



OPCW

Conference of the States Parties

Sixth Session
14 - 19 May 2001

C-VI/6
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**REPORT OF THE SIXTH SESSION
OF THE CONFERENCE OF THE STATES PARTIES**

1. Introduction

- 1.1 The following 108 States Parties participated in the Sixth Session of the Conference of the States Parties (hereinafter the “Conference”): Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Holy See, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, 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, Zambia, and Zimbabwe.
- 1.2 In accordance with Rule 29 of the Rules of Procedure of the Conference, the following signatory State participated in this session of the Conference: Israel.
- 1.3 In accordance with Rule 30 of the Rules of Procedure of the Conference, and pursuant to decision C-VI/DEC.1, dated 14 May 2001, Representatives of Andorra and the Libyan Arab Jamahiriya were granted observer status.
- 1.4 The Conference, in decision C-VI/DEC.2, dated 14 May 2001, approved the participation of international organisations in this session of the Conference.
- 1.5 The Conference, in decision C-VI/DEC.3, dated 14 May 2001, approved the participation of eight non-governmental organisations in this session of the Conference.

2. AGENDA ITEM ONE - Opening of the session

The Sixth Session of the Conference was opened on 14 May 2001 by the Chairman of the Fifth Session of the Conference, Ambassador Jaime Lagos of Chile. The Conference received the message from the Secretary-General of the United Nations (C-VI/3, dated 14 May 2001).

3. 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 Heinrich Reimann of Switzerland, who shall hold office until his successor is elected at the next regular session of the Conference.

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

4.1 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: Algeria, Nigeria (Africa); Pakistan, Sri Lanka (Asia); the Russian Federation, Yugoslavia (Eastern Europe); Chile, Colombia (Latin America and the Caribbean); France, and the United States of America (WEOG).

4.2 Also in accordance with Rules 34 and 35 of the Rules of Procedure of the Conference, Ambassador Alberto Luis Davèrède of Argentina 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.

5. AGENDA ITEM FOUR - Adoption of the agenda

The Conference adopted the following agenda for its Sixth 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 on the year 2000

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, as well as other budgetary matters

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 - Elections of the Confidentiality Commission

AGENDA ITEM NINETEEN - Any other business

AGENDA ITEM TWENTY - Date and duration of the next regular session of the Conference of the States Parties

AGENDA ITEM TWENTY-ONE - Adoption of the report of the Conference of the States Parties

AGENDA ITEM TWENTY-TWO - Closure

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

- 6.1 The Conference, noting that no request for a supplementary item had been received by the Director-General, and that no request for an additional agenda item had been received by the General Committee under Rules 14 and 20 respectively of the Rules of Procedure of the Conference, adopted the recommendation of the General Committee

to approve for this session of the Conference the agenda contained in C-VI/1, dated 9 March 2001, and Corr.1, dated 16 March 2001.

- 6.2 The Conference referred the following items to the Committee of the Whole, to consider and report back: a recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A* chemicals; the fostering of international cooperation for peaceful purposes in the field of chemical activities; issues related to the draft 2002 OPCW programme and budget; and the scale of assessments for 2002.
- 6.3 The Conference adopted the recommendation of the General Committee to close the Sixth Session of the Conference on 18 May 2001. On 18 May 2001, on the recommendation of the General Committee, the Conference decided to close the Sixth Session on 19 May 2001.

7. AGENDA ITEM SIX - Appointment of Credentials Committee

In accordance with Rule 27 of its 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, Brazil, Bulgaria, Croatia, Namibia, Panama, Saudi Arabia, Spain, Sudan, and Yemen.

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

The Conference noted the opening statement by the Director-General (C-VI/DG.6, dated 14 May 2001).

9. AGENDA ITEM EIGHT - General debate

The following delegations made statements during the general debate: Sweden (on behalf of the European Union and associated countries), Brazil, Sri Lanka, Japan, Pakistan, Saudi Arabia, the United States of America, the United Nations, Norway, Bangladesh, Mexico, the Czech Republic, China, the Republic of Korea, Peru, Sudan, Romania, Cuba, Nigeria, Australia, Chile, Iran (Islamic Republic of), South Africa, India, Canada, Mozambique, Ukraine, Viet Nam, Yugoslavia, the Russian Federation, the Slovak Republic, the United Arab Emirates, Singapore, Algeria, Gabon, South Africa (on behalf of the African Group), and Morocco.

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

Procedures for the handling of confidential information

- 10.1 The Conference noted the report by the Director-General on the implementation of the regime governing the handling of confidential information by the Secretariat in 2000 (C-VI/DG.1, dated 2 April 2001).

Status of implementation of the requirement for States Parties to provide two-year multiple entry/exit visas to inspectors

- 10.2 The Conference noted the report by the Director-General on the status of implementation of the requirement for States Parties to provide two-year multiple entry/exit visas to inspectors (C-VI/DG.3, dated 20 April 2001).

Legislation, cooperation, and legal assistance

- 10.3 The Conference noted that the Council at its Twenty-Fourth Session had noted the report by the Director-General on national implementation measures (EC-XXIV/DG.4, dated 22 March 2001), and had expressed concern that, as of 8 March 2001, only 53, or 38%, of States Parties had fulfilled their obligation under Article VII, paragraph 5, of the Convention to inform the Organisation of their implementing measures. The Council had urged those States Parties which had not yet responded to the legislation questionnaire circulated in June 2000 (S/194/2000) to do so promptly.
- 10.4 The Conference noted the report by the Director-General on the status of implementation of Article VIII, paragraph 50 (C-VI/DG.4, dated 3 May 2001).

11. AGENDA ITEM TEN - Report of the Organisation on the year 2000

The Conference considered and approved the report of the OPCW on the implementation of the Chemical Weapons Convention in the year 2000 (C-VI/5, dated 17 May 2001).

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

- 12.1 The Conference noted the report of the Executive Council on the performance of its activities in the period 3 April 2000 - 23 February 2001 (C-VI/2, dated 6 April 2001). The report was introduced by the outgoing Chairman of the Council, Mr Bernhard Brasack of Germany.

Recommendations of the Council to the Conference

- 12.2 The Conference took the following decisions on the basis of recommendations of the Council:

(a) Authentication and certification procedure for the Central OPCW Analytical Database and on-site databases

In the light of the decision by the Conference at its Fifth Session to refer this matter to the Council for further consideration, and of the subsequent decision by the Council at its Twentieth Session, the Conference considered and adopted the decision on the authentication and certification procedure for the

Central OPCW Analytical Database and on-site databases (C-VI/DEC.4, dated 17 May 2001).

(b) Relationship agreement between the United Nations and the OPCW

In the light of the decision of the Conference at its Fourth Session, and of the decision by the Council at its Eleventh Meeting, the Conference considered and adopted the decision on the relationship agreement between the United Nations and the OPCW (C-VI/DEC.5, dated 17 May 2001).

(c) Agreements on privileges and immunities of the OPCW

(i) The Conference, in accordance with the recommendation of the Council at its Twenty-First Session, considered and adopted the decision approving the negotiated text of the agreement between the Government of the Portuguese Republic and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW (C-VI/DEC.6, dated 17 May 2001).

(ii) The Conference, in accordance with the recommendation of the Council at its Twenty-First Session, considered and adopted the decision approving the negotiated text of the agreement between the Government of the Republic of Panama and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW (C-VI/DEC.7, dated 17 May 2001).

(d) Request for approval to use a chemical weapons production facility for purposes not prohibited under the Convention

The Conference, in accordance with the recommendation of the Council at its Twenty-Third Session, considered and adopted the decision on the request by the Russian Federation for approval to use a chemical weapons production facility (filling of hydrocyanic acid into munitions) at OJSC “Orgsteklo”, Dzerzhinsk, for purposes not prohibited under the Convention (C-VI/DEC.8, dated 17 May 2001).

(e) Official languages of the OPCW

The Conference, in accordance with the recommendation of the Council at its Twenty-Fourth Session, considered and adopted the decision on the languages of the OPCW (C-VI/DEC.9, dated 17 May 2001).

(f) Implementation of section B of Part IX of the Verification Annex

The Conference, in accordance with the recommendation of the Council at its Twenty-Fourth Session, referred this issue back to the Council with a view to the Council making a recommendation to the Conference at its Seventh Session.

(g) Audited financial statements on 2000

The Conference noted the audited financial statements of the OPCW and the Provident Fund of the OPCW for the period ended 31 December 2000 (C-VI/DG.2, dated 4 April 2001), which, in accordance with Financial Regulation 13.10, were submitted by the External Auditor to the Council at its Twenty-Fourth Session and considered at its Twelfth Meeting. The Conference endorsed the comments of the Council contained in paragraph 7 of the report of its Twelfth Meeting (EC-M-XII/3, dated 4 May 2001).

(h) Summary report on internal oversight activities for 2000

The Conference noted that, in accordance with OPCW Financial Regulation 12.5, the summary report on the internal oversight activities for 2000, prepared by the Office of Internal Oversight, was transmitted to it through the Council at its Twenty-Fourth Session (EC-XXIV/DG.13, dated 5 April 2001, and Corr.1, dated 9 May 2001). The Conference endorsed the comments of the Council at its Twelfth Meeting on the recommendations of the above-mentioned report of the Office of Internal Oversight, as contained in paragraph 6 of EC-M-XII/3, dated 4 May 2001. The Conference took note of the Note by the Secretariat, submitted to it at the request of the Council, on internal control measures in the Secretariat (C-VI/S.1, dated 14 May 2001).

(i) Transfers of Schedule 3 chemicals

The Conference, in accordance with the recommendation of the Council at its Twelfth Meeting, considered and adopted the decision on transfers of Schedule 3 chemicals (C-VI/DEC.10, dated 17 May 2001).

(j) Recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A* chemicals

The Conference considered the draft decision on the recommendation on guidelines regarding low concentration limits for declarations of mixtures containing Schedule 2A and 2A* chemicals (C-VI/DEC/CRP.15, dated 15 May 2001), and mandated the Council to take a consensus decision on this issue as soon as possible, in advance of the Seventh Session of the Conference.

13. 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 following 20 States Parties were elected members of the Council, for a two-year term of office commencing on 12 May 2002:

Africa:	Algeria, Benin, Morocco, South Africa
Asia:	Bangladesh, Iran (Islamic Republic of), Pakistan, Sri Lanka

Eastern Europe:	Belarus, Hungary, Russian Federation
Latin America and the Caribbean:	Chile, Colombia, Panama, Peru
Western Europe and Other States:	Belgium, Canada, Denmark, Portugal, Turkey

14. 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, as well as other budgetary matters

- 14.1 The Conference considered and adopted the decision on the programme and budget and working capital fund for 2002 (C-VI/DEC.17, dated 19 May 2001).
- 14.2 The Conference recognised that, in accordance with the requirements of the Convention, essential operational activities are to increase significantly in the coming few 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, focussed efforts to develop and implement more cost-effective procedures and methods, particularly in relation to the verification of chemical weapons destruction, are needed.
- 14.3 The Conference, in accordance with Financial Regulation 3.8, noted the draft medium-term plan 2003 – 2005 (EC-XXIV/CRP.1, dated 24 January 2001).
- 14.4 The Conference considered and adopted the decision on withholding the distribution of the cash surplus for 1999, and to apply it to reduce the deficit incurred in the year 2000 (C-VI/DEC.18, dated 19 May 2001).
- 14.5 The Conference considered and adopted the decision on authorisation to use accrued interest in special accounts to offset the 2001 cash deficit (C-VI/DEC.19, dated 19 May 2001).
- 14.6 The Conference noted with concern that the budget deficit for 2000, as indicated in the audited financial statements, was EUR 3.6 million, and that the Secretariat had estimated the budget deficit for 2001 to be EUR 5.1 million.
- 14.7 The Conference noted the commitment of the Secretariat to continue to achieve, in the budget 2001, offsetting savings of at least EUR 4.3 million in non-operational programmes. The Conference encouraged the Secretariat to strive to attain, if possible, its previously planned savings in the amount of EUR 4.695 million (EC-M-XII/DG.2, dated 17 April 2001, and Corr.1, dated 3 May 2001).
- 14.8 With regard to any possible cash flow difficulties in 2001, the Conference noted the availability of the working capital fund for use, in accordance with the OPCW Financial Regulations, to meet short-term liquidity problems during a given financial period.

14.9 The Conference requested the Council to continue to consider, with a view to making appropriate recommendations, how to address the remaining budgetary deficit for the year 2000, taking into account the relevant recommendations of the Advisory Body on Administrative and Financial Matters.

14.10 The Conference encouraged Member States to consider taking voluntary financial or other measures in order to ease the Organisation's financial difficulties, and to contribute to the implementation of the approved programme of work.

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

15.1 The Conference considered and adopted the decision on the scale of assessments to be paid by States Parties for 2002 (C-VI/DEC.20, dated 19 May 2001).

Status of assessed contributions and of the reimbursement of verification costs under Articles IV and V

15.2 The Conference noted the report by the Director-General on the status of assessed contributions and the status of reimbursement of verification costs under Articles IV or V of the Convention as of 30 April 2001 as contained in C-VI/DG.5, dated 11 May 2001. The Conference noted that, as of 8 May 2001, the provisions of paragraph 8 of Article VIII of the Convention had applied to 31 States Parties.

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

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 Seventh Session, for its consideration and approval.

17. AGENDA ITEM SIXTEEN - Ensuring universality of the Convention

17.1 The Conference noted the report by the Director-General on the implementation of the recommendation of the Conference at its Fifth Session on ensuring the universality of the Convention (C-VI/DG.7, dated 15 May 2001).

17.2 The Conference considered and adopted the recommendation on ensuring the universality of the Convention (C-VI/DEC.11, dated 17 May 2001).

18. AGENDA ITEM SEVENTEEN - Reports of subsidiary bodies

Committee of the Whole

18.1 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-VI/CoW.1, dated 19 May 2001), and took appropriate action as required.

General Committee

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

Confidentiality Commission

- 18.3 The Conference noted the report of the special session of the Confidentiality Commission (CC-V/1, dated 31 January 2001), which was convened to consider issues referred to it by the Council at its Eighteenth Session. The Conference noted that the Council would further consider the issues raised in this report. The Conference also noted the regrets expressed by the Chairman of the Confidentiality Commission that the holding of its annual meeting was not possible, for budgetary reasons.

Credentials Committee

- 18.4 The report of the Credentials Committee (C-VI/4, dated 18 May 2001) was presented by its Chairman, Ambassador Kamen Velichkov of Bulgaria. The Chairman orally reported that, following the close of the Credentials Committee meeting, formal credentials were received for the Representatives of Cameroon, Italy, Nepal, the Republic of Moldova, and Yemen. The Conference noted this additional information, and approved the report. The Conference also remarked on the number of members which had failed to submit credentials for their Representatives on time, and urged adherence to the requirements of Rule 26 of the Rules of Procedure of the Conference for its next session. In accordance with that rule, the Director-General should receive the credentials preferably one week in advance of the session in question.

19. AGENDA ITEM EIGHTEEN - Elections of the Confidentiality Commission

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, the Conference elected the following 20 members of the Commission on the Settlement of Disputes Relating to Confidentiality (“Confidentiality Commission”) for a term of two years:

Africa: Dr Said Akoudad (Morocco), Mr Mohammed Mokhtar Dridi (Algeria), Dr Laurraine Lotter (South Africa), and Dr Samuel Ekodobi Ofodile (Nigeria);

Asia: Prof. Masahiko Asada (Japan), Mr Chen Kai (China), Prof. Djamshid Momtaz (Iran (Islamic Republic of)), and Dr R.V. Swamy (India);

Eastern Europe: Dr Jaroslav Fiedler (Czech Republic), Mr Yuri N. Marakhovsky (Russian Federation), Mr Zoltán Pecze (Hungary), and Mrs Anca Visan (Romania);

Latin America
and the Caribbean: Mrs Ana María Cerini (Argentina), Mr Jesús Cuevillas Domínguez (Cuba), Prof. José Luz González Chávez (Mexico), and Mr Camilo Sanhueza Bezanilla (Chile);

WEOG: Dr Karl F. Jorda (USA), Prof. Dr E.P.J. Myjer (Netherlands), Prof. Dr Dieter C. Umbach (Germany), and Dr Ignacio Vignote (Spain).

20. AGENDA ITEM NINETEEN - Any other business

Agreements on privileges and immunities of the OPCW

- 20.1 The Conference gave approval for the Council to consider and approve the three draft agreements on privileges and immunities between the OPCW and Austria, Belarus, and the Philippines respectively (C-VI/DEC.12, C-VI/DEC.13, and C-VI/DEC.14, all dated 17 May 2001).

Cooperation with international organisations

- 20.2 The Conference considered and adopted the decision on cooperation with international organisations (C-VI/DEC.15, dated 17 May 2001).

21. AGENDA ITEM TWENTY - Date and duration of the next regular session of the Conference of the States Parties

- 21.1 The Conference considered and adopted the decision on the timing of its regular sessions (C-VI/DEC.16, dated 19 May 2001).

- 21.2 The Conference recommended that the Council at one of its sessions establish an open-ended working group to begin, in cooperation with the Secretariat, preparations for the review conference to be convened in accordance with Article VIII, paragraph 22, of the Convention.

22. AGENDA ITEM TWENTY-ONE - Adoption of the report of the Conference of the States Parties

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

23. AGENDA ITEM TWENTY-TWO - Closure

The Chairman closed the Sixth Session at 18:15 on 19 May 2001.