



**OPCW**

**Conference of the States Parties**

Twelfth Session  
5 – 9 November 2007

C-12/DEC.9  
9 November 2007  
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## **DECISION**

### **REGARDING THE IMPLEMENTATION OF ARTICLE VII OBLIGATIONS**

**The Conference of the States Parties,**

**Recalling** the decision adopted at its Tenth Session, and sustained at its Eleventh Session (C-10/DEC.16, dated 11 November 2005 and C-11/DEC.4, dated 6 December 2006), concerning follow-up to the plan of action regarding the implementation of Article VII obligations;

**Taking note** of the comprehensive progress report on the status of implementation of Article VII of the Chemical Weapons Convention (hereinafter “the Convention”), which the Technical Secretariat (hereinafter “the Secretariat”) has provided in accordance with paragraph 2(d) of the decision on sustaining follow-up to the plan of action regarding the implementation of Article VII obligations (C-11/DEC.4);

**Welcoming** the considerable progress that has been made in the implementation of Article VII since the adoption of the plan of action regarding the implementation of Article VII obligations that the Conference of the States Parties (hereinafter “the Conference”) adopted at its Eighth Session (C-8/DEC.16, dated 24 October 2003);

**Recognising** that there remains a sizeable number of States Parties that need to take further action to complete the implementation of their Article VII obligations, and that a number of these States Parties still require assistance and technical support;

**Noting with concern** that some States Parties have not provided the notifications called for in subparagraphs 2(a) and (b) of the decision on follow-up to the plan of action regarding the implementation of Article VII obligations (C-10/DEC.16), and **reaffirming** the need for continued outreach to those States Parties;

**Acknowledging** the positive impact that the tailored and systematic support from States Parties and the Secretariat has in the continued success of the implementation of Article VII obligations;

**Reaffirming** the importance and urgency of States Parties fulfilling their obligations under Article VII in accordance with their constitutional processes;



**Hereby:**

1. **Stresses** that it is imperative that further efforts be made by all the States Parties referred to in subparagraphs 2(a) and (b) of C-10/DEC.16 to fulfil the obligations under Article VII, and **urges** States Parties that have yet to designate or establish a National Authority to take the steps necessary to enact legislation, and/or that have yet to adopt administrative measures to implement the Convention:
  - (a) to notify the Organisation of the designation or establishment of their National Authority; and
  - (b) to inform the Organisation of the steps they are taking in accordance with their constitutional processes:
    - (i) to enact legislation, including penal legislation, and
    - (ii) to adopt administrative measures to implement the Convention;

and to do so without further delay and, if possible, before the Fifty-Second Session of the Council<sup>1</sup>;
2. **Requests** the Chairperson of the Council, in close contact with its members and acting on their behalf, to coordinate with the Director-General in order to contact the States Parties that have yet to notify the OPCW of the actions identified in subparagraphs 2(a) and (b) of C-10/DEC.16, with a view to obtaining further information that will assist in addressing the difficulties those States Parties have encountered;
3. **Requests** the Director-General to contact the States Parties that have yet to fulfil their obligations under Article VII and C-10/DEC.16 and that have made their difficulties known to the Technical Secretariat, to consider encouraging them and to inform them of the assistance available, and thereafter to inform the Council of such contacts and the assistance requested;
4. **Strongly encourages** States Parties that have yet to fulfil their Article VII obligations and the actions required under C-10/DEC.16 and the present decision, to avail themselves of assistance that is offered, if they consider it appropriate, to consult with the Secretariat, and to provide it with details, as appropriate, of their assistance requirements in a timely manner to allow for effective support to be planned in the coming year by the Secretariat and/or States Parties;
5. **Encourages** States Parties to continue offering assistance in implementing Article VII, including, *inter alia*, through the provision of expertise to States Parties, through fostering cooperation within the regional groups and through relevant organisations, and through voluntary contributions to the OPCW and any other offers, and to keep the OPCW informed about their activities;

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<sup>1</sup> The Fifty-Second Session of the Council will begin on 4 March 2008.

6. **Requests** the Secretariat and the States Parties to continue to provide assistance upon request and in a systematic manner to effectively address the needs of States Parties referred to in paragraph 1 above, with a view to addressing their practical national implementation issues and concerns, *inter alia*, on matters related to industry and trade;
7. **Requests further** the Secretariat and the States Parties, in providing assistance, to take into consideration the particular requirements of those States Parties that have recently joined the Convention and have requested such assistance;
8. **Requests** the Secretariat to keep current a progress report on the external server of the OPCW and to continue to provide its annual report on the status of implementation of Article VII and C-10/DEC.16 to the Council at its Fifty-Fourth Session;
9. **Requests** the Council to submit the report referred to in paragraph 8 above to the Conference at its Thirteenth Session, along with its recommendations, as appropriate, for consideration concerning those States Parties that have not submitted any information in accordance with paragraph 1 above; and
10. **Finally requests** the Director-General to inform all States Parties of the present decision as soon as possible after the Twelfth Session of the Conference.

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