

DECISION**APPROVAL OF THE SALE OF THE OPCW BUILDING****The Conference**

Recalling that the Conference of the States Parties, in C-I/DEC.5, confirmed the (Preliminary) Tenancy Agreement for the OPCW Building,

Recalling further that Section 12 of the (Preliminary) Tenancy Agreement provides, inter alia, that if the Lessor wishes to sell the OPCW building, the Lessor shall notify the OPCW in writing; the OPCW shall have the preferential right to buy the OPCW building; and sale of the OPCW building can take place only after written approval of the identity of the intended purchaser is obtained from the OPCW,

Noting that, on 2 April 1997, the Provisional Technical Secretariat of the Preparatory Commission was notified formally that the developer of the OPCW building, Peace Building Catsheuvel B.V., intends to sell the building to RaboFonds GmbH which is a 100% subsidiary of Rabobank Deutschland AG, and that the actual transfer of ownership will take place immediately after the OPCW Foundation has accepted the building ready for use and after the OPCW has accepted the special requirements (Attachment 1 to PC-XVI/HC/2),

Noting that Rabobank Deutschland AG submitted a declaration to the Preparatory Commission that it will fully respect, in the same way as a right in rem, all terms and conditions of the (Preliminary) Tenancy Agreement (Attachment 2 to PC-XVI/HC/2),

Recalling that the Commission recommended that, at an early stage, the Director-General confirm the approval of the OPCW to the transfer of ownership of the OPCW building to RaboFonds GmbH, a 100% subsidiary of Rabobank Deutschland AG, by means of a letter to Peace Building Catsheuvel B.V. (subparagraph 7.2 of PC-XVI/36),

Hereby:

1. **Decides** not to exercise the OPCW's preferential right to buy the OPCW building; and

2. **Requests** the Director-General to so notify Peace Building Catsheuvel B.V. and to confirm the approval of the OPCW to the transfer of ownership of the OPCW building to RaboFonds GmbH, a 100% subsidiary of Rabobank Deutschland AG, by means of a letter to Peace Building Catsheuvel B.V.

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