REPORT OF THE SEVENTH SESSION
OF THE CONFERENCE OF THE STATES PARTIES
(7 - 11 October 2002)

1. AGENDA ITEM ONE – Opening of the session

1.1 The Seventh Session of the Conference was opened at 10:35 on 7 October 2002 by the Chairman of the Sixth Session of the Conference, Ambassador Heinrich Reimann of Switzerland. The Conference received a message from the Secretary-General of the United Nations.

1.2 The following 109 States Parties participated in the Seventh Session of the Conference of the States Parties (hereinafter the “Conference”): Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Holy See, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, and Zimbabwe.

1.3 In accordance with Rule 29 of the Rules of Procedure of the Conference, the following signatory States participated in this session of the Conference as observers: Israel and Thailand.

1.4 In accordance with Rule 30 of the Rules of Procedure of the Conference, and pursuant to decision C-7/DEC.1, dated 7 October 2002, the representatives of Andorra, Iraq, and the Libyan Arab Jamahiriya were granted observer status.
1.5 The Conference, in decision C-7/DEC.2, dated 7 October 2002, approved the participation of five international organisations in this session of the Conference.

1.6 The Conference, in decision C-7/DEC.3, dated 7 October 2002, approved the participation of six non-governmental organisations in this session of the Conference.

2. AGENDA ITEM TWO - Election of the Chairman

In accordance with Rules 34 and 35 of its Rules of Procedure, the Conference, by acclamation, elected as its Chairman Ambassador Noureddine Djoudi of Algeria, who shall hold office until his successor is elected at the next regular session of the Conference.

3. AGENDA ITEM THREE - Election of Vice-Chairmen and other officers

3.1 In accordance with Rules 34 and 35 of the Rules of Procedure of the Conference, Representatives of the following ten States Parties were elected as Vice-Chairmen of the Conference, to hold office until their successors are elected at the next regular session of the Conference: China, Cuba, Ecuador, Iran (Islamic Republic of), Nigeria, the Russian Federation, South Africa, Spain, the United States of America, and Yugoslavia.

3.2 Also in accordance with Rules 34 and 35 of the Rules of Procedure of the Conference, Ambassador Marc Vogelaar of the Netherlands was elected Chairman of the Committee of the Whole until a new Chairman is elected for this body at the next regular session of the Conference.

4. AGENDA ITEM FOUR - Adoption of the agenda

The Conference adopted the following agenda for its Seventh Session:

AGENDA ITEM ONE - Opening of the session

AGENDA ITEM TWO - Election of the Chairman

AGENDA ITEM THREE - Election of Vice-Chairmen 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 Credentials Committee

AGENDA ITEM SEVEN - Statement by the Director-General

AGENDA ITEM EIGHT - General debate

AGENDA ITEM NINE - Status of the implementation of the Convention
AGENDA ITEM TEN - Report of the Organisation in the year 2001

AGENDA ITEM ELEVEN - Report of the Executive Council on the performance of its activities

AGENDA ITEM TWELVE - Election of members of the Executive Council

AGENDA ITEM THIRTEEN - Programme and budget of the Organisation, submitted by the Executive Council for the ensuing financial period, and all items pertaining to this budget

AGENDA ITEM FOURTEEN - Scale of assessments to be paid by States Parties

AGENDA ITEM FIFTEEN - Fostering of international cooperation for peaceful purposes in the field of chemical activities

AGENDA ITEM SIXTEEN - Ensuring universality of the Convention

AGENDA ITEM SEVENTEEN - Reports of subsidiary bodies

(a) Committee of the Whole
(b) General Committee
(c) Confidentiality Commission
(d) Credentials Committee

AGENDA ITEM EIGHTEEN - Any other business

AGENDA ITEM NINETEEN - Dates and duration of the first special session to review the operation of the Convention and of the next regular session of the Conference of the States Parties

AGENDA ITEM TWENTY - Adoption of the Report of the Conference of the States Parties

AGENDA ITEM TWENTY-ONE - Closure

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

5.1 The Conference **adopted** appropriate recommendations of the General Committee, reported to it in accordance with Rule 43 of the Rules of Procedure of the Conference.

5.2 The Conference **adopted** the recommendation of the General Committee to close the Seventh Session of the Conference on 11 October 2002.
6. AGENDA ITEM SIX - Appointment of Credentials Committee

In accordance with Rule 27 of the Rules of Procedure, the Conference, on the proposal of its Chairman, appointed the following ten members of the Credentials Committee to hold office until new members are appointed at the next regular session of the Conference: Belgium, Botswana, Brazil, Cameroon, Colombia, Finland, Kuwait, Romania, Republic of Korea, and Slovakia.

7. AGENDA ITEM SEVEN - Statement by the Director-General


8. AGENDA ITEM EIGHT - General debate

The following delegations made statements during the general debate: the Russian Federation, Denmark (on behalf of the European Union, the countries associated with the European Union and the EFTA countries), the United States of America, France, India, Japan, Switzerland, South Africa, Peru, Pakistan, the Czech Republic, Singapore, the Philippines, Brazil, Canada, Nigeria (on behalf of the African Group), Republic of Korea, China, Argentina, Australia, Bangladesh, Iran (Islamic Republic of), Ukraine, Norway, Algeria, Cuba, Saudi Arabia, Mongolia, Sudan, Yugoslavia, Mauritius, and Nigeria.

9. AGENDA ITEM NINE - Status of the implementation of the Convention

The Conference reaffirmed its decision on national implementation measures taken at its Fifth Session (C-V/DEC.20, dated 19 May 2000), and requested the States Parties to respond promptly to the legislation questionnaires (S/194/2000, dated 8 June 2000, and S/317/2002, dated 18 September 2002). The Conference also encouraged the States Parties that need assistance in fulfilling their obligations under Article VII, paragraphs 1 and 5, to present their requests to the Secretariat.


The Conference approved the report of the OPCW on the implementation of the Chemical Weapons Convention in the year 2001 (C-7/3, dated 10 October 2002).

11. AGENDA ITEM ELEVEN - Report of the Executive Council on the performance of its activities

11.1 The Conference noted the report of the Executive Council (hereinafter the “Council”) on the performance of its activities in the period 24 February 2001 - 16 July 2002 (EC-M-21/2; C-7/2, dated 3 October 2002). The current Chairman of the Council, Ambassador Lionel Fernando of Sri Lanka, introduced the report.
Recommendations of the Council to the Conference

(a) Extension of deadlines for destruction of Category 1 chemical weapons stockpiles

(i) The Conference, in accordance with the recommendation of the Council at its Twenty-Eighth Session, considered and adopted the decision approving a request by a State Party to grant an extension of its obligation to meet the intermediate Phase 2 deadline for the destruction of its Category 1 chemical weapons (C-7/DEC.4, dated 10 October 2002); and

(ii) The Conference, in accordance with the recommendation of the Council at its Twenty-First Meeting, considered and adopted the decision on a request from the Russian Federation for an extension of its obligation to meet the intermediate and final deadlines for the destruction of its Category 1 chemical weapons (C-7/DEC.19, dated 11 October 2002).

(b) Requests for conversion of chemical weapons production facilities for purposes not prohibited under the Convention

(i) The Conference, in accordance with the recommendation of the Council at its Twenty-Fifth Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (filling of mustard gas and lewisite mixture into munitions) at OJSC “Khimprom” in Volgograd, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.5, dated 10 October 2002);

(ii) The Conference, in accordance with the recommendation of the Council at its Twenty-Fifth Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (loading of chemical sub-munitions into munitions) at OJSC “Khimprom” in Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.6, dated 10 October 2002);

(iii) The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on the request by the Russian Federation to use a chemical weapons production facility (aminomercaptan production) at OJSC “Khimprom” in Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.7, dated 10 October 2002);

(iv) The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on the request by the Russian Federation to use a chemical weapons production facility (chloroether production) at OJSC “Khimprom” in
Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.8, dated 10 October 2002);

(v) The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on the request by the Russian Federation to use a chemical weapons production facility (sarin production) at OJSC “Khimprom” in Volgograd, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.9, dated 10 October 2002);

(vi) The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (production of VX-substance and filling it into munitions, stage II: conversion of part of the auxiliary buildings 352 and 353 and of the ventilation stack 366B) at OJSC “Khimprom” in Novocheboksarsk, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.10, dated 10 October 2002);

(vii) The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (filling munitions with sarin, soman and viscous soman, phase II: conversion of buildings 600, 603, 605 and 605a) at OJSC “Khimprom” in Volgograd, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.11, dated 10 October 2002);

(viii) The Conference, in accordance with the recommendation of the Council at its Twenty-Eighth Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (lewisite production, second train) at OJSC “Sibur-Neftekhim”, “Kaprolaktam” Plant at Dzerzhinsk, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.12, dated 10 October 2002); and

(ix) The Conference, in accordance with the recommendation of the Council at its Twenty-First Meeting, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (soman production) at OJSC “Khimprom” in Volgograd, Russian Federation, for purposes not prohibited under the Convention (C-7/DEC.13, dated 10 October 2002).
(c) **Guidelines regarding declarations of aggregate national data for Schedule 2 chemical production, processing, consumption, import and export, and Schedule 3 import and export**

The Conference, in accordance with the recommendation of the Council at its Thirtieth Session, considered and adopted the decision on guidelines regarding declarations of aggregate national data for Schedule 2 chemical production, processing, consumption, import and export, and Schedule 3 import and export (C-7/DEC.14, dated 10 October 2002).

(d) **List of approved equipment and technical specifications of approved equipment**

(i) The Conference considered and adopted the decision on procedures for updating the list of approved equipment (C-7/DEC.20, dated 11 October 2002).

(ii) The Conference also considered the draft decision on procedures for revising technical specifications for approved equipment as contained in EC-28/DEC/CRP.4, dated 15 February 2002. Agreement was reached on operative paragraphs 1 and 2 of this draft decision, pending satisfactory agreement on operative paragraph 3. In respect to operative paragraph 3, there was an agreement on fundamental principles: that States Parties should have an opportunity to review and comment on the proposed technical specifications and that the Convention-mandated role of the Council in decision-making process must be fully respected. Efforts should continue to find precise language for operative paragraph 3, by reflecting these principles. The Conference forwarded the draft decision as contained in EC-28/DEC/CRP.4, dated 15 February 2002, to the Council, with a view to having it approved and provisionally applied. The decision to be adopted by the Council shall be submitted to the Eighth Session of the Conference for final consideration and approval.

(e) **Reports of the External Auditor on the financial statements of the OPCW for 2001**

The Conference noted the audited financial statements of the OPCW and the Provident Fund of the OPCW for the period ended 31 December 2001, including the response of the Acting Director-General to the above-mentioned External Auditor’s report (C-7/DG.1, dated 14 June 2002, and Corr.1, dated 26 June 2002).

(f) **Report of the Office of Internal Oversight on 2001**

The Conference noted that, in accordance with OPCW Financial Regulation 12.5, the summary report on the internal oversight activities for 2001, prepared by the Office of Internal Oversight (OIO), was transmitted to it through the
Council at its Thirtieth Session (EC-29/DG.5, dated 10 June 2002). The Conference also noted the comments of the Council at its Thirtieth Session as to the work carried out by the OIO (paragraph 15 of EC-30/2, dated 13 September 2002).

11.2 The Conference noted that several issues referred by it at its Sixth Session with a view to the Council making a recommendation to the Conference at its current session still remain under consideration by the Council. The Conference urged the Council to report on these issues as soon as appropriate recommendations have been formulated.

12. **AGENDA ITEM TWELVE - Election of members of the Executive Council**

In accordance with Article VIII, paragraph 23 of the Convention, and with Rule 83 of the Rules of Procedure of the Conference, the Conference elected 21 members for the following elective places on the Council to serve a term of two years, commencing on 12 May 2003:

- **Africa:** Cameroon, Nigeria, Sudan, Tunisia, Zambia
- **Asia:** China, India, Japan, Kuwait, Republic of Korea, Saudi Arabia
- **Eastern Europe:** Czech Republic, Slovakia
- **Latin America and the Caribbean:** Argentina, Brazil, Mexico
- **Western Europe and Other States:** France, Germany, Italy, United Kingdom of Great Britain and Northern Ireland, United States of America

13. **AGENDA ITEM THIRTEEN - Programme and budget of the Organisation, submitted by the Executive Council for the ensuing financial period, and all items pertaining to this budget**

**Programme and budget of the Organisation for 2003**

13.1 In accordance with Article VIII, paragraph 21(a) of the Convention and Financial Regulation 3.6(a), the Conference considered and adopted the OPCW programme and budget for 2003, as contained in C-7/DEC.16, dated 11 October 2002.

13.2 The Conference recognised that, in accordance with the requirements of the Convention, essential operational activities are to increase significantly in the coming years, and affirmed a readiness to ensure the availability of resources adequate to the full attainment by the Organisation of the objectives and purposes of the Convention. The Conference also considered that, in light of the prospective operational tasks, focused efforts to develop and implement more cost-effective procedures and more transparent methods are needed.
13.3 The Conference **decided** that additional funds in the amount of EUR 450,000 will be made available to international cooperation and assistance programmes from the following sources:

(a) EUR 114,000, originally intended for replenishing the special account; and

(b) up to EUR 336,000, to be acquired through management of the programme and administrative adjustments as appropriate;

13.4 The Conference **decided** that the programmes to be funded through this mechanism are those contained in Table 34 of the OPCW Programme and Budget for 2003, and that they should be implemented as the funds become available;

13.5 The Conference also **considered** that, once funds are acquired and earmarked for international cooperation and assistance programmes, they should remain dedicated for the implementation of these programmes, and should not be redirected to other needs; and

13.6 The Conference **requested** the Director-General to report on a regular basis to the Council on the implementation of this decision and to provide details on each activity in due course.

13.7 The Conference **requested** the Director-General to present to the Council, at its Thirty-Second Session, proposals on more substantial use of monitoring equipment at chemical weapons storage and destruction facilities in the course of verification activities under Articles IV and V of the Convention, to be implemented within the framework of the OPCW programme and budget for the year 2003.

13.8 The Conference also **requested** the Director-General to consider proposals on optimisation of the verification activities under Articles IV and V of the Convention, relating to the frequency of inspections, number of inspectors in the inspection teams, and other related issues, and to present recommendations to the Council, at its Thirty-Second Session, to be reflected in the draft OPCW programme and budget for the year 2004.

13.9 The Conference also **took note** of the expressed desirability to further optimise and to increase the efficiency of verification activities under Article VI, in particular in relation to the duration of inspections, the number of inspectors for each inspection and other related issues.

13.10 The Conference considered and **adopted** a decision on withholding the distribution of the prospective cash surplus for 2001 (C-7/DEC.17, dated 11 October 2002).

14. AGENDA ITEM FOURTEEN - Scale of assessments to be paid by States Parties

14.1 In accordance with Article VIII, paragraph 21(b) of the Convention, the Conference adopted the scale of assessments for 2003 as contained in C-7/DEC.18, dated 11 October 2002.

14.2 The delegation of Argentina informed the Conference that the Committee on Contributions of the General Assembly of the United Nations, during its Sixty-Second Session, recommended “that the General Assembly fix a rate of assessment for Argentina of 0.969 per cent in 2003 as an ad hoc adjustment”. This recommendation will be further considered and decided upon by the General Assembly in its present session. In the event that a decision of the General Assembly results in a reduction of Argentina’s assessed contribution to the UN, the delegation of Argentina considered that this fact should accordingly be reflected in Argentina’s assessed contribution to the OPCW for 2003. Therefore, the delegation of Argentina expressed its reservation on its assessed contribution as approved by the Conference.

14.3 The Conference noted the observation of the delegation of Brazil concerning the methodology used in the calculation of the assessments.

15. AGENDA ITEM FIFTEEN - Fostering of international cooperation for peaceful purposes in the field of chemical activities

15.1 The Conference noted statements by the following delegations in relation to this agenda item: Mexico, Iran (Islamic Republic of), and India.

15.2 The Conference referred this issue to the Council for its further consideration, with a view to the Council forwarding a proposal to the Conference at its Eighth Session for its consideration and approval.

16. AGENDA ITEM SIXTEEN - Ensuring universality of the Convention

16.1 The Conference received a Note by Belgium on behalf of the European Union on the universality of the Convention (C-7/NAT.1, dated 1 November 2001), as well as a letter from the Republic of South Africa (C-7/NAT.2, dated 23 July 2002) on the same subject.

16.2 The Conference noted the report by the Director-General on the implementation of the recommendation of the Conference at its Sixth Session on ensuring the universality of the Convention (C-7/DG.3*, dated 4 October 2002).

16.3 The Conference considered and adopted the recommendation on ensuring the universality of the Convention (C-7/DEC.15, dated 10 October 2002).
17. AGENDA ITEM SEVENTEEN - Reports of subsidiary bodies

Committee of the Whole

17.1 The Conference noted the report of the Committee of the Whole on the results of its consideration of those agenda items referred to it by the Conference on the recommendation of the General Committee (C-7/CoW.1, dated 11 October 2002), and took appropriate action as required.

General Committee

17.2 The Conference noted the reports of the General Committee, and took appropriate action as required.

Confidentiality Commission

17.3 The Conference noted that there had been no meeting of the Commission on the Settlement of Disputes Relating to Confidentiality (“Confidentiality Commission”) since January 2001. The Conference also noted that the Confidentiality Commission will convene shortly after 19 May 2003. This is without prejudice to convening a meeting of the Confidentiality Commission at any time, should there be a need for it to address a dispute relating to a breach of confidentiality.

17.4 In accordance with paragraph 23 of the Confidentiality Annex to the Convention and paragraph 1 of Part IX.2 of the OPCW Policy on Confidentiality as contained in C-I/DEC.13, dated 16 May 1997, the Conference elected the following 20 members of the Confidentiality Commission for a term of two years beginning on 19 May 2003:

Africa: Mr Abderrahim Chakour (Morocco), Prof. Omar Dahab (Sudan), Prof. Victor Mtetwa (Swaziland), and Mr Samuel Ekodobi Ofodile (Nigeria);

Asia: Mr Tatsuya Abe (Japan), Mr Chen Kai (China), Prof. Djamchid Momtaz (Iran), and Mr Krishnamurthy Sekar (India);

Eastern Europe: Mr Yuri N. Marakhovsky (Russian Federation), Ms Kvetoslava Pamánková (Czech Republic), Mr Zoltán Pecze (Hungary), and Ms Anca Visan (Romania);

Latin America and the Caribbean: Mr Gonzalo Casas (Uruguay), Mr Pedro Von Eyken (Argentina), Ms Irene Romero López (Cuba), and Mr Pedro Sittón-Ureta (Panama);
Western European and other States: Dr Karl F. Jorda (USA), Prof. Ioannis Seimenis (Greece), Dr Gianfranco Tracci (Italy), and Prof. Dieter C. Umbach (Germany).

Credentials Committee

17.5 The report of the Credentials Committee (C-7/4, dated 10 October 2002) was presented by its Chairman, Mrs Maria Dulce Silva Barros of Brazil. The Chairman orally reported that, following the close of the Credentials Committee meeting, formal credentials were received for the Representatives of Costa Rica, El Salvador, Senegal, and Viet Nam, and official communications were received regarding the representation of Paraguay and of Sudan. Formal credentials will be submitted for the latter in due course. The Conference also remarked on the number of Member States which failed to submit credentials for their Representatives on time, and urged adherence to the requirements of Rule 26 of the Rules of Procedure for the next Session. Under that rule, the Director-General should receive the credentials preferably one week in advance of the session.

18. AGENDA ITEM EIGHTEEN – Any other business

Agreements on privileges and immunities of the OPCW

18.1 The Conference considered and approved the decisions on three draft agreements on privileges and immunities between the OPCW and Finland, Argentina, and Spain, and requested the Council to conclude them (C-7/DEC.21, C-7/DEC.22, and C-7/DEC.23*, respectively all dated 11 October 2002).

Complaint before ILO Administrative Tribunal

18.2 In relation to the complaint filed by the former Director-General against the Conference in the ILO Administrative Tribunal, the Conference authorised the Chairman of the Conference and the Director-General to take the necessary administrative action and keep the Conference and the Council informed of developments.

19. AGENDA ITEM NINETEEN – Dates and duration of the first special session to review the operation of the Convention and of the next regular session of the Conference of the States Parties

19.1 The Conference decided, in accordance with the recommendation of the Council (EC-28/DEC.4, dated 20 March 2002), to hold the first special session to review the operation of the Convention (First Review Conference) from 28 April - 9 May 2003.
The Conference decided to hold its future regular sessions on the following dates: 20 - 24 October 2003; 15 - 19 November 2004; 7 - 11 November 2005; 6 - 10 November 2006; 5 - 9 November 2007; 7 - 18 April 2008 (Second Review Conference); 3 - 7 November 2008; 2 - 6 November 2009; and 1 - 5 November 2010. The Conference authorised the Director-General to conclude appropriate agreements with the Netherlands Congress Centre, assuring the availability of conference facilities on these dates, while maintaining flexibility to make necessary adjustments, if so required.

20. AGENDA ITEM TWENTY – Adoption of the report of the Conference of the States Parties

The Conference considered and adopted the report of its Seventh Session.

21. AGENDA ITEM TWENTY-ONE - Closure

The Chairman closed the Seventh Session at 23:05 hrs on 11 October 2002.