



### REPORT OF THE FIFTY-SEVENTH SESSION OF THE EXECUTIVE COUNCIL

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

1.1 The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Jorge Lomónaco Tonda of Mexico, opened its Fifty-Seventh Session in The Hague at 10:16 on 14 July 2009.

1.2 The Vice-Chairpersons and coordinators for clusters of issues reported to the Council on informal consultations held during the intersessional period: Ambassador Pieter de Savornin Lohman of the Netherlands, on chemical weapons issues; Ambassador Abuelgasim Abdelwahid Shiekh Idris of Sudan, on chemical-industry and other Article VI issues; Dr Hassan Vejdani of the Islamic Republic of Iran, on administrative and financial issues; Ambassador Kirill Gevorgian of the Russian Federation, on legal, organisational, and other issues; and Ms Annie-Claire Mari of France, the facilitator for the Open-Ended Working Group on Terrorism, on behalf of the Chairperson. Ms Mari also presented a paper on the working group to the Council (EC-57/NAT.6, dated 8 July 2009). The Council **welcomed** the appointment of the new facilitator for the Open-Ended Working Group on Terrorism, Mr Mike Byers of Australia, and for Article VII, Mr Rami Adwan of Lebanon. The Chairperson also reported on his own activities and those of his predecessor on behalf of the Council during the intersessional period.

#### 2. AGENDA ITEM TWO – Adoption of the agenda

The Council **considered** and **adopted** the following agenda:

1. Opening of the session
2. Adoption of the agenda
3. Opening statement by the Director-General
4. General debate
5. Status of implementation of the Convention:
  - (a) Detailed plans for verification of the destruction of chemical weapons



- (b) Facility agreements
  - (c) Conversion of chemical weapons production facilities
  - (d) Progress made in meeting revised deadlines for the destruction of chemical weapons
  - (e) 2008 Verification Implementation Report
  - (f) Content and use of the OPCW data bank on protection
  - (g) Evaluation of the programme for implementation support
  - (h) Status of implementation of Article XI
  - (i) Revisions to the specifications for two items of approved inspection equipment
  - (j) Industry-Cluster issues, including enhancement of OCPF declarations
  - (k) Timely submission of declarations under Article VI of the Convention
  - (l) Technical arrangement between the Technical Secretariat and designated laboratories concerning the procedures for off-site analysis of samples and for adherence to the requirements of the OPCW Confidentiality Regime
6. Draft report of the OPCW for 2008
  7. OPCW Central Analytical Database
  8. Report on the implementation in 2008 of the recommendations of the Office of Internal Oversight
  9. Report of the Office of Internal Oversight for 2008
  10. Administrative and financial matters:
    - (a) Draft Programme and Budget of the OPCW for 2010, and all items pertaining to this Budget
    - (b) Audited financial statements for the period ending 31 December 2008
    - (c) Long-term mechanism for the management of currency-exchange-rate risks
    - (d) Reclassification of posts
    - (e) Report on the implementation of the policy on tenure in 2008
    - (f) Introduction of International Public Sector Accounting Standards (IPSAS)

- (g) Report of the Security Audit Team V
- 11. Report of the Advisory Body on Administrative and Financial Matters
- 12. Report of the Scientific Advisory Board
- 13. Credentials of representatives to the Executive Council
- 14. Provisional agenda for the Fourteenth Session of the Conference of the States Parties
- 15. Dates for regular sessions of the Executive Council in 2010
- 16. Appointment of the Director-General
- 17. Any other business
- 18. Adoption of the report
- 19. Closure

**3. AGENDA ITEM THREE – Opening statement by the Director-General**

The Council **noted** the opening statement by the Director-General (EC-57/DG.15, dated 14 July 2009).

**4. AGENDA ITEM FOUR – General debate**

The following delegations made statements during the general debate: Sweden (on behalf of the European Union and associated countries), Cuba (on behalf of the Non-Aligned Movement and China), South Africa (on behalf of the African Group), Japan, Costa Rica (on behalf of the GRULAC), the Russian Federation, India, the United States of America, Pakistan (on behalf of the Asian Group), the Republic of Korea, Bosnia and Herzegovina (observer), Brazil, Nigeria, Indonesia (observer), Serbia (observer), Saudi Arabia, China, the Islamic Republic of Iran, Ukraine, Sri Lanka, Cameroon, Pakistan (on its own behalf), Chile, and Iraq (observer).

**5. AGENDA ITEM FIVE – Status of implementation of the Convention**

**Subitem 5(a): Detailed plans for verification of the destruction of chemical weapons**

- 5.1 The Council **considered** and **approved** amendments to the agreed detailed plan for verification of the destruction of chemical weapons at the Maradykovsky chemical weapons destruction facility (CWDF), Kirovskaya Oblast, the Russian Federation (EC-57/DEC.3, dated 16 July 2009).
- 5.2 The Council **considered** and **approved** amendments to the agreed detailed plan for verification of the destruction of chemical weapons at the Ruwagha Chemicals Reloading System (RCRS) and Rabta Toxic Chemicals Destruction Facility (RTCDF), the Libyan Arab Jamahiriya (EC-57/DEC.1, dated 14 July 2009).

**Subitem 5(b): Facility agreements**

- 5.3 The Council **considered** and **noted** modifications to the facility agreement with the Libyan Arab Jamahiriya regarding on-site inspections at the RCRS/RTCDF (EC-57/S/2, dated 11 June 2009).
- 5.4 The Council **considered** and **approved** modifications to the facility agreement with the Russian Federation regarding on-site inspections at the Maradykovsky CWDF (EC-57/DEC.4, dated 16 July 2009).
- 5.5 The Council **received** the agreed changes to four facility agreements between the Organisation for the Prohibition of Chemical Weapons and the United States of America for CWDFs (EC-57/S/4, dated 22 June 2009), and **noted** that the delegation of the United States of America requested the Secretariat to remove this Note, which had been submitted to the Council for information purposes only, from the agenda of the Council.
- 5.6 The Council **received** the agreed changes to two facility agreements between the Organisation for the Prohibition of Chemical Weapons and the United States of America for Schedule 1 facilities (EC-57/S/6, dated 22 June 2009), and **noted** that the delegation of the United States of America requested the Secretariat to remove this Note, which had been submitted to the Council for information purposes only, from the agenda of the Council.
- 5.7 The Council **received** the agreed changes to eight facility agreements between the Organisation for the Prohibition of Chemical Weapons and the United States of America for chemical weapons storage facilities (EC-57/S/5, dated 22 June 2009), and **noted** that the delegation of the United States of America requested the Secretariat to remove this Note, which had been submitted to the Council for information purposes only, from the agenda of the Council.

**Subitem 5(c): Conversion of chemical weapons production facilities**

- 5.8 Further to considering this issue at its previous session, the Council **considered** a Note by the Secretariat on a proposal for general guidelines on the nature of continued verification measures at converted chemical weapons production facilities (CWPFs) ten years after the Director-General's certification of their conversion (EC-56/S/3\*, dated 14 April 2009), together with the corresponding draft decision on the matter (EC-57/DEC/CRP.1, dated 3 June 2009) and **decided** to defer them to its next regular session. The Council **welcomed** the proposal of the Vice-Chairperson responsible for coordinating chemical weapons issues to hold consultations on this matter as soon as possible during the intersessional period.
- 5.9 Further to considering this issue at its previous sessions, the Council **noted** that the Note by the Secretariat on its recommendations regarding the nature of continued verification measures at the converted CWPF located at CRP Portreath (formerly Chemical Defence Establishment, Nancekuke), Portreath Redruth, Cornwall, United Kingdom of Great Britain and Northern Ireland, ten years after the Director-General's certification of its conversion (EC-53/S/1, dated 11 March 2008 and Corr.1, dated 2 June 2008), and the corresponding draft decision

(EC-53/DEC/CRP.1, dated 11 March 2008) had been withdrawn from the consideration of the Council by the Secretariat and may be replaced by revisions, should the need arise.

**Subitem 5(d): Progress made in meeting revised deadlines for the destruction of chemical weapons**

- 5.10 The Council **reaffirmed** the obligation of possessor States Parties to destroy their chemical weapons within the extended deadlines, in accordance with the relevant decisions by the Conference of the States Parties (hereinafter “the Conference”) at its Eleventh Session, and to that end **emphasised** the timely commencement of destruction activities at all CWDFs.
- 5.11 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.15, dated 8 December 2006), the Council **considered** and **noted** a national paper by the Libyan Arab Jamahiriya on the status of its destruction obligations (EC-57/NAT.1, dated 17 April 2009).
- 5.12 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.17, dated 8 December 2006), the Council **considered** and **noted** a national paper by the United States of America on the status of its destruction obligations (EC-57/NAT.2, dated 20 April 2009).
- 5.13 The Council **received** the report on the visit by the Chairperson of the Council and representatives of the Council to the Pueblo Chemical Agent Destruction Pilot Plant, Colorado, and to the Umatilla Chemical Agent Disposal Facility, Oregon, the United States of America (EC-57/12, dated 10 July 2009), and **decided** to consider it at its next regular session.
- 5.14 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.16, dated 8 December 2006), the Council **considered** and **noted** a national paper by India on the status of its destruction obligations (EC-57/HP/NAT.2, dated 4 June 2009).
- 5.15 Further to a decision by the Conference at its Eleventh Session (C-11/DEC.18, dated 8 December 2006), the Council **considered** and **noted** a national paper by the Russian Federation on the status of its destruction obligations (EC-57/P/NAT.1, dated 21 April 2009 and Corr.1, dated 18 May 2009).
- 5.16 Further to a decision by the Council at its Forty-Sixth Session (EC-46/DEC.4, dated 5 July 2006), the Council **considered** and **noted** a national paper by China entitled “Report on the Status of the Chemical Weapons Abandoned by Japan in China” (EC-57/NAT.4\*, dated 13 April 2009). The Council **also considered** and **noted** a national paper by Japan entitled “The Report of the Current Status of the ACW Projects in China (Reporting Period: from 1 January to 31 March 2009)” (EC-57/NAT.3, dated 17 April 2009).

**Subitem 5(e): 2008 Verification Implementation Report**

- 5.17 The Council **considered** and **noted** the 2008 Verification Implementation Report (VIR) (EC-57/HP/DG.1, dated 24 April 2009 and Corr.1, dated 7 July 2009). The

Council **also noted** the comments and views received on the 2008 VIR (EC-57/DG.9, dated 11 June 2009; and EC-57/HP/DG.2, dated 24 June 2009), as well as the Chairperson's summary of the consultations on it (EC-57/10, dated 3 July 2009).

**Subitem 5(f): Content and use of the OPCW data bank on protection**

- 5.18 Further to a recommendation by the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (paragraph 9.98 of RC-2/4, dated 18 April 2008), the Council **considered** a Note by the Secretariat on the content of the assistance-and-protection data bank and its use (EC-57/S/3, dated 18 June 2009), and **decided** to consider it further at its next regular session.

**Subitem 5(g): Evaluation of the programme for implementation support**

- 5.19 Further to its consideration of this issue at its Fifty-Sixth Session, the Council **further considered** and **noted** the Note by the Secretariat on the evaluation of the programme for implementation support (EC-56/S/1, dated 7 April 2009).

**Subitem 5(h): Status of implementation of Article XI**

- 5.20 Further to its consideration of this issue at its previous sessions, the Council **noted** a report by the Director-General on the status of implementation of Article XI of the Chemical Weapons Convention (hereinafter "the Convention") as at 31 December 2008 (EC-55/DG.13, dated 5 February 2009).
- 5.21 The Council **welcomed** the appointment of Mr Chen Kai of China as facilitator on this matter, and **encouraged** him to pursue informal consultations at an early date to explore all options to identify concrete measures for the full implementation of Article XI and to report to the Council at its next regular session on the progress made in this regard.
- 5.22 The Council **reaffirmed** its previous encouragement to delegations to enhance deliberations in order to finalise the elaboration of all aspects of a proposal initiated by the delegation of Cuba to convene a workshop, as a step to explore ways and means for the full implementation of Article XI, with a view to the realisation of this workshop early in 2010.

**Subitem 5(i): Revisions to the specifications for two items of approved inspection equipment**

- 5.23 The Council **considered** a Note by the Director-General on revisions to the specifications for two items of approved inspection equipment (EC-57/DG.3, dated 14 May 2009), and **approved** the proposed revisions to these technical specifications (EC-57/DEC.2, dated 14 July 2009).

**Subitem 5(j): Industry-Cluster issues, including enhancement of OCPF declarations**

- 5.24 Having received at its Fifty-Third Session both a Note by the Secretariat on enhancing information on the characteristics of plant sites in other chemical production facility (OCPF) declarations (EC-53/S/5, dated 17 June 2008) and a Note by the Director-General concerning information on the enhancement of OCPF declarations (EC-53/DG.11, dated 17 June 2008), and having **considered** both Notes at this and its previous sessions, the Council **decided** to consider them further at its next regular session.
- 5.25 Further to its consideration of this issue at its previous sessions, the Council **considered further** the report by the Director-General on the performance of the modified methodology for the selection of OCPFs for inspection (EC-55/DG.8, dated 2 February 2009), **decided** to consider it further at its next regular session, and **emphasised** the need for the early appointment of a facilitator in order to resume consultations on the OCPF site-selection methodology as a matter of urgency, with a view to reaching an early decision by the States Parties, in accordance with paragraph 11 of Part IX of the Verification Annex to the Convention.

**Subitem 5(k): Timely submission of declarations under Article VI of the Convention**

- 5.26 Further to a decision by the Council at its Fifty-First Session (EC-51/DEC.1, dated 27 November 2007), the Council **noted** a status report by the Director-General on timely submission by States Parties of declarations under Article VI of the Convention for the period from 1 January to 31 May 2009 (EC-57/DG.8, dated 11 June 2009 and Corr.1, dated 18 June 2009).
- 5.27 The Council **considered** a Note by the Secretariat on electronic submission of annual declarations on past activities as at 31 May 2009 (S/773/2009, dated 18 June 2009), and **decided** to consider it further at its next regular session.

**Subitem 5(l): Technical arrangement between the Technical Secretariat and designated laboratories concerning the procedures for off-site analysis of samples and for adherence to the requirements of the OPCW Confidentiality Regime**

- 5.28 The Council **considered** the Note by the Director-General entitled the “Technical Arrangement between the Technical Secretariat and Designated Laboratories Concerning the Procedures for Off-site Analysis of Samples and for Adherence to the Requirements of the OPCW Confidentiality Regime” (EC-57/DG.5, dated 3 June 2009), and **decided** to consider it further at its next regular session.

**6. AGENDA ITEM SIX – Draft report of the OPCW for 2008**

The Council **considered** the “Draft Report of the OPCW on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in 2008”, and **forwarded** it to the Conference for consideration at its Fourteenth Session (C-14/CRP.1, dated

16 July 2009). The Council **requested** the Secretariat to post this document on the OPCW website, clearly indicating that it has yet to be considered and approved by the Conference.

**7. AGENDA ITEM SEVEN – OPCW Central Analytical Database**

7.1 The Council **considered** a Note by the Secretariat on the continued inclusion in the OPCW Central Analytical Database (OCAD) of analytical data for analytical derivatives of scheduled chemicals (EC-57/S/1, dated 11 June 2009), and **decided** to consider it further at its next regular session.

7.2 The Council **considered** a Note by the Director-General on the list of approved data recommended for removal from the OCAD (EC-57/DG.6, dated 8 June 2009) and **approved** a decision on the removal thereof (EC-57/DEC.5, dated 16 July 2009).

**8. AGENDA ITEM EIGHT – Report on the implementation in 2008 of the recommendations of the Office of Internal Oversight**

Further to its consideration of this issue at its previous session, the Council **noted** a report by the Director-General on the implementation in 2008 of the recommendations contained in the 2007 annual report of the Office of Internal Oversight (OIO) (EC-56/DG.5, dated 27 March 2009). The Council **received** an oral report on the subject from the facilitator for this issue, Mr Takayuki Kitagawa of Japan. The Council **also welcomed** the appointment of the new facilitator, Mr Nikolas Granger of the United States of America, on matters related to the reports of the OIO and the External Auditor.

**9. AGENDA ITEM NINE – Report of the Office of Internal Oversight for 2008**

9.1 Further to its consideration of this issue at its Fifty-Sixth Session, the Council **considered** and **noted** the annual report of the OIO for the period from 1 January to 31 December 2008 and an accompanying Note by the Director-General (EC-56/DG.6 C-14/DG.3, dated 3 April 2009) that the Director-General had submitted to the Council in accordance with Regulation 12.5 of the OPCW Financial Regulations. It **also received** an oral report on the subject from the facilitator, Mr Takayuki Kitagawa of Japan.

9.2 The Council **transmitted** this report, and the Director-General's covering Note, to the Conference for consideration at its Fourteenth Session.

**10. AGENDA ITEM TEN – Administrative and financial matters**

**Subitem 10(a): Draft Programme and Budget of the OPCW for 2010, and all items pertaining to this Budget**

10.1 The Council **received** the Draft Programme and Budget for 2010, which the Director-General had submitted to it in accordance with Financial Regulation 3.4 (EC-57/CRP.2, dated 7 July 2009). The Council **agreed** that consultations on the draft would continue during the intersessional period with a view to the Council's considering it further at its next regular session and transmitting it, together with its

recommendation and any amendments it deems appropriate, to the Conference at its Fourteenth Session. The Council **welcomed** the appointment of the facilitators on the Draft Programme and Budget of the OPCW for 2010, Ambassador Francisco José Aguilar-de Beauvilliers Urbina of Costa Rica and Mr Martin Strub of Switzerland.

- 10.2 The Council **also received** the Medium-Term Plan for the period from 2010 to 2012 (EC-57/S/8 C-14/S/1, dated 10 July 2009).

**Subitem 10(b): Audited financial statements for the period ending 31 December 2008**

- 10.3 The Council **considered** and **noted** the financial statements of the OPCW and the report of the External Auditor for the year ending 31 December 2008 (EC-57/DG.13\* C-14/DG.4, dated 24 June 2009, and Corr.1, dated 15 July 2009), which was introduced by Mr Asif Usman Khan of Pakistan, a representative of the External Auditor. It **also received** an oral report on the subject from the facilitator, Mr Takayuki Kitagawa of Japan. The Council **forwarded** the financial statements and the External Auditor's report to the Conference for consideration at its Fourteenth Session.

**Subitem 10(c): Long-term mechanism for the management of currency-exchange-rate risks**

- 10.4 Further to its consideration of this issue at its Fifty-Fourth Session, the Council **considered** and **noted** a Note by the Director-General on a long-term mechanism for the management of the risks associated with currency-exchange rates (EC-54/DG.14, dated 30 September 2008).

**Subitem 10(d): Reclassification of posts**

- 10.5 Further to its consideration of this issue at its previous session, the Council **considered** and **approved** the Note by the Director-General on the reclassification of posts (EC-56/DG.3, dated 26 March 2009 and Add.1, dated 24 June 2009).

**Subitem 10(e): Report on the implementation of the policy on tenure in 2008**

- 10.6 The Council **considered** a report by the Director-General on the implementation of the tenure policy in 2008 (EC-57/DG.4, dated 3 June 2009) and **decided** to consider it further at its next regular session.

**Subitem 10(f): Introduction of International Public Sector Accounting Standards (IPSAS)**

- 10.7 The Council **considered** and **noted** a report by the Director-General on the introduction of International Public Sector Accounting Standards (IPSAS) (EC-57/DG.12, dated 19 June 2009).

**Subitem 10(g): Report of the Security Audit Team V**

- 10.8 The Council **noted** a Note by the Director-General on the report of the Security Audit Team V (EC-57/DG.1, dated 3 April 2009).

**11. AGENDA ITEM ELEVEN – Report of the Advisory Body on Administrative and Financial Matters**

- 11.1 The Council **considered** and **noted** the report of the Twenty-Sixth Session of the Advisory Body on Administrative and Financial Matters (ABAF), which took place from 25 to 28 May 2009 (ABAF-26/1, dated 28 May 2009), and the Note by the Director-General containing comments on the said report (EC-57/DG.11, dated 18 June 2009).
- 11.2 The Council **noted** the resignation of Mr Ali Reza Hajizadeh from the ABAF, and **approved** the appointment of Mr Ali Gholampour, retroactive to 7 July 2009, the date of the letter of nomination (EC-57/S/7, dated 9 July 2009).

**12. AGENDA ITEM TWELVE – Report of the Scientific Advisory Board**

- 12.1 The Council **noted** the report of the Thirteenth Session of the Scientific Advisory Board (SAB) (SAB-13/1, dated 1 April 2009).
- 12.2 The Council **noted** the Note by the Director-General in response to the report of the Thirteenth Session of the SAB (EC-57/DG.2, dated 13 May 2009).
- 12.3 The Council **received** a Note by the Director-General on the terms of office of members of the SAB (EC-57/DG.14 C-14/DG.5, dated 1 July 2009), and **welcomed** the proposal by the Director-General contained in this Note, to be submitted to the Conference at its Fourteenth Session.

**13. AGENDA ITEM THIRTEEN – Credentials of representatives to the Executive Council**

The Council **considered** and **approved** a report by the Director-General on the credentials of representatives of members of the Council (EC-57/DG.7, dated 8 June 2009 and Add.1, dated 9 July 2009).

**14. AGENDA ITEM FOURTEEN – Provisional agenda for the Fourteenth Session of the Conference of the States Parties**

The Council **drew up** the provisional agenda for the Fourteenth Session of the Conference (C-14/1, dated 16 July 2009).

**15. AGENDA ITEM FIFTEEN – Dates for regular sessions of the Executive Council in 2010**

The Council **approved** the following dates for its regular sessions in 2010:

Fifty-Ninth Session: from 23 to 26 February;

Sixtieth Session: from 20 to 23 April;

Sixty-First Session: from 29 June to 2 July; and

Sixty-Second Session: from 5 to 8 October.

**16. AGENDA ITEM SIXTEEN – Appointment of the Director-General**

- 16.1 The Chairperson submitted to the Council a Note (EC-57/13, dated 15 July 2009), reflecting his views on the consultations that he had held since 12 May 2009 on issues related to the appointment of the Director-General.
- 16.2 On 15 July 2009, candidates nominated by the governments of the United Kingdom of Great Britain and Northern Ireland, Finland, Germany, Switzerland, Indonesia, Turkey, and Algeria made presentations to consecutive informal sittings of the Council attended by interested States Parties. Each presentation was followed by a question-and-answer session. Hard copies of candidates' presentations were circulated among States Parties afterwards. The presentations offered delegations present an additional opportunity to become acquainted with the candidates and assess their positions, proposals, priorities, and qualifications.
- 16.3 The Chairperson **encouraged** candidates and States Parties' representatives to continue to meet after the Fifty-Seventh Session of the Council in order to gain a better understanding both of the candidates' positions and the delegations' expectations.
- 16.4 The Council **considered** and **took note** of a statement by the Chairperson (EC-57/15, dated 16 July 2009), containing a road map for the appointment to the position of Director-General.
- 16.5 The Council **noted** the consultations undertaken by its Chairperson on issues related to the appointment of the Director-General and encouraged him to continue to carry them out, with the aim of reaching consensus on a candidate. The Council **welcomed** the commitment of the Chairperson to continue to engage in such consultations during the intersessional period, and **requested** him to keep interested delegations informed regarding the progress being made towards reaching consensus on a recommendation by the Council at its Fifty-Eighth Session, to be submitted to the Conference at its Fourteenth Session, for the appointment of a candidate to the position of Director-General.

**17. AGENDA ITEM SEVENTEEN – Any other business**

The Council **took note** of the statements of the United Kingdom of Great Britain and Northern Ireland and the United States of America under "any other business" in response to the statement made during the general debate by South Africa, on behalf of the African Group, regarding the security and destruction of chemical weapons in a conflict situation involving a non-State Party. The Council **encouraged** interested States Parties to consult on the matter, as appropriate, in a timely fashion.

**18. AGENDA ITEM EIGHTEEN – Adoption of the report**

The Council **considered** and **adopted** the report of its Fifty-Seventh Session.

**19. AGENDA ITEM NINETEEN – Closure**

The Chairperson closed the session at 13:20 on 17 July 2009.