the Secretariat for the Policy-Making Organs (national.statements@opcw.org) by 23 November 2023 (close of business). These statements will be distributed, as provided, to all States Parties via the Organisation’s external server before the beginning of the general debate. Delegations are kindly requested to provide a courtesy translation of their statements provided in a language other than English, which will be uploaded to the external server as soon as possible.

8.2 Delegations are encouraged to submit their interventions in reply to any regional or national statement to the Secretariat for the Policy-Making Organs (national.statements@opcw.org) by 27 November 2023. These statements will also be distributed, as provided, to all States Parties via the external server.

8.3 VIP representatives may address the Conference under the general debate by requesting a time slot to speak in person from the Secretariat for the Policy-Making Organs (ContactPMO@opcw.org) by no later than 12:00 (CET) on 24 November 2023. These statements may also be submitted via pre-recorded audio-visual messages. The video is to be submitted via email (web@opcw.org) and will be uploaded to the public website (www.opcw.org).

9. AGENDA ITEM NINE – Status of implementation of the Chemical Weapons Convention

Subitem 9(a): Progress report on the implementation of the plan of action regarding the implementation of Article VII obligations

9.1 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 Conference is requested to consider and note 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 2023” (EC-104/DG.8 C-28/DG.7, dated 6 September 2023); a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2023: Initial Measures” (EC-104/DG.9 C-28/DG.8, dated 6 September 2023); and a report by the Director-General on the “Status of Implementation of Article VII of the Chemical Weapons Convention as at 31 July 2023: Additional Measures for States Parties That Possess Industrial Facilities Which Are Declarable under the Convention” (EC-104/DG.10 C-28/DG.9, dated 6 September 2023).

Subitem 9(b): Implementation of the regime governing the handling of confidential information by the Technical Secretariat in 2022

9.2 The Conference 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 2022 (EC-102/DG.8 C-28/DG.1, dated 9 February 2023).

Subitem 9(c): Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues

9.3 Pursuant to a decision by the Conference at its Sixteenth Session (subparagraph 3(f) of C-16/DEC.11, dated 1 December 2011), the Conference is requested to undertake an annual review of the implementation of this decision at a specially designated meeting (or meetings) of the Conference.

9.4 Also pursuant to subparagraph 3(f) of C-16/DEC.11, “[e]ach possessor State concerned is to provide an annual report to the Conference of the States Parties, and provide an annual briefing at a closed meeting of the Conference of the States Parties, on the progress in the destruction of its remaining stockpiles of chemical weapons and identifying progress made since the last briefing in order to meet the planned completion date. These reports, and briefings, are to also include:

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3 In accordance with previous practice, VIP representatives of the States Parties are representatives ranking Deputy Minister level or higher.
(i) Reporting on any specific measures undertaken to overcome problems in the destruction programmes.

(ii) Information on the projected schedule for destruction activities to meet the planned completion date”.

9.5 Further to subparagraph 3(g) of C-16/DEC.11, “[t]he Director-General is to provide an annual written report to the Conference of the States Parties on the overall destruction progress by the possessor States concerned that is based on the independent information that is received by the Technical Secretariat from the Organisation’s inspectors undertaking verification in accordance with Part IV(A) D of the Verification Annex and that is to include information on:

(i) The progress achieved to meet the planned completion date(s).

(ii) The effectiveness of any specific measures that have been undertaken to overcome problems in the destruction programmes”.

Subitem 9(d): Addressing the threat from chemical weapons use

9.6 The Conference at its Fourth Special Session adopted a decision entitled “Addressing the Threat from Chemical Weapons Use” (C-SS-4/DEC.3, dated 27 June 2018). Since the previous regular session of the Conference, and pursuant to paragraph 24 of the above-mentioned decision, the following documents have been circulated to the Executive Council (the Council): EC-102/DG.15 (dated 27 February 2023); EC-103/DG.13 (dated 26 June 2023); and EC-104/DG.20 (dated 25 September 2023).

9.7 At its Twenty-Fifth Session, the Conference adopted a decision “Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic” (C-25/DEC.9, dated 21 April 2021). Since the previous regular session of the Conference, and pursuant to paragraph 8 of the above-mentioned decision, the following documents have been circulated to the Council: EC-102/DG.3 (dated 23 December 2022); EC-102/DG.4 (dated 24 January 2023); EC-102/DG.14 (dated 24 February 2023), EC-103/DG.2 (dated 24 March 2023); EC-103/DG.3 (dated 25 April 2023); EC-103/DG.6 (dated 24 May 2023); EC-103/DG.11 (dated 23 June 2023); EC-104/DG.1 (dated 20 July 2023) and Corr.1 (dated 24 July 2023); EC-104/DG.4 (dated 24 August 2023); and EC-104/DG.19 (dated 25 September 2023).

Subitem 9(e): Status of Implementation of the International Support Network for Victims of Chemical Weapons

9.8 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.

9.9 At its 104th Session, 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-104/DG.15 C-28/DG.12, dated 14 September 2023). The Conference is requested to note this report.
10. **AGENDA ITEM TEN – Annual report of the OPCW on the implementation of the Chemical Weapons Convention in 2022**

The Conference is requested to consider and adopt the draft report of the OPCW on the implementation of the Convention in 2022 (EC-103/3 C-28/CRP.1, dated 12 July 2023), which was considered and submitted to it by the Council at its 103rd Session.

11. **AGENDA ITEM ELEVEN – Annual report of the Executive Council on the performance of its activities for the period from 9 July 2022 to 14 July 2023**

The Conference is requested to note the report of the Council on the performance of its activities for the period from 9 July 2022 to 14 July 2023, its Attachment entitled “Note by the Technical Secretariat: The Destruction of Chemical Weapons Abandoned by Japan in the People's Republic of China”, and its Annex entitled “Actions Taken by the Conference of the States Parties at its Twenty-Seventh Session in Response to Recommendations Made by the Executive Council” (this document will be assigned an official reference number when it is made available to delegations). The report will be introduced by the Chairperson of the Council, Ambassador Lucian Fătu of Romania, who will also brief the Conference on any developments that have taken place since the cut-off date for the report.

12. **AGENDA ITEM TWELVE – Election of Member States to membership in the Executive Council**

In accordance with paragraph 23 of Article VIII of the Convention and with Rule 83 of the Rules of Procedure of the Conference, the Conference is requested to elect 20 members to serve on the Council for a term of two years, starting on 12 May 2024. To ensure that the Council is constituted in accordance with paragraph 23 of Article VIII, the regional distribution of the elective places to be filled is to be as follows:

- Africa: four elective places
- Asia and the Pacific: four elective places
- Eastern Europe: three elective places
- Latin America and the Caribbean: four elective places
- Western Europe and Other States: five elective places

13. **AGENDA ITEM THIRTEEN – Biennial Programme and Budget of the OPCW for 2024 and 2025, submitted by the Executive Council, and all items pertaining to this Budget**

13.1 At the 104th Session of the Council, the Secretariat circulated Notes by the Director-General entitled “Financial Status of the Special Fund for Cybersecurity, Business Continuity, and Physical Infrastructure Security” (EC-104/DG.12, dated 13 September 2023) and “Financial Status of the Special Fund for IT Infrastructure to Support Implementation of Decision C-SS-4/DEC.3” (EC-104/DG.28, dated 9 October 2023).
13.2 In accordance with subparagraph 32(a) of Article VIII of the Convention, the Council at its 104th Session considered the Draft Programme and Budget of the OPCW for 2024–2025 (EC-104/CRP.1/Rev.1, dated 9 October 2023). The Council could not achieve consensus on the adoption of a draft decision containing the recommendation of the Council on the Draft Programme and Budget of the OPCW for 2024–2025 (EC-104/DEC/CRP.3, dated 9 October 2023). Following a vote on the matter, the Council adopted the decision and submitted the Draft Programme and Budget of the OPCW for 2024–2025, together with its recommendation, to the Conference at its Twenty-Eighth Session (EC-104/DEC.2, dated 12 October 2023).

13.3 The Conference is requested, pursuant to subparagraph 21(a) of Article VIII of the Convention and Regulation 3.7(a) of the OPCW Financial Regulations and Rules, and on the recommendation of the Council at its 104th Session (EC-104/DEC.2), to consider and adopt a draft decision on the Programme and Budget of the OPCW for 2024–2025 (C-28/DEC/CRP.3, dated 23 October 2023).

13.4 The Medium-Term Plan of the OPCW for the period 2024 to 2028 (EC-104/S/1 C-28/S/1, dated 14 August 2023) has been circulated to the Member States.

14. AGENDA ITEM FOURTEEN – Scale of assessments for 2024

The Conference is requested to adopt, pursuant to Regulations 3.7(b) and 5.2 of the OPCW Financial Regulations and Rules, a draft decision on the scale of assessments to be paid by States Parties for the financial year 2024 (this document will be assigned an official reference number when it is made available to delegations).

15. AGENDA ITEM FIFTEEN – External Auditor’s report on the audited Financial Statements of the OPCW and the Provident Fund for 2022

At its 104th Session, the Council noted the Financial Statements of the OPCW and the report of the External Auditor for the year ending 31 December 2022 (EC-104/DG.3 C-28/DG.5, dated 9 August 2023 and Corr.1, dated 30 August 2023). In accordance with Regulation 13.10 of the OPCW Financial Regulations and Rules, the report was forwarded to the Conference, which is requested to note it.

16. AGENDA ITEM SIXTEEN – Administrative and financial matters

Subitem 16(a): Multi-year payment plans to regularise the payment by some States Parties of their outstanding annual contributions

16.1 At its Eleventh Session, the Conference adopted a decision (C-11/DEC.5, dated 7 December 2006) on a mechanism to encourage States Parties that are in arrears to regularise the payment of their outstanding annual contributions through the use of multi-year payment plans, requesting the Secretariat to submit a report to it each year, through the Council, on the status of implementation of agreed multi-year payment plans as at the end of the quarter that falls immediately before the session of the Council that precedes the session of the Conference.
The Conference is requested to consider and note a Note by the Director-General reporting on the status of implementation by States Parties of agreed multi-year payment plans (EC-104/DG.5 C-28/DG.6, dated 30 August 2023) that the Council, at its 104th Session, considered and forwarded to it pursuant to the above-mentioned decision.

Also pursuant to C-11/DEC.5, the Council at its 104th Session recommended that the Conference at its Twenty-Eighth Session approve the payment plan submitted by Suriname to regularise the payment of its outstanding annual contributions (EC-104/DEC.1, dated 10 October 2023). The Conference is requested to consider and approve the plan (C-28/DEC/CRP.2, dated 23 October 2023).

Subitem 16(b): Recommendation for write-offs of irrecoverable accounts receivable

The Council at its 104th Session 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-Eighth Session approve these write-offs, totalling EUR 2,632.53 (EC-104/DG.2 C-28/DG.4, dated 21 July 2023). The Conference is requested to consider and adopt a draft decision on the matter (C-28/DEC/CRP.1, dated 16 October 2023).

Subitem 16(c): Transfers of funds during 2022

In accordance with Regulation 4.5 of the OPCW Financial Regulations and Rules, all transfers between budget programmes shall be reported to the Conference. The Conference is requested to note a Note by the Director-General on this matter (EC-103/DG.5 C-28/DG.2, dated 31 May 2023).

Subitem 16(d): Annual report of the Office of Internal Oversight for 2022

In accordance with Regulation 12.5 of the OPCW Financial Regulations and Rules, the Director-General transmitted to the Conference, through the Council, the annual report of the Office of Internal Oversight for the period from 1 January to 31 December 2022, and the accompanying Note by the Director-General (EC-103/DG.8 C-28/DG.3, dated 1 June 2023), along with his own comments and any other comments made by the Council. The Conference is requested to note this report.

Subitem 16(e): Tenure policy

At its 103rd Session, the Council established a facilitation on tenure policy with the aim of preparing a recommendation to the Conference at its next session (paragraph 11.7 of EC-103/4, dated 13 July 2023).

The co-facilitators, Ambassador Susannah Gordon of New Zealand and Ambassador Elizabeth Ward Neiman of Panama, are expected to report to the Conference on the outcome of the facilitation.
Subitem 16(f): Participation of the OPCW in the United Nations Joint Staff Pension Fund

16.9 At the 104th Session of the Council, the Secretariat circulated a Note entitled “Participation of the OPCW in the United Nations Joint Staff Pension Fund” (EC-104/S/5, dated 7 October 2023).

16.10 Also, at its 104th Session, the Council recommended that the Conference at its Twenty-Eighth Session authorise the Secretariat to conclude an agreement to join the United Nations Joint Staff Pension Fund, from 1 January 2025, subject to terms that the Director-General deems satisfactory and to final approval by the Conference at its Twenty-Ninth Session, and to task the Secretariat with taking all the necessary preparatory administrative actions (EC-104/DEC.3, dated 12 October 2023), and transmitted it to the Conference for approval at its Twenty-Eighth Session. The Conference is requested to consider and adopt a decision on the matter (this document will be assigned an official reference number when it is made available to delegations).

17. AGENDA ITEM SEVENTEEN – Fostering of international cooperation for peaceful purposes in the field of chemical activities

17.1 The Conference at its Sixteenth Session adopted a decision regarding components of an agreed framework for the full implementation of Article XI of the Convention (C-16/DEC.10, dated 1 December 2011), and requested the Secretariat to report to the Conference at each annual session on the progress of concrete measures undertaken in implementing the decision, and on the status of implementation of Article XI.

17.2 The Conference is requested to note a report by the Director-General on the progress made and review of the status of implementation of Article XI of the Convention for the period from 26 August 2022 to 25 August 2023 (EC-104/DG.14 C-28/DG.11, dated 13 September 2023).

17.3 The Conference is expected to receive a report by the facilitator for Article XI issues, Ms Fatima Hamdia Tanweer of Pakistan, on activities held during the intersessional period.

18. AGENDA ITEM EIGHTEEN – Ensuring the universality of the Chemical Weapons Convention

18.1 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, inter alia, the Director-General 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.

18.2 The Conference is requested to note the annual Note by the Director-General reporting on the implementation of the action plan for the universality of the Convention during the period 16 August 2022 to 15 August 2023 (EC-104/DG.23 C-28/DG.14, dated 28 September 2023), and to take any further steps it might consider necessary.
19. **AGENDA ITEM NINETEEN – The OPCW Programme for Africa**

   The Conference is **requested** to note a Note by the Director-General on the Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention (EC-104/DG.13 C-28/DG.10, dated 13 September 2023).

20. **AGENDA ITEM TWENTY – Engagement with the chemical industry and the scientific community**

   The Conference is **requested** to note a Note by the Director-General on engaging the chemical industry associations (this document will be assigned an official reference number when it is made available to delegations).

21. **AGENDA ITEM TWENTY-ONE – Reports of subsidiary bodies**

   **Committee of the Whole**

   21.1 The Committee of the Whole is expected to report on the results of its consideration of those agenda items that the Conference refers to it at the recommendation of the General Committee.

   **General Committee**

   21.2 The Conference is **requested** to note the reports that the General Committee will prepare in accordance with Rule 43 of the Rules of Procedure of the Conference, and to take such action as it deems appropriate.

   **Commission for the Settlement of Disputes Related to Confidentiality**

   21.3 The Conference is **requested** to note the report of the Twenty-Fifth Meeting of the Commission for the Settlement of Disputes Related to Confidentiality (CC-25/1, dated 2 June 2023).

   **Credentials Committee**

   21.4 The Conference is **requested** to consider and approve the report of the Credentials Committee on the credentials of representatives to the Twenty-Eighth Session of the Conference (this document will be assigned an official reference number when it is made available to delegations).

   **Committee on Relations with the Host Country**

   21.5 At its Eleventh Session, the Conference adopted a decision establishing a Committee on Relations with the Host Country (the Host Country Committee) (C-11/DEC.9, dated 7 December 2006).

   21.6 The Chairperson of the Council, Ambassador Lucian Fătu of Romania, is expected to report to the Conference on the status of the work of the Host Country Committee.
Advisory Board on Education and Outreach

21.7 The Conference is requested to consider and note a Note by the Director-General reporting on the activities of the Advisory Board on Education and Outreach (ABEO) covering the period 1 September 2022 to 31 August 2023 (EC-104/DG.18 C-28/DG.13, dated 22 September 2023).

21.8 The Chairperson of the ABEO, Professor Magda Bauta Solés, will address the Conference.

Scientific Advisory Board

21.9 The Chairperson of the Scientific Advisory Board, Mr Günter Povoden, will address the Conference.

22. AGENDA ITEM TWENTY-TWO – Follow-up to the Review Conferences

22.1 A working paper entitled “Reflections by H.E. Ambassador Henk Cor van der Kwast, Chairperson of the Fifth Review Conference on the Outcome of the Fifth Review Conference” was circulated to the Council at its 103rd Session under the symbol EC-103/WP.1 (dated 26 June 2023).

Geographical representation

22.2 At its 103rd Session, the Council established a Working Group on Geographical Representation (EC-103/DEC.1, dated 12 July 2023).

22.3 The Chairperson of the Working Group, Ambassador Jaime Moscoso Valenzuela of Chile, is expected to report to the Conference on the activities of the Working Group and to deliver an action plan and its conclusions to the Conference, in accordance with paragraph 1 of EC-103/DEC.1.

Engagement with civil society

22.4 Also at the 103rd Session of the Council, Germany submitted a working paper entitled “Follow-up to the Fifth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention – Engagement with Civil Society” (EC-103/WP.2, dated 4 July 2023).

23. AGENDA ITEM TWENTY-THREE – Any other business

24. AGENDA ITEM TWENTY-FOUR – Adoption of the report of the Conference of the States Parties

25. AGENDA ITEM TWENTY-FIVE – Closure

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