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REPORT BY THE DIRECTOR-GENERAL

**STATUS OF IMPLEMENTATION OF ARTICLE VII
OF THE CHEMICAL WEAPONS CONVENTION
AS AT 31 JULY 2015: ARTICLE VII – INITIAL MEASURES**



Legislative and administrative implementation

1. In operative paragraph 1 of the decision on the follow-up to the plan of action regarding the implementation of Article VII obligations (C-10/DEC.16, dated 11 November 2005), the Conference of the States Parties (hereinafter “the Conference”) stressed that it is imperative for States Parties that had yet to fulfil their obligations under Article VII to do so without delay.
2. At the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Third Review Conference”), the Conference “[e]ncouraged the Secretariat to explore innovative methods of providing assistance on tailor-made approaches as a potential means to further advance the implementation of Article VII” (paragraph 9.103(c) of RC-3/3*, dated 19 April 2013). Furthermore, the Technical Secretariat (hereinafter “the Secretariat”) was requested “to continue to submit its annual report on the implementation of Article VII to the Conference, and ... to include an assessment in this report, for consideration by the policy-making organs, containing a comprehensive and objective analysis of the current status of national implementation, with a view to tracking the progress made and formulation of focused assistance programmes” (paragraph 9.103(h) of RC-3/3*).
3. Pursuant to the request received from the Third Review Conference, and in close cooperation with States Parties, the Secretariat has updated the two matrixes included in the annual reports—the one addressing the initial measures taken by States Parties in accordance with Article VII and the second, listing additional measures—and is presenting them in two concurrent reports, as requested by the Conference (paragraph 8 of C-14/DEC.12, dated 4 December 2009).
4. In this context, on 25 February 2015, the Secretariat sent a note verbale to all States Parties, requesting them to provide updates on the status of implementation of Article VII and to fill in the matrixes attached to the note verbale. At the cut-off date of the current report, 53 States Parties had replied to the note verbale and 45 had filled in and submitted the updated matrixes¹ (Table 1).

TABLE 1: STATES PARTIES THAT HAVE FILLED IN THE UPDATED MATRIXES AND SUBMITTED THEM TO THE SECRETARIAT

Albania	France	Pakistan
Algeria	Grenada	Palau
Andorra	Hungary	Paraguay
Argentina	India	Philippines
Armenia	Indonesia	Romania
Australia*	Italy	Russian Federation
Austria	Japan	South Africa
Belgium	Jordan*	Spain
Bolivia (Plurinational State of)	Kyrgyzstan	Sudan

¹ States Parties identified by an asterisk (*) have replied to the note verbale but did not fill in the matrixes.

Brazil	Latvia	Sweden
Bulgaria	Lebanon*	Tajikistan
Burundi	Luxembourg	Thailand
Costa Rica	Mexico	Turkey
Croatia	Monaco*	Turkmenistan
Cyprus	Namibia	United Arab Emirates
Czech Republic	Netherlands	United Kingdom*
Denmark*	New Zealand*	Ukraine
Finland*	Norway	

5. The global status, as at 31 July 2015, of the relevant elements of legislative and administrative implementation is reflected in the tables below.

TABLE 2: OVERVIEW OF THE LEGISLATIVE IMPLEMENTATION OF THE CONVENTION

Article VII(5) submission received	152 (80%)
Legislation covers all initial measures	116 (61%) in full 30 (16%) in part
Legislation covers additional measures	109 (57%)
Text of adopted measures provided	135 (71%)

TABLE 3: STATUS OF ELEMENTS OF LEGISLATIVE AND ADMINISTRATIVE IMPLEMENTATION UNDER THE PURVIEW OF THE PRESENT REPORT, AS AT 31 JULY 2015

Indicators	Number and Percentage of States Parties Having Implemented the Measure
Definitions	
Chemical Weapons	131 (69%) in full 1 (1%) in part
Toxic Chemical	115 (61%) in full 1 (1%) in part
Precursor	115 (61%) in full 1 (1%) in part
Purposes Not Prohibited	116 (61%) in full 0 (0%) in part

Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	113 (59%) in full 7 (4%) in part
	Schedule 2	109 (57%) in full 14 (7%) in part
	Schedule 3	109 (57%) in full 14 (7%) in part
Prohibitions and Penalties		
Prohibitions	Chemical Weapons	142 (75%) in full 4 (2%) in part
	Scheduled Chemicals	117 (66%) in full 14 (7%) in part
Penalties	Chemical Weapons	140 (74%) in full 2 (1%) in part
	Scheduled Chemicals	117 (62%) in full 14 (7%) in part
Other Initial Measures		
Extraterritoriality		125 (66%)
Legal basis for regulations		116 (61%) in full 1 (1%) in part
Establishment/designation of National Authority		188 (99%)

TABLE 4: EXPLANATION OF COLUMN HEADINGS IN THE TABLES CONTAINED IN THE ANNEX TO THIS REPORT

Column Heading	Explanation
Definitions	
Chemical Weapons	Indicates that the legislation of the State Party in question contains a definition of chemical weapons that fully reflects the meaning of <i>chemical weapons</i> as defined by paragraph 1 of Article II of the Convention.
Toxic Chemical	Indicates that the legislation of the State Party in question contains a definition of toxic chemical that fully reflects the meaning of <i>toxic chemical</i> as defined by paragraph 2 of Article II of the Convention.
Precursor	Indicates that the legislation of the State Party in question contains a definition of precursor that fully reflects the meaning of <i>precursor</i> as defined by paragraph 3 of Article II of the Convention.

Purposes Not Prohibited		Indicates that the legislation of the State Party in question contains a definition of purposes not prohibited that fully reflects the meaning of <i>purposes not prohibited</i> under the Convention as defined by paragraph 9 of Article II of the Convention.
Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	“X” indicates that the national legislation ensures that the State Party is in a position to fulfil the prior reporting requirements concerning transfers of Schedule 1 chemicals (see paragraphs 5 and 5bis. of Part VI of the Verification Annex to the Convention) and to provide all information that is to be included in the declaration required by paragraph 6 of Part VI of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 2	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in annual declarations required by paragraph 1 and 2 of Part VII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 3	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in declarations pursuant to paragraph 1 of Part VIII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.

Prohibitions and Penalties		
	Chemical Weapons	Scheduled Chemicals
Prohibition	“X” indicates that the activities prohibited to States Parties under paragraph 1 of Article I of the Convention are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.	“X” indicates that the activities prohibited to States Parties under: - paragraphs 1, 2, 3, and 4 of Part VI of the Verification Annex (Schedule 1 related); - paragraph 31 of Part VII of the Verification Annex (Schedule 2 related); ² - under paragraph 26 of Part VIII of the Verification Annex (i.e., the export of Schedule 3 chemicals to States not Party without appropriate assurance that they will only be used for purposes not prohibited under the Convention); ³ are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.
Penalties	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.
Other Initial Measures		
Extraterritoriality	“X” indicates that the State Party has extended its penal legislation enacted to implement the prohibitions of the Convention to any activity undertaken anywhere by natural persons possessing its nationality.	
Legal Basis for Regulations	“X” indicates that legislation of the State Party contains provisions that enable the relevant ministries/governmental departments to issue measures to regulate the production, processing, and consumption of Scheduled chemicals, the verification regimes, and the confidentiality regimes.	
Establishment/designation of National Authority	“X” indicates that a National Authority has been designated or established. It should be noted that some National Authorities have been designated on a purely interim basis.	

“(X)”, that is, X in brackets, for any of the above indicators means that the measure has been partially implemented.

Please note that the prohibition of certain activities can also be imposed by legal measures other than direct prohibitions. For example, when a licensing regime in a State Party ensures

² For exceptions, please refer to C-V/DEC.16, dated 17 May 2000.

³ For exceptions, please refer to C-VI/DEC.10, dated 17 May 2001.

that no natural or legal person will be permitted to carry out an activity that is prohibited to States Parties under the Convention, then the column for the prohibition will be checked with the indication “X”.

Annex (English only):

Status of Implementation of Article VII Initial Measures, by State Party, as at 31 July 2015

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
						Reporting on Transfers			Prohibitions		Penalties				
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/designation of National Authority
11.	Bahamas														X
12.	Bahrain	X				X	(X)	(X)	X	X	X	X			X
13.	Bangladesh	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14.	Barbados														X
15.	Belarus	X	X	(X)	X	X	X	X	X	X	X	X	X	X	X
16.	Belgium	X	X	X	X	X	X	X	X	X	X	X	X	X	X
17.	Belize														X
18.	Benin														X
19.	Bhutan								(X)	(X)		(X)	X		X
20.	Bolivia (Plurinational State of)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
21.	Bosnia and Herzegovina	X	X	X	X	X	X	X	X	X	X	X	X	X	X
22.	Botswana	X	X	X		X	X	X	X	X	X	X	X	X	X
23.	Brazil	X	X	X	X	X	X	X	X	X	X	X	X	X	X
24.	Brunei Darussalam														X
25.	Bulgaria	X	X	X	X	X	X	X	X	X	X	X	X	X	X
26.	Burkina Faso	X	X	X	X	X	X	X	X	X	X	X	X	X	X
27.	Burundi	X	X	X	X	X	X	X	X	X	X	X	X	X	X

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						Reporting on Transfers			Prohibitions		Penalties				
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46.	Democratic Republic of the Congo														X
47.	Denmark	X	X	X	X	X	X	X	X	X	X	X	X	X	X
48.	Djibouti														X
49.	Dominica								X		X				X
50.	Dominican Republic								(X)		(X)				X
51.	Ecuador	X							X	(X)	X	(X)			X
52.	El Salvador								X		X		X		X
53.	Equatorial Guinea														X
54.	Eritrea														X
55.	Estonia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
56.	Ethiopia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
57.	Fiji	X	X	X	X	X	X	X	X	X	X	X	X	X	X
58.	Finland	X	X	X	X	X	X	X	X	X	X	X	X	X	X
59.	France	X	X	X	X	X	X	X	X	X	X	X	X	X	X
60.	Gabon	X							X		X				X
61.	Gambia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
62.	Georgia	X				(X)	(X)	(X)	X	(X)	X	(X)			X

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
						Reporting on Transfers			Prohibitions		Penalties				
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/designation of National Authority
81.	Italy	X	X	X	X	X	X	X	X	X	X	X	X	X	X
82.	Jamaica														X
83.	Japan	X	X	X	X	X	X	X	X	X	X	X	X	X	X
84.	Jordan								X		X		X		X
85.	Kazakhstan	X	X	X	X	X	X	X	X	X	X	X	X	X	X
86.	Kenya														X
87.	Kiribati	X	X	X	X	X	(X)	(X)	X	X	X	X	X	X	X
88.	Kuwait	X							X				X		X
89.	Kyrgyzstan	X	X	X	X	X	X	X	X	X	X	(X)	(X)	X	X
90.	Lao People's Democratic Republic	X							X	(X)	X	(X)	X		X
91.	Latvia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
92.	Lebanon														X
93.	Lesotho	X	X	X	X	X	X	X	X	X	X	X	X	X	X
94.	Liberia	X	X	X	X	X	(X)	(X)	X	X	X	X	X	X	X
95.	Libya														X
96.	Liechtenstein	X	X	X	X	X	X	X	X	X	X	X	X	X	X
97.	Lithuania	X	X	X	X	X	X	X	X	X	X	X	X	X	X

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						Reporting on Transfers			Prohibitions		Penalties				
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/designation of National Authority
115.	Namibia														X
116.	Nauru														X
117.	Nepal														X
118.	Netherlands	X	X	X	X	X	X	X	X	X	X	X	X	X	X
119.	New Zealand	X	X	X	X	X	X	X	X	X	X	X	X	X	X
120.	Nicaragua							X		X					X
121.	Niger	X	X	X	X	X	X	X	X	X	X	X	X	X	X
122.	Nigeria	X						X	(X)	X	(X)				X
123.	Niue	X	X	X	X	X	(X)	(X)	X	X	X	X	X	X	X
124.	Norway	X	X	X	X	X	X	X	X	X	X	X	X	X	X
125.	Oman	X	X	X	X	X	X	X	X	X	X	X	X	X	X
126.	Pakistan	X	X	X	X	X	X	X	X	X	X	X	X	X	X
127.	Palau	X	(X)	X	X	X	X	X	X	X	X	X	X	X	X
128.	Panama	X	X	X	X	X	X	X	X	X	X	X	X	X	X
129.	Papua New Guinea														X
130.	Paraguay							(X)		(X)		X			X
131.	Peru	X	X	X	X	X	X	X	X	X	X	X	X	X	X
132.	Philippines	X							X		X				X
133.	Poland	X	X	X	X	X	X	X	X	X	X	X	X	X	X

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
						Reporting on Transfers			Prohibitions		Penalties				
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/designation of National Authority
150.	Seychelles	X						X		X				X	
151.	Sierra Leone													X	
152.	Singapore	X	X	X	X	X	X	X	X	X	X	X	X	X	
153.	Slovakia	X	X	X	X	X	X	X	X	X	X	X	X	X	
154.	Slovenia	X	X	X	X	X	X	X	X	X	X	X	X	X	
155.	Solomon Islands													X	
156.	Somalia														
157.	South Africa	X	X	X	X	X	X	X	X	X	X	X	X	X	
158.	Spain	X	X	X	X	X	X	X	X	X	X	X	X	X	
159.	Sri Lanka	X	X	X	X	X	X	X	X	X	X	X	X	X	
160.	Sudan	X	X	X	X	X	X	X	X	X	X	X	X	X	
161.	Suriname													X	
162.	Swaziland													X	
163.	Sweden	X	X	X	X	X	X	X	X	X	X	X	X	X	
164.	Switzerland	X	X	X	X	X	X	X	X	X	X	X	X	X	
165.	Syrian Arab Republic													X	
166.	Tajikistan	X	X	X	X	X	X	X	X	X	X	X	X	X	
167.	Thailand	X	X	X	X	X	X	X	X	X	X	X	X	X	

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
						Reporting on Transfers			Prohibitions		Penalties				
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/designation of National Authority
181.	United Republic of Tanzania														X
182.	United States of America	X	X	X	X	X	X	X	X	X	X	X	X	X	X
183.	Uruguay	X	X	X	X	X	X	X	X	X	X	X	X	X	X
184.	Uzbekistan	X	X	X	X	X	X	X	X	X	X	X	X	X	X
185.	Vanuatu														X
186.	Venezuela (Bolivarian Republic of)								(X)						X
187.	Viet Nam	X	X	X	X	X	X	X	X	X	X	X		X	X
188.	Yemen	X	X	X	X	X	X	X	X	X	X	X	X	X	X
189.	Zambia	X	X	X	X	X	(X)	(X)	X	X	X	X	X	X	X
190.	Zimbabwe	X				X	X	X	X	X	X	X			X

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