



OPCW

Conference of the States Parties

Eighth Session
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NOTE BY THE DIRECTOR-GENERAL

**REPORT ON THE IMPLEMENTATION OF THE RECOMMENDATION OF THE
CONFERENCE OF THE STATES PARTIES AT ITS SEVENTH SESSION ON
ENSURING THE UNIVERSALITY OF THE CHEMICAL WEAPONS CONVENTION**

1. Recalling its previous recommendations (C-II/DEC.11, dated 5 December 1997; C-III/DEC.9, dated 20 November 1998; C-IV/DEC.22, dated 2 July 1999; C-V/DEC.21, dated 19 May 2000; and C-VI/DEC.11, dated 17 May 2001), the Conference of the States Parties (hereinafter “the Conference”) at its Seventh Session adopted a recommendation (C-7/DEC.15, dated 10 October 2002) on ensuring the universality of the Chemical Weapons Convention (hereinafter “the Convention”), urging all states that have neither ratified nor acceded to the Convention to do so without delay.
2. The Conference reiterated its recommendation that the States Parties and the Director-General continue to make every effort to encourage all states that have neither ratified nor acceded to the Convention to do so as soon as possible. It also encouraged States Parties to promote the achievement of the common objectives of the Convention in order to enhance a cooperative atmosphere that would encourage other countries to join the Convention. The Conference requested the Director-General to submit a report on the implementation of the recommendation to it at its Eighth Session. This report has been compiled pursuant to that request, and covers the period up to 31 July 2003.
3. In the Political Declaration approved by the First Special Session of the Conference to Review the Operation of the Convention (hereinafter “the First Review Conference”), which met from 28 April to 9 May 2003, the States Parties noted that the universality of the Convention is fundamental to the achievement of its object and purpose. The States Parties reaffirmed, in particular, that achieving the goals of the Convention requires ratification or accession by those States not party to the Convention that cause serious concern. The States Parties pledged to intensify their bilateral and multilateral efforts towards the universality of the Convention, and urged all States not party to join the Convention without delay. In addition, the Political Declaration states that the universality of the Convention, in conjunction with its full and effective implementation, helps to prevent access to chemical weapons by terrorists.
4. This Note does not repeat information contained in previous reports addressing universality, such as the background paper on universal adherence to the Chemical



Weapons Convention (RC-1/S/5, dated 25 April 2003) that was prepared for the First Review Conference, and reports made to the Conference at its Fifth, Sixth, and Seventh Sessions (C-V/DG.12, dated 16 May 2000; C-VI/DG.7, dated 15 May 2001, and C-7/Dec.15, dated 10 October 2002, respectively).

5. Since the Seventh Session of the Conference, eight additional states have become States Parties to the Convention, namely Andorra, Guatemala, Palau, Saint Vincent and the Grenadines, Samoa, Thailand, Timor- Leste, and Tonga. As at 15 July 2003, 153 states had ratified or acceded to the Convention. With the accession of Andorra in March 2003, all of Europe is now covered by the Convention's regime.
6. A further 25 states have signed the Convention but have yet to deposit their instruments of ratification, and there remain 16 non-signatory States. Regions with States not party include the Middle East, Africa, other parts of Asia and the Pacific Islands, and Central America and the Caribbean.
7. Since the Seventh Session of the Conference in October 2002, universality-related activities designed to encourage more-widespread adherence to the Convention were conducted in various regions during the period under review. States Parties and the Technical Secretariat (hereinafter "the Secretariat") cooperated on a number of these. The following paragraphs list the relevant developments:
 - (a) The Director-General visited the following countries, where he asked States Parties to use their good offices to encourage States not party to adhere to the Convention: the United Kingdom of Great Britain and Northern Ireland (October 2002), China (November 2002), France (December 2002), the Russian Federation (February 2003), Germany (February 2003), Austria (March 2003), Switzerland (April 2003), the Czech Republic (May 2003), and Mexico (June 2003). In many cases, he also delivered speeches addressing the need for universal adherence to the Convention, and held high-level bilateral meetings with ministers of foreign affairs and other senior officials to underscore the importance of universality.
 - (b) In addition, in October and November 2002, the Director-General attended the fifty-sixth session of the United Nations (UN) General Assembly in New York, in part to promote the universality of the Convention and to conduct bilateral and group consultations with States not party. The Director-General delivered statements to the First Committee on Disarmament on 23 October 2002, and to the General Assembly on 20 November 2002, in which he highlighted the need for universality. He also met with the Deputy Secretary-General of the UN, Mrs Louise Fréchette; the Chief of Cabinet of the Secretary-General, Under Secretary-General Mr Iqbal Riza; the Under Secretary-General for Disarmament Affairs, Mr Jayantha Dhanapala; and the Under Secretary-General for Political Affairs, Mr Kieran Prendergast, to discuss, among other matters, how to make further progress on universality.
 - (c) In December 2002, under the auspices of the Participation Support Project, the Director of External Relations and senior officers of the Secretariat held meetings with representatives of States not party in Brussels (Andorra, Angola, Chad, Haiti, Kyrgyzstan, Rwanda, Sao Tomé and Príncipe, and

Solomon Islands) and in London (Antigua and Barbuda, the Bahamas, Barbados, the Dominican Republic, Saint Kitts and Nevis, and Tonga). As noted above, Andorra and Tonga have since become States Parties.

- (d) In February 2003, the Director-General wrote to the ministers of foreign affairs of States not party, inviting them to attend the First Review Conference. Two signatory States, Haiti and Israel, and two non-signatory States (Angola and the Libyan Arab Jamahiriya) attended.
- (e) In March 2003, the Director-General held group luncheon meetings at the UN headquarters in New York with representatives of the following States not party: Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Central African Republic, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Grenada, Guatemala, Liberia, Marshall Islands, Sao Tome and Principe, Somalia, and Tonga (which has since become a State Party).
- (f) The Director-General again wrote in June 2003 to ministers of foreign affairs of States not party, informing them of the outcome of the First Review Conference, drawing particular attention to its Political Declaration, in which States Parties noted that the universality of the Convention is fundamental to the achievement of its object and purpose, and urging them to join the Convention as soon as possible.
- (g) There have been no new ratifications or accessions by states in the Middle East and neighbouring regions since the United Arab Emirates and Yemen joined the Convention in 2000. The last ratifications and accessions prior to 2000 had taken place soon after the entry into force of the Convention in 1997. No universality-related seminars or workshops were held in the Middle East region during the period under review. However, it has been noted that this sensitive region borders another that includes countries represented in bodies such as the Southeast European Co-operative Initiative Centre for Combating Transborder Crime (SECI Centre). In the context of the fight against global terrorism, the OPCW was represented at the First Anti-Terrorism Task Force Meeting of the SECI Centre, which was held in Ankara, Turkey, in June 2003.
- (h) In Africa, there have been no new ratifications or accessions since Uganda and Zambia ratified in 2001. A regional seminar held in Khartoum, the Sudan, in March 2002 led to the adoption, first, of what have become known as the Khartoum recommendations, and then of the first African Union (AU) decision on the implementation and universality of the Convention in Africa, taken by the heads of State and Government of the AU at the Durban Summit in July 2002. Thirty-five of the 52 members of the AU have now adhered to the Convention. In February 2003, in cooperation with the Government of the French Republic, the Secretariat sent a representative to Chad to assist with preparations for its ratification of the Convention. In addition, in February 2003 an OPCW delegation visited the AU Secretariat in Addis Ababa, Ethiopia, as a follow-up to the AU decision. Among the issues discussed was the need to work together in a bid to make progress toward universality. An interim report was circulated at the meeting of the Executive Council of the

African Union in Chad in March 2003, in line with the decision adopted in Durban. In July 2003, the Director-General led an OPCW delegation to the Second Ordinary Session of the Assembly of Heads of State and Government of the African Union in Maputo, Mozambique, where he held meetings with foreign ministers of States Parties and States not party in Africa, and with the heads of a number of international and regional organisations, including the Interim Chairperson of the African Union, the Secretary-General of the Arab League, the Executive Secretary of the Inter-Governmental Authority on Development (IGAD), as well as the African Union Commissioner for Peace and Security, the Assistant Secretary-General of the Common Market for Economic Development in Eastern and Southern Africa (COMESA) and the Vice-President of the International Committee of the Red Cross (ICRC). During the discussions, universality was high on the agenda. Since the Director-General's meetings in Maputo, a number of States not party in Africa have also been invited to the First African Regional Meeting of National Authorities, to be held in Khartoum in August 2003.

- (i) In Asia and the Pacific Islands, there has been a notable increase in the number of new Member States in the past year, including several non-signatory States. Samoa and Thailand have ratified, and Palau, Timor-Leste, and Tonga have acceded to the Convention. In December 2002, the Secretariat organised a universality-related presentation for representatives of Afghanistan and Kyrgyzstan at OPCW headquarters in The Hague. A regional workshop on universality of the Convention, held in Chiang Mai, Thailand, in March 2003, was attended by several States Parties and the following States not party to the Convention: Bhutan, Cambodia, Kyrgyzstan, Myanmar, Solomon Islands, Timor-Leste, Tonga, and Tuvalu. (Timor-Leste and Tonga subsequently acceded to the Convention.) The workshop was funded with voluntary contributions from Australia, New Zealand, and the United Kingdom. Good progress is also reported in Kyrgyzstan, the Marshall Islands, and Tuvalu also report that they are making good progress toward adherence. Targeted follow-up and assistance are being considered for other States not party in these regions, including Afghanistan, Bhutan, Cambodia, Myanmar, Solomon Islands, and Vanuatu.
- (j) In Central America and the Caribbean, both Guatemala, and Saint Vincent and the Grenadines, ratified the Convention in the period under review, and the Dominican Republic and Haiti report that they are making good progress toward adherence. With the cooperation of the Secretariat and the French Government, a bilateral-assistance visit was made to Haiti in February 2003 to assist it in its preparations for ratification of the Convention. In addition, a regional seminar on universality and the implementation of the Convention, held in Sint Maarten, the Netherlands Antilles, in May 2003, was attended by eight of the nine States not party in the region: Antigua and Barbuda, Bahamas, Barbados, Belize, Grenada, Haiti, Honduras, and Saint Kitts and Nevis. The seminar was funded with voluntary contributions from the Netherlands and the United Kingdom.
- (k) All the regional and bilateral universality-related activities carried out by the Secretariat in the past two years would have been impossible without the

voluntary financial contributions made by States Parties, including Australia, Canada, France, Japan, Netherlands, New Zealand, Norway, Oman, Sweden, and United Kingdom. In addition, bilateral assistance to States not party was delivered in cooperation with France. Financial contributions, including for universality-related activities, have also been made by Greece, Kuwait, and United States of America. Norway and the United Kingdom have envisaged further financial and other support for targeted universality-related assistance activities.

- (l) In addition, the Secretariat has been inviting States not party to regional and subregional seminars and workshops aimed at facilitating national implementation of the Convention, including regional meetings of National Authorities, thematic workshops in subregions, and protection training courses. For example, the Dominican Republic and Haiti participated in the OPCW industry seminar held in Mexico in June 2003, and Afghanistan and Kyrgyzstan have participated in OPCW activities relating to protection and assistance conducted in The Hague and in Kazakhstan.
 - (m) The Director-General has engaged two consultants to focus on universality-related issues—one in Latin America and the Caribbean, the other on the Korean Peninsula. These are aimed at strengthening current efforts toward achieving universality, as well as at helping to design new universality-oriented projects and initiatives.
 - (n) The OPCW-UN Relationship Agreement serves as a framework within which the two organisations can act jointly to make progress on the issue of universality. At the invitation of the OPCW, the United Nations Regional Centres for Peace, Disarmament, and Development have participated in regional seminars and workshops to promote universality and implementation of the Convention. The Head of the Regional Centre for Disarmament and Development in Asia attended the above-mentioned regional workshop in Thailand in March 2003, while the Head of the Lima Regional Centre for Latin America and the Caribbean attended the regional seminar in the Netherlands Antilles in May 2003. Further cooperation involving the Regional Centres may be considered, including efforts to promote the universality of the Convention during visits by representatives of the Regional Centres to States not party in those regions.
8. The Chairman of the Executive Council (hereinafter “the Council”) appointed a facilitator, Ms Consuelo Femenía of Spain, to assist with the preparation by the Council of an action plan designed to promote the universality of the Convention. In July 2003, the Secretariat and the facilitator discussed items that might be included in a draft action plan, which was also the subject of discussion at informal open-ended consultations chaired by the Chairman of the Executive Council in the same month. The purpose of these discussions and consultations was to assist the Council in its consideration and development of an action plan whose objectives would be:
- (a) to further encourage, in a systematic and coordinated manner, adherence to the Convention; and

- (b) to assist States ready to join the Convention in their national preparations for implementing it.
9. In the short term, the emphasis of universality-related efforts is changing, as the number of States not party has fallen, from primarily large seminars and workshops, to smaller regional and subregional events and targeted bilateral assistance. Further regional work may be required in those regions that have the largest number of States not party, in particular Africa and the Middle East, as well as Asia. At the same time, more-focused bilateral work will also be important for a number of States not party that have made recent progress towards adherence or have indicated a need for assistance, including in Africa, Asia and the Pacific Islands, and Central America and the Caribbean.
10. The purpose of such efforts is to capitalise on current interest in the Convention, to ensure that the momentum is not lost, and to accelerate the process towards early ratification or accession. Although it would appear that, in the majority of cases, states that have not yet joined the Convention have not done so, *inter alia* because of a lack of awareness, a lack of human or financial resources, or administrative or bureaucratic delays, it is also likely that, in specific cases, regional security contexts, and national or regional conflicts and tensions also distract attention and from the need to achieve universal adherence to the Convention.
11. While involving targeted regional, bilateral, and resource-efficient efforts on the part of the Secretariat and States Parties, so as to encourage States not party to move towards adherence and to assist them in their efforts to do so, future universality-oriented efforts may also be pursued through cooperation with various organisations, including the United Nations, the European Union, and the African Union, as well as with regional and subregional organisations such as the Arab League, the Association of South-East Asian Nations (ASEAN), the Caribbean Community (CARICOM), COMESA, the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), IGAD, the Organisation of American States (OAS), the Organisation of Eastern Caribbean States (OECS), the Pacific Islands Forum (PIF), the Southern African Development Community (SADC), and the Sahel Saharan Community for Economic Development (CEN-SAD).
12. Finally, certain States not party may require specific assistance in preparing for adherence. Targeted activities would include briefings on the Convention, the economic, security, and other benefits of adherence, administrative familiarisation, and/or legislative drafting and advice. In addition to the action plan on the universality of the Convention that is being developed by the Council, ways to promote the full and effective implementation of the Convention, including the Council's action plan to ensure full compliance with Article VII obligations, also need to be further developed. In this context, it will also be important for the States Parties and the Secretariat to continue to coordinate their universality-oriented activities.