



### REPORT OF THE SIXTY-NINTH SESSION OF THE EXECUTIVE COUNCIL

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

The Chairperson of the Executive Council (hereinafter “the Council”), Ambassador Bhaswati Mukherjee of India, opened its Sixty-Ninth Session in The Hague at 10:11 on 10 July 2012.

#### 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. Reports by the Vice-Chairpersons on the activities conducted under their respective clusters of issues
5. Status of implementation of the Convention:
  - (a) Reports by the Director-General on destruction-related issues
  - (b) Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues
  - (c) Other verification-related issues
  - (d) Conversion of former chemical weapons production facilities
  - (e) Verification Implementation Report for 2011
  - (f) Content and use of the OPCW data bank on protection
  - (g) Timely submission of declarations under Article VI
  - (h) Status of implementation of Article XI
6. General debate



7. Draft annual report of the OPCW for 2011
  8. OPCW Central Analytical Database
  9. Report of the Office of Internal Oversight for 2011
  10. Report of the Scientific Advisory Board
  11. Administrative and financial matters:
    - (a) Report of the Advisory Body on Administrative and Financial Matters
    - (b) Status of implementation of the recommendations of the External Auditor
    - (c) Composition of the Technical Secretariat
    - (d) Report by the Director-General on the implementation of the tenure policy in 2011
  12. Credentials of representatives to the Executive Council
  13. Provisional agenda for the Seventeenth Session of the Conference of the States Parties
  14. Dates for regular sessions of the Executive Council in 2013
  15. Any other business
- Technical briefing by the Secretariat on the ongoing work by the Open-Ended Working Group for the Preparation of the Third Review Conference<sup>1</sup>
16. Adoption of the report
  17. Closure

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

The Council **noted** the opening statement by the Director-General (EC-69/DG.11, dated 10 July 2012).

**4. AGENDA ITEM FOUR – Reports by the Vice-Chairpersons on the activities under their respective clusters of issues**

- 4.1 The Vice-Chairpersons reported to the Council on informal consultations held during the intersessional period: Ambassador Miguel Eduardo Calahorrano Camino of Ecuador on chemical weapons issues, Ambassador Robert Mikulak of the United States of America on chemical-industry and other Article VI issues, Ambassador Sirajuddin Hamid Yousif of Sudan on administrative and financial issues, and Mr Vasily Titushkin on behalf of Ambassador Roman Kolodkin of the Russian

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<sup>1</sup> The Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.

Federation on legal, organisational, and other issues. The Chairperson also reported on her own activities on behalf of the Council during the intersessional period.

- 4.2 At its previous sessions, the Council noted statements by several concerned delegations related to issues under consideration by the Committee on Relations with the Host Country (hereinafter “the Host Country Committee”). Such statements were repeated at this session. The Council **took note** of the repeated concerns expressed by these delegations, and the remarks of the Host Country representative.
- 4.3 The Council **noted** that the Chairperson had scheduled another meeting of the Host Country Committee for 18 July. With a view to holding more comprehensive discussions within the Committee, the Council **requested** that, in the future, the Host Country Committee convene with the participation of all delegations with particular concerns.
- 4.4 The Council **decided** to remain seized of this matter and **called upon** the Host Country Committee to report back to the Council at its next regular session.
- 4.5 The Council **welcomed** the appointment of Mr Gary Applegarth of the United States of America as the facilitator for the implementation of the action plan for the universality of the Chemical Weapons Convention (hereinafter “the Convention”), and of Mr Hugues Fantou of France as the co-facilitator for the Programme and Budget.

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

### **Subitem 5(a): Reports by the Director-General on destruction-related issues**

- 5.1 Further to a decision by the Conference of the States Parties (hereinafter “the Conference”) at its Sixteenth Session (C-16/DEC.11, dated 1 December 2011), the Council **considered** and **noted** a report by the Director-General on the overall progress of destruction activities by possessor States Parties (EC-69/DG.10, dated 6 July 2012).
- 5.2 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6, dated 15 February 2012), the Council **noted** a report by the Director-General on the overall progress of the destruction of abandoned chemical weapons (EC-69/DG.9/Rev.1, dated 13 July 2012).

### **Subitem 5(b): Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues**

- 5.3 The Technical Secretariat (hereinafter “the Secretariat”) briefed the Council on its destruction-related verification activities.
- 5.4 The Russian Federation, the United States of America, Libya, China, and Japan briefed the Council on their destruction-related activities.
- 5.5 The Council **noted** the statements and comments made by States Parties on the destruction of the remaining chemical weapons by Possessor States, recalling the

relevant Convention obligations and relevant decisions by the Conference and the Council. The Council **recalled** that the destruction of the remaining chemical weapons by possessor States Parties should continue in accordance with the provisions of the Convention and its Annex on Implementation and Verification (hereinafter “the Verification Annex”) and with the application of the measures contained in decision C-16/DEC.11.

- 5.6 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), a national paper by the Russian Federation on the progress made on the completion of the destruction of its chemical weapons, including information on measures to accelerate such progress, as well as on appropriate measures in order to meet the planned completion date (EC-69/P/NAT.1, dated 28 June 2012), was **considered** and **noted** by the Council, along with comments on the issue as mentioned above.
- 5.7 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), a national paper by the United States of America on the progress made on the completion of the destruction of its chemical weapons, including information on measures to accelerate such progress, as well as on appropriate measures in order to meet the planned completion date (EC-69/NAT.1, dated 15 June 2012), was **considered** and **noted** by the Council, along with comments on the issue as mentioned above.
- 5.8 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), a national paper by Libya on the progress made on the completion of the destruction of its chemical weapons, including information on measures to accelerate such progress, as well as on appropriate measures in order to meet the planned completion date (EC-69/NAT.2, dated 18 June 2012), was **considered** and **noted** by the Council, along with comments on the issue as mentioned above.
- 5.9 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6), a national paper by China (EC-69/NAT.4, dated 20 June 2012) and a national paper by Japan (EC-69/NAT.5, dated 20 June 2012 and Corr.1, dated 10 July 2012) have been circulated to the members of the Council. While welcoming the completion of the destruction of all the 35,681 ACW<sup>2</sup> items in Nanjing, the Council **considered** and **decided** to remain seized of the matter, and **requested** the relevant States Parties to take measures to implement the destruction plan. Both States Parties reaffirmed their commitment to the above-mentioned decision.

**Subitem 5(c): Other verification-related issues**

- 5.10 The Secretariat briefed the Council on its other verification-related activities.

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

- 5.11 The Council **noted** a Note by the Secretariat on the update on progress in converting a former chemical weapons production facility (CWPF) for purposes not prohibited under the Convention (EC-69/R/S/1, dated 8 June 2012).

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<sup>2</sup> ACW = abandoned chemical weapons.

- 5.12 The Council **received** a request for conversion and detailed plan for conversion of the CWPF, Al-Rashad Site, the Republic of Iraq (EC-69/NAT.3, dated 22 June 2012). This request will be considered by the Council at a later date in accordance with the procedures established in the Verification Annex.

**Subitem 5(e): Verification Implementation Report for 2011**

- 5.13 The Council **considered** and **noted** the 2011 Verification Implementation Report (VIR) for the period from 1 January to 31 December 2011 (EC-69/HP/DG.1, dated 1 May 2012 and Corr.1, dated 9 July 2012). The Council **also noted** the comments and views received on the 2011 VIR (EC-69/HP/DG.2, dated 25 June 2012), as well as the Chairperson's summary of the informal consultations on it (EC-69/2, dated 10 July 2012).
- 5.14 The Council **noted** that future VIRs should also reflect the verification activities that have been undertaken, as well as the progress achieved, in the context of the decisions that have been adopted by the Conference and the Council with regard to destruction-related issues.

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

- 5.15 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** and **noted** a Note by the Secretariat on the content of the assistance-and-protection data bank and its use (EC-69/S/2, dated 5 June 2012).
- 5.16 The facilitator for this issue, Mr Maciej Karasiński of Poland, reported to the Council on activities conducted during the intersessional period.

**Subitem 5(g): Timely submission of declarations under Article VI**

- 5.17 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 2012 (EC-69/DG.7, dated 18 June 2012 and Corr.1, dated 10 July 2012).

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

- 5.18 At its previous session, the Council requested the facilitator for this issue, Mr Aamir Shouket of Pakistan, to continue consultations on the implementation of the decision by the Conference at its Sixteenth Session (C-16/DEC.10, dated 1 December 2011), based on specific proposals made by delegations and on the initiative of the Secretariat, and to report back to the Council at its next regular session (paragraph 6.27 of EC-68/3, dated 4 May 2012).
- 5.19 The facilitator for this issue, Mr Aamir Shouket of Pakistan, reported to the Council on activities conducted during the intersessional period.

**6. AGENDA ITEM SIX – General debate**

- 6.1 The following delegations made statements during the general debate: Cyprus (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), Malaysia, China, Brazil, India, Norway, Iraq, the Republic of Korea, the Islamic Republic of Iran, the Russian Federation, Pakistan, Canada, Japan, Qatar, Rwanda, the United States of America, Algeria, and Bolivia (Plurinational State of).
- 6.2 The Chairperson of the Open-Ended Working Group for the Preparation of the Third Review Conference, Ambassador Nassima Baghli of Algeria, briefed the Council on the progress made by the Group.
- 6.3 The Council **agreed** that in its future sessions, the Chairperson of the OEWG would brief the Council under a separate agenda item.

**7. AGENDA ITEM SEVEN – Draft annual report of the OPCW for 2011**

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 2011” (EC-69/3 C-17/CRP.1, dated 11 July 2012), and **forwarded** it to the Conference for consideration at its Seventeenth Session. The Council **requested** the Secretariat to post this document on the OPCW external website, clearly indicating that it had yet to be considered and approved by the Conference. The Secretariat took note of the comments made by some delegations and undertook to issue a corrigendum.

**8. AGENDA ITEM EIGHT – OPCW Central Analytical Database**

The Council **considered** a Note by the Director-General on the lists of new validated data of scheduled chemicals for approval by the Council for inclusion in the OPCW Central Analytical Database (EC-69/DG.2, dated 23 May 2012) and **adopted** a decision on the inclusion (EC-69/DEC.1, dated 11 July 2012).

**9. AGENDA ITEM NINE – Report of the Office of Internal Oversight for 2011**

- 9.1 Further to the consideration of this issue at its the previous session, the Council **noted** a report by the Director-General on the implementation in 2011 of the recommendations contained in the 2010 annual report of the Office of Internal Oversight (OIO) (EC-68/DG.2, dated 28 March 2012).
- 9.2 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported to the Council on consultations held during the intersessional period.
- 9.3 Delegations called for further strengthening of the implementation of the recommendations of the OIO.
- 9.4 Further to the consideration of this issue at its the previous session, the Council **considered** and **noted** the annual report of the OIO for the period from 1 January to 31 December 2011, which the Director-General had submitted to it along with

his comments (EC-68/DG.1 C-17/DG.3, dated 20 March 2012 in accordance with Regulation 12.5 of the OPCW Financial Regulations.

- 9.5 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported to the Council on consultations held during the intersessional period.
- 9.6 The Council **transmitted** this report, and the Director-General's covering Note, to the Conference for consideration at its Seventeenth Session.

## **10. AGENDA ITEM TEN – Report of the Scientific Advisory Board**

- 10.1 The report of the Eighteenth Session of the Scientific Advisory Board (SAB) (SAB-18/1, dated 19 April 2012) was circulated to the members of the Council.
- 10.2 A Note by the Director-General in response to the report of the Eighteenth Session of the SAB (EC-69/DG.5, dated 11 June 2012) was also circulated to the members of the Council.

## **11. AGENDA ITEM ELEVEN – Administrative and financial matters**

### **Subitem 11(a): Report of the Advisory Body on Administrative and Financial Matters**

- 11.1 The Council **endorsed** the recommendations, proposals and other comments as contained in the Report of the Thirty-Second Session of the Advisory Body on Administrative and Financial Matters (ABAF-32/1, dated 7 June 2012) and **approved** the recommendation, as contained in paragraph 4.2 of the report, to encourage Member States that are in arrears in respect of annual contributions assessed for previous years in an amount equal to or exceeding the amount of contributions due from them for 2010 and 2011 to regularise the payment of their outstanding annual contributions, if necessary by making use of the multi-year payment plans developed to that end, which had been approved by the Conference at its Eleventh Session (C-11/DEC.5, dated 7 December 2006). The Council **noted** a Note by the Director-General containing comments on the report of the ABAF at that session (EC-69/DG.8, dated 29 June 2012).
- 11.2 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-69/S/3, dated 29 June 2012), and **approved** the appointment of Ms Sakiko Hayakawa of Japan for a second term.

### **Subitem 11(b): Status of implementation of the recommendations of the External Auditor**

- 11.3 The Council **noted** a Note by the Secretariat on the status of implementation of the recommendations of the External Auditor (EC-69/S/1, dated 4 June 2012).
- 11.4 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported to the Council on consultations held during the intersessional period.

**Subitem 11(c): Composition of the Technical Secretariat**

- 11.5 The Council **noted** a report by the Director-General on the composition of the Secretariat (EC-69/DG.3, dated 31 May 2012).

**Subitem 11(d): Report by the Director-General on the implementation of the tenure policy in 2011**

- 11.6 The Council **considered** and **noted** a report by the Director-General on the implementation of the tenure policy in 2011 (EC-69/DG.6, dated 14 June 2012).

**12. AGENDA ITEM TWELVE – 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-69/DG.4/Rev.1, dated 10 July 2012) which covers the credentials of the newly-elected members of the Council.

**13. AGENDA ITEM THIRTEEN – Provisional agenda for the Seventeenth Session of the Conference of the States Parties**

The Council **drew up** the provisional agenda for the Seventeenth Session of the Conference (EC-69/DG.1, dated 15 May 2012).

**14. AGENDA ITEM FOURTEEN – Dates for regular sessions of the Executive Council in 2013**

The Council **decided** to consider this matter further at its next regular session.

**15. AGENDA ITEM FIFTEEN – Any other business**

**16. AGENDA ITEM SIXTEEN – Adoption of the report**

The Council **considered** and **adopted** the report of its Sixty-Ninth Session.

**17. AGENDA ITEM SEVENTEEN – Closure**

The Chairperson closed the session at 17:25 on 13 July 2012.