



**OPCW**

**Conference of the States Parties**

Tenth Session  
7 – 11 November 2005

C-10/DEC.10  
10 November 2005  
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**DECISION**

**REQUEST BY THE LIBYAN ARAB JAMAHIRIYA FOR EXTENSIONS  
OF THE INTERMEDIATE DEADLINES FOR THE DESTRUCTION  
OF ITS CATEGORY 1 CHEMICAL WEAPONS STOCKPILES**

**The Conference of the States Parties,**

**Recalling** that, pursuant to Article 1, paragraph 2, of the Chemical Weapons Convention (hereinafter “the Convention”), each State Party undertakes to destroy chemical weapons it owns or possesses, in accordance with the provisions of the Convention;

**Also recalling** that, according to Article IV, paragraph 6, of the Convention, each State Party shall destroy all chemical weapons specified in paragraph 1 of that Article pursuant to the Verification Annex to the Convention (hereinafter “the Verification Annex”);

**Recalling further** that at its Ninth Session it granted, in principle, extensions of the intermediate phase 1, 2, and 3 deadlines for the destruction by the Libyan Arab Jamahiriya of 1%, 20%, and 45%, respectively, of its Category 1 chemical weapons stockpiles, and authorised the Executive Council (hereinafter “the Council”) to establish specific dates for these deadlines (C-9/DEC.7, dated 30 November 2004);

**Bearing in mind** that, at its Fortieth Session, and based on information provided by the Libyan Arab Jamahiriya (EC-40/NAT.1, dated 19 January 2005), the Council established the following dates for this State Party’s intermediate deadlines: phase 1 (1%), to be completed by the end of March 2006; phase 2 (20%), to be completed by the end of May 2006, and phase 3 (45%), to be completed by the end of July 2006 (EC-40/DEC.2, dated 16 March 2005);

**Noting at the same time** that the Libyan Arab Jamahiriya has indicated that it is unable to meet the aforementioned intermediate deadlines established by the Council for the destruction of its Category 1 chemical weapons stockpiles;

**Bearing in mind** that, according to Part IV (A), paragraph 22, of the Verification Annex, if a State Party believes that it will be unable to ensure the destruction of the percentage of Category 1 chemical weapons required by an intermediate destruction deadline, it may request the Council to recommend to the Conference of the States Parties (hereinafter “the Conference”) that it grant the State Party an extension of that deadline;



**Affirming** that a decision by the Conference to grant a request by a State Party for an extension of any intermediate deadlines shall not in any way modify the obligation of the State Party to destroy all Category 1 chemical weapons no later than 10 years after the entry into force of the Convention, and that such a decision shall not prejudice any of the other obligations that the State Party has under the terms of Convention, including the obligation to make any request to extend the deadline for completing the destruction of all Category 1 chemical weapons not later than nine years after entry into force of the Convention;

**Welcoming** the commitment of the Libyan Arab Jamahiriya to fulfil its obligations under the Convention, as demonstrated both by the complete destruction of all of its Category 3 chemical weapons stockpiles, as well as of the specialised equipment and special features at its declared chemical weapons production facilities, and by the start of destruction of its Category 2 chemical weapons stockpiles, subject to full verification by the Technical Secretariat;

**Having considered** the request by the Libyan Arab Jamahiriya for extensions of the intermediate deadlines for the destruction of its Category 1 chemical weapons stockpiles in accordance with paragraph 22, Part IV(A) of the Verification Annex (EC-M-25/NAT.1, dated 13 October 2005); and

**Noting** the recommendation made on this matter by the Council at its Twenty-Fifth Meeting (EC-M-25/DEC.2, dated 9 November 2005);

**Hereby:**

**Grants**, in principle, further extensions of the intermediate phase 1, 2, and 3 deadlines for the destruction by the Libyan Arab Jamahiriya of 1%, 20%, and 45%, respectively, of its Category 1 chemical weapons stockpiles, on the understanding that:

- (a) such extensions shall not in any way modify the obligation of the Libyan Arab Jamahiriya to destroy all of its Category 1 chemical weapons no later than 10 years after the entry into force of the Convention;
- (b) the Libyan Arab Jamahiriya shall submit to the Council, as soon as possible, but no later than 31 March 2006, an update to the detailed information it provided to the Council in EC-40/NAT.1 regarding plans for the destruction of its Category 1 chemical weapons stockpiles, including the proposal of specific dates for each of the above intermediate deadlines;
- (c) the Libyan Arab Jamahiriya will keep the Council informed, at each alternate regular session and with supporting documentation, of the status of its plans to implement this destruction obligation;
- (d) the Director-General will report periodically to the Council on the progress made by the Libyan Arab Jamahiriya in destroying its chemical weapons, in accordance with its obligations under the Convention;
- (e) the Chairman of the Council, in the exercise of his competencies and in cooperation with the Director-General, will periodically report to the Council on these matters; and

- (f) the Conference will authorise the Council to establish specific dates for the 1%, 20%, and 45% deadlines, with a view to the Council's taking a decision at its next regular session following the submission of detailed information by the Libyan Arab Jamahiriya pursuant to subparagraph (b) above, and to its Chairman's reporting on its actions to the Conference at its Eleventh Session.

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