



Seventy-Third Session
16 – 19 July 2013

EC-73/6
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REPORT OF THE SEVENTY-THIRD SESSION OF THE EXECUTIVE COUNCIL

1. AGENDA ITEM ONE – Opening of the session

The Chairperson of the Executive Council, (hereinafter “the Council”), Ambassador Olexander Horin of Ukraine, opened its Seventy-Third Session in The Hague at 10:03 on 16 July 2013.

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. General debate
6. 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) Facility agreements
 - (e) Conversion of former chemical weapons production facilities
 - (f) Verification Implementation Report for 2012
 - (g) The content of the assistance-and-protection data bank and its use
 - (h) Timely submission of declarations under Article VI



7. International cooperation-and-assistance activities during the intersessional period
8. Report on the implementation in 2012 of the recommendations of the Office of Internal Oversight
9. Report of the Office of Internal Oversight for 2012
10. Draft annual report of the OPCW for 2012
11. OPCW Central Analytical Database
12. 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) OPCW income and expenditure for the financial year to 31 December 2012
 - (d) Transfers of funds in 2012
 - (e) Composition of the Technical Secretariat
 - (f) Report by the Director-General on the implementation of the tenure policy in 2012
13. Organisation of follow-up to the Third Review Conference¹
14. Report by the Committee on Relations with the Host Country
15. Credentials of representatives of the members of the Executive Council
16. Provisional agenda for the Eighteenth Session of the Conference of the States Parties
17. Dates for regular sessions of the Executive Council in 2014
18. Any other business
19. Adoption of the report
20. Closure

¹ Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention

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

The Council **noted** the opening statement by the Director-General (EC-73/DG.12, dated 16 July 2013), including the information regarding the cooperation between the Director-General of the OPCW and the Secretary-General of the United Nations' investigation into the alleged use of chemical weapons in the Syrian Arab Republic. On that issue, statements were made by the delegations of Canada, the United Kingdom of Great Britain and Northern Ireland, France, the United States of America, Switzerland (observer), Germany, Belgium, Brazil, the Netherlands (observer), Japan, the Czech Republic, Mexico, the Republic of Korea, Italy, Poland, Australia (observer), Norway, Chile, Peru, Turkey (observer), Cuba (observer), Qatar, Portugal, Argentina, the Islamic Republic of Iran, the Russian Federation, and China.

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

4.1 The Vice-Chairpersons and coordinators for clusters of issues reported on informal consultations held during the intersessional period: Ambassador Miguel Eduardo Calahorrano Camino of Ecuador on chemical weapons issues, Ambassador Francesco Azzarello of Italy on chemical-industry and other Article VI issues, Mr Raj Kumar Singh of India on administrative and financial issues, and Ambassador Odette Melono of Cameroon on legal, organisational, and other issues. The Chairperson also reported on his own activities on behalf of the Council during the intersessional period.

4.2 The facilitator for the implementation of Article VII of the Chemical Weapons Convention (hereinafter "the Convention"), Mr Muhannad M.A. Almiahi of Iraq, reported on consultations held during the intersessional period.

4.3 The Council **expressed appreciation** for the work done by Mr Muhannad M.A. Almiahi, and **welcomed** the appointment of Dr Zlatko Dimitroff of Bulgaria as the new facilitator.

4.4 The Council **welcomed** the appointments of Ambassador Mauricio Aguilar Robles of Honduras as the co-facilitator for the Programme and Budget, of Ambassador Dziunik Aghajanian of Armenia as the facilitator for the implementation of the action plan for the universality of the Convention, of Ambassador Robert Mikulak of the United States of America as facilitator of the implementation of the verification regime, and of Mr Aladdin Al Hamdawi of Iraq as facilitator for the Secure Information Exchange (SIX) project.

5. **AGENDA ITEM FIVE – General debate**

5.1 The following delegations made statements during the general debate: Lithuania (observer) (on behalf of the European Union), the Islamic Republic of Iran (on behalf of the Non-Aligned Movement and China), South Africa (on behalf of the African Group), the Republic of Korea, Argentina, Brazil, Iraq, Pakistan, Nigeria, China, Norway, the United States of America, Uruguay, Canada, the Russian Federation, India, Japan, and Cuba (observer).

5.2 The Council **welcomed** the accession of Somalia to the Convention on 28 June 2013, bringing the membership of the OPCW to 189 States Parties. The Council **reaffirmed** the unqualified commitment of the OPCW to achieve universality of the Convention and urgently **called upon** all States not Party to the Convention to join without delay and precondition.

6. AGENDA ITEM SIX – Status of implementation of the Convention

Subitem 6(a): Reports by the Director-General on destruction-related issues

6.1 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-73/DG.8, dated 3 July 2013 and Corr.1, dated 18 July 2013).

6.2 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-73/DG.11, dated 11 July 2013).

Subitem 6(b): Implementation of the Conference of the States Parties and Executive Council decisions on destruction-related issues

6.3 The Technical Secretariat (hereinafter “the Secretariat”) briefed the Council on its destruction-related verification activities.

6.4 The Russian Federation, the United States of America, Libya, Japan, and China briefed the Council on their destruction-related activities.

6.5 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 obligations under the Convention 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, and with the application of the measures contained in decision C-16/DEC.11.

6.6 Further to a decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** 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-73/P/NAT.1, dated 18 June 2013), along with comments on the issue as mentioned above. The Council **noted** the confirmation provided by the delegation of the Russian Federation that the necessary measures continue to be undertaken in order to meet the planned completion date of December 2015 for its destruction activities, as submitted to the Council at its Sixty-Eighth Session in accordance with subparagraph 3(c) of C-16/DEC.11.

- 6.7 Further to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** 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-73/NAT.1, dated 20 June 2013), along with comments on the issue as mentioned above. The Council **noted** the confirmation provided by the delegation of the United States of America that the necessary measures continue to be undertaken in order to meet the planned completion date of September 2023 for its destruction activities, as submitted to the Council at its Sixty-Eighth Session in accordance with subparagraph 3(c) of C-16/DEC.11.
- 6.8 Further to the same decision by the Conference at its Sixteenth Session (C-16/DEC.11), the Council **considered** and **noted** 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-73/NAT.3, dated 24 June 2013), along with comments on the issue as mentioned above. The Council **noted** the confirmation provided by the delegation of Libya that the necessary measures continue to be undertaken in order to meet the planned completion date of December 2016 for its destruction activities, as submitted to the Council at its Sixty-Eighth Session in accordance with subparagraph 3(c) of C-16/DEC.11.
- 6.9 Further to a decision by the Council at its Sixty-Seventh Session (EC-67/DEC.6), a national paper by China (EC-73/NAT.4, dated 3 July 2013) and a national paper by Japan (EC-73/NAT.2, dated 14 June 2013) had been circulated to the members of the Council. While welcoming close cooperation between relevant States Parties, 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 abovementioned decision.
- 6.10 The Council **welcomed** the review of the destruction of abandoned chemical weapons conducted by the Third Review Conference and the report of the Third Review Conference (RC-3/3*, dated 19 April 2013) relating to abandoned chemical weapons issues. The Council **welcomed** the planned visit of Chairperson of the Council, the Director-General, and a delegation representing the Council to Haerbaling abandoned chemical weapons site, jointly invited by China and Japan.
- 6.11 The Council **noted** the report of the visit by the Chairperson of the Council and representatives of the Council to the Pueblo Chemical Agent Destruction Pilot Plant, Colorado, and the Blue Grass Chemical Agent Destruction Pilot Plant, Kentucky, the United States of America, from 18 to 24 May 2013 (EC-73/2, dated 8 July 2013).
- 6.12 The Council **took note** of information that had been provided by the Secretariat regarding one pre-1925 old chemical weapon (OCW) that the Netherlands had declared in May 2013. The Council **also took note** of the information provided by the delegation of the Netherlands on this issue (EC-73/NAT.10, dated 17 July 2013).

Subitem 6(c): Other verification-related issues

- 6.13 The Secretariat briefed the Council on its other verification-related activities.
- 6.14 The Council **noted** the Note by the Secretariat entitled “Update on the Matter Considered by the Executive Council at Its Sixty-Third Session Under Agenda Subitem 6(i)” (EC-73/S/7, dated 19 July 2013), concerning the issue of captive use of Schedule 1 chemicals in Denmark. To bring this matter to closure, in accordance with paragraph 5 of the above-mentioned Note, the Council **noted** the Secretariat’s intention to provide a further Note on this matter at its next regular session.

Subitem 6(d): Facility agreements

- 6.15 The Council **noted** a Note by the Director-General on the review of Schedule 2 facility agreements (EC-73/DG.9, dated 4 July 2013), and **adopted** a decision on the termination of approved Schedule 2 facility agreements (EC-73/DEC/CRP.2, dated 4 July 2013).

Subitem 6(e): Conversion of former chemical weapons production facilities

- 6.16 The Council **considered** and **approved** the “Correction to the Detailed Plans for Destruction of the Facility for the Production of a Vx-Type Substance and Filling it into Munitions, Open Joint Stock Company ‘Khimprom’, Novocheboksarsk, Chuvash Republic, Russian Federation (Phase 1)” (EC-73/S/1, dated 28 May 2013). Subsequently, the corresponding decision will be updated accordingly (EC-XXII/DEC.1*, dated 6 December 2000).

Subitem 6(f): Verification Implementation Report for 2012

- 6.17 The Council **considered** and **noted** the Verification Implementation Report (VIR) for the period from 1 January to 31 December 2012 (EC-73/HP/DG.1, dated 16 May 2013 and Corr.1, dated 8 July 2013). The Council **also noted** the comments and views received on the 2012 VIR (EC-73/HP/DG.2, dated 1 July 2013 and EC-73/DG.7, dated 2 July 2013), as well as the Chairperson’s summary of the informal consultations on it (EC-73/5, dated 10 July 2013).

Subitem 6(g): The content of the assistance-and-protection data bank and its use

- 6.18 The Council **considered** and **noted** a Note by the Secretariat on the content of the assistance-and-protection data bank and its use (EC-73/S/3, dated 10 June 2013).

Subitem 6(h): Timely submission of declarations under Article VI

- 6.19 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 the timely submission by States Parties of declarations under Article VI of the Convention for the period from 1 January to 31 May 2013 (EC-73/DG.6, dated 24 June 2013).

7. AGENDA ITEM SEVEN – International cooperation and assistance activities during the intersessional period

7.1 The Secretariat briefed the Council on its related activities in the intersessional period.

7.2 The Council **received with appreciation** a briefing on the Secretariat activities on international cooperation and assistance during the intersessional period and **requested** the Secretariat to continue this practice. The Council **requested** the relevant facilitators to continue their facilitation processes, considering all the proposals presented by delegations, and to report to the Council on their activities, in order to take additional measures as necessary to ensure the full implementation of the Convention.

8. AGENDA ITEM EIGHT – Report on the implementation in 2012 of the recommendations of the Office of Internal Oversight

8.1 Further to the consideration of this issue at its previous session, the Council **noted** a report by the Director-General on the implementation in 2012 of the recommendations contained in the 2011 annual report of the Office of Internal Oversight (OIO) (EC-72/DG.3, dated 2 April 2013).

8.2 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported on consultations held during the intersessional period.

9. AGENDA ITEM NINE – Report of the Office of Internal Oversight for 2012

9.1 Further to the consideration of this issue at its previous session, the Council **considered** and **noted** the annual report of the OIO for the period from 1 January to 31 December 2012, which the Director-General had submitted to it, along with his comments (EC-72/DG.2 C-18/DG.3, dated 2 April 2013), in accordance with Regulation 12.5 of the OPCW Financial Regulations and Rules.

9.2 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported on consultations held during the intersessional period.

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

10. AGENDA ITEM TEN – Draft annual report of the OPCW for 2012

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 2012", and **forwarded** it to the Conference for consideration at its Eighteenth Session (EC-73/CRP.1, dated 31 May 2013 and Corr.1, dated 18 July 2013).

11. AGENDA ITEM ELEVEN – 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-73/DG.3, dated 11 June 2013) and **adopted** a decision on the inclusion (EC-73/DEC/CRP.1, dated 17 June 2013).

12. AGENDA ITEM TWELVE – Administrative and financial matters

Subitem 12(a): Report of the Advisory Body on Administrative and Financial Matters

- 12.1 The Council **noted** the report of the Thirty-Fourth Session of the Advisory Body on Administrative and Financial Matters (ABAF), which took place from 27 to 29 May 2013 (ABAF-34/1, dated 29 May 2013), and a Note by the Director-General containing comments on the report of the ABAF at that session (EC-73/DG.10, dated 10 July 2013), and **endorsed** the recommendations contained therein.
- 12.2 The Council **noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-73/S/5, dated 15 July 2013) and **approved** the re-appointment of Ms Mary B. Rios to the ABAF, retroactive to the date of her letter of nomination (10 July 2013).
- 12.3 The Council **also noted** a Note by the Secretariat on a nomination for membership of the ABAF (EC-73/S/6, dated 16 July 2013) and **approved** the nomination of Ms Gönke Roscher of Germany to the ABAF, to replace Mr Artur Brunner, retroactive to the date of her letter of nomination (10 July 2013).

Subitem 12(b): Status of implementation of the recommendations of the External Auditor

- 12.4 Further to the consideration of this issue at its Seventy-First Session, the Council **noted** a Note by the Secretariat on the status of implementation of the recommendations of the External Auditor (EC-71/S/3, dated 29 January 2013).
- 12.5 The Council **also noted** a Note by the Secretariat on the status of implementation of the recommendations of the External Auditor (EC-73/S/4*, dated 12 June 2013).
- 12.6 The facilitator for this issue, Ms Sakiko Hayakawa of Japan, reported on consultations held during the intersessional period.

Subitem 12(c): OPCW income and expenditure for the financial year to 31 December 2012

- 12.7 Further to the consideration of this issue at its Seventy-First Session, the Council **noted** a report by the Director-General on OPCW income and expenditure for the financial year to 31 December 2012 (EC-71/DG.13, dated 5 February 2013).

Subitem 12(d): Transfers of funds in 2012

- 12.8 Further to the consideration of this issue at its Seventy-First Session, the Council **noted** a Note by the Director-General on transfers of funds during 2012 (EC-71/DG.14 C-18/DG.2, dated 5 February 2013).

Subitem 12(e): Composition of the Technical Secretariat

- 12.9 The Council **noted** the “Annual Report by the Director-General on the Composition of the Technical Secretariat” (EC-73/DG.4, dated 14 June 2013). The Council **also welcomed** the Director-General’s statement that he will continue to implement paragraph 44 of Article VIII of the Convention in the appointment of staff to the Secretariat. The Director-General was requested to strive to achieve that goal, paying due consideration to geographical and gender balance.

Subitem 12(f): Report by the Director-General on the implementation of the tenure policy in 2012

- 12.10 The Council **considered** and **noted** a report by the Director-General on the implementation of the tenure policy in 2012 (EC-73/DG.1, dated 10 June 2013).

13. AGENDA ITEM THIRTEEN – Organisation of follow-up to the Third Review Conference

- 13.1 The Council **welcomed** a Note prepared by the Secretariat entitled “Matrix of Actionable Items Identified at the Third Review Conference” (EC-73/S/2, dated 4 June 2013), and **requested** the Director-General to submit to each regular session of the Council the updated version.
- 13.2 While **emphasising** that the basis for actionable items should always be the report of the Third Review Conference, the Council **requested** the Vice Chairpersons and/or facilitators to continue addressing and/or to initiate consultations on the actionable items, and to regularly report back to the Council on the progress of implementation.
- 13.3 The Council **requested** the Secretariat to provide, prior to the next regular session of the Council, the reports identified by the Third Review Conference that are important for decisions on the Programme and Budget for 2014.
- 13.4 The Council **decided** to keep the agenda item of the “Follow-up process to the Third Review Conference,” which would include consideration of those actionable issues that the Council considers should remain under its direct purview, on the regular agenda of the Council.
- 13.5 The Council **noted** the presentation by the Secretariat on follow-up to the Third Review Conference, entitled “The OPCW as Global Repository of Knowledge and Expertise on the Implementation of the CWC,” **decided** to continue to discuss this issue in the intersessional period, and **asked** the Secretariat to report again at the next session for its consideration.
- 13.6 The Council **welcomed** the presentation by the Secretariat on follow-up to the Third Review Conference, entitled “Presentation on Alternative Conference Venues,” **decided** to continue to discuss this issue in the intersessional period, and **asked** the Secretariat to report again at the next session. Further information was requested on the alternative of extending the Ieper Room and the possibility of holding sessions of the Conference in other cities; even options outside the territory of the Netherlands were also discussed. It was also requested that the Bureau address this issue.

14. AGENDA ITEM FOURTEEN – Report by the Committee on Relations with the Host Country

The Chairperson informed the Council of the consultations that he had held with the Host Country and interested delegations in the intersessional period. So as to allow for a successful outcome of other ongoing consultations regarding issues on the agenda of the Committee on Relations with the Host Country (hereinafter “the Host Country Committee”), the Chairperson advised the Council that the subsequent meeting of the Host Country Committee would be scheduled before the next session of the Council. He also reaffirmed the Council’s understanding that all open items would remain on the agenda of the Host Country Committee until they are resolved.

15. AGENDA ITEM FIFTEEN – Credentials of representatives of the members of 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-73/DG.5/Rev.1, dated 16 July 2013), which covers the credentials of the newly-elected members of the Council.

16. AGENDA ITEM SIXTEEN – Provisional agenda for the Eighteenth Session of the Conference of the States Parties

The Council **drew up** the provisional agenda for the Eighteenth Session of the Conference (EC-73/DG.2, dated 11 June 2013).

17. AGENDA ITEM SEVENTEEN – Dates for regular sessions of the Executive Council in 2014

The Council **decided** that the Seventy-Fifth Session of the Council shall be held from 4 to 7 March 2014, that the Seventy-Sixth Session of the Council shall be held from 8 to 11 July 2014, and that the Seventy-Seventh Session of the Council shall be held from 7 to 10 October 2014.

18. AGENDA ITEM EIGHTEEN – Any other business

Appointment of the Director-General

- 18.1 The Chairperson submitted a Note to the Council regarding the appointment of the Director-General for the period from 2014 to 2018 (EC-73/4, dated 9 July 2013). In accordance with Article VIII of the Convention, the Director-General shall be appointed by the Conference upon the recommendation of the Council. In order to facilitate preparations of the recommendation to be made to the Conference at its Eighteenth Session by the Council, the Chairperson invited interested States Parties to present candidates for the post of the Director-General in time for its consideration at the Seventy-Fourth Session of the Council, preferably before 30 August 2013. The Chairperson also informed the Council that the current Director-General had informed him about his availability to serve a second term.

Appointment of facilitators for informal consultations

- 18.2 In order to bring clarity into the process of appointing facilitators of informal consultations and with a view to ensuring its continued transparency and openness to all interested delegations, the Council **requested** that its Chairperson report to the Seventy-Fourth Session of the Council on the outcome of its consultations on the procedures that can guide the Council in the future, so as to achieve these objectives.

19. AGENDA ITEM NINETEEN – Adoption of the report

The Council **considered** and **adopted** the report of its Seventy-Third Session.

20. AGENDA ITEM TWENTY – Closure

The Chairperson closed the session at 22:05 on 19 July 2013.

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