

## **5. Documents from Regional and Other Organizations/Regions**

At a most basic level, regional organizations play an important role in providing states with a forum for consultation on political and security issues in a regional or other context.

### **5.1 Association of Southeast Asian Nations**

As part of its commitment to promote regional peace and stability the Association of Southeast Asian Nations (ASEAN) established the ASEAN Regional Forum (ARF) in 1994. ARF currently has 27 participants. The ARF agenda consists of two broad objectives: first, to foster constructive dialogue and consultation on political and security issues of common interest and concern and, second, to contribute to efforts towards confidence building and preventive diplomacy in the Asia-Pacific region. This agenda aims to evolve in three broad stages, namely the promotion of confidence building, development of preventive diplomacy and elaboration of approaches to conflicts and, as part of that, the ARF countries agreed a non-proliferation statement in 2004, (reproduced in the 2008 edition of the *Resource Guide*). This edition of the *Resource Guide* contains relevant extracts from the most recent report from an ARF meeting on non-proliferation of weapons of mass destruction.

### **5.2 European Union**

Established in 1957 by the Treaty of Rome and developed through subsequent treaties, the European Union (EU) currently has 27 Member States. The EU has long had an interest in arms control, disarmament and non-proliferation, especially since the adoption of its Common Foreign and Security Policy in the early 1990s through which, its involvement became much more intensive and pro-active. In 1999, a Council Joint Action established a EU cooperation programme for non-proliferation and disarmament in Russia, including financial assistance for destruction of chemical weapons. In 2003, the EU adopted its 'Strategy against Proliferation of Weapons of Mass Destruction', commonly known as the WMD Strategy.

Since 2003, the EU has focused on more concrete activities, including through, *inter alia*, the adoption of successive decisions to provide support for OPCW activities within the framework of the implementation of the WMD Strategy and a decision outlining a common approach to the 2013 CWC Review Conference. This section of the *Resource Guide* includes the most recent relevant Council Decisions.

### **5.3 Non-Aligned Movement**

The first conference of Non-Aligned Heads of State was held in Belgrade in September 1961. The Non-Aligned Movement (NAM) currently has 119 Member States. Summit meetings of NAM Heads of State are held approximately every three years and there have been sixteen to date, with the most recent being held in Tehran, Islamic Republic of Iran, during 26-31 August 2012. After each summit, the host country becomes convenor of the NAM until the next summit meeting, so Iran will be the holder of this position for the Third CWC Review Conference. This section of the *Resource Guide* contains an extract from the Final Document of the 16th Summit of Heads of State or Government of the Non-Aligned Movement in 2012.

### **5.4 Other groupings**

The **African Union**, established by the issuing of the Sirte Declaration in 1999 and the Constitutive Act of the African Union in 2000, is a successor to the amalgamated African Economic Community and the Organization of African Unity. The AU has 54 member states, including all African states except Morocco. In 2002, the African Union adopted a decision on the implementation and universality of the CWC, which was included in the 2008 edition

of the *Resource Guide*. In January 2006, OPCW Director-General Rogelio Pfrter and the Chairperson of the African Union Commission, Alpha Oumar Konaré, signed a memorandum of understanding focused on the universality of the Convention in Africa, effective national implementation of its provisions, and increased participation by African Member States in the OPCW's international cooperation programmes (the MoU is annexed to OPCW document S/547/2006).

**Latin America** has seen a number of CWC-relevant political activities. In September 1991 in Mendoza, Argentina, the governments of Argentina, Brazil and Chile jointly signed the Declaration of Mendoza which committed the three countries not to 'develop, produce or acquire in any way, stockpile or retain, transfer directly or indirectly, and not to use chemical or biological arms'. The Declaration was agreed in the context of the negotiation of the CWC and is primarily concerned with supporting the negotiation but, in its preambular determination to 'consolidate the region as an area of peace and cooperation, free from the scourge of these weapons of mass destruction', it can be seen as a precursor of later declarations by the OAS. The Declaration was subsequently also signed by Bolivia, Ecuador, Paraguay and Uruguay. In December 1991, the leaders of the Andean Group countries (Bolivia, Colombia, Ecuador, Peru and Venezuela) signed a Declaration on Renunciation of Weapons of Mass Destruction in Cartagena des Indias. The declaration obliged its signatories not to produce, develop, use, test and transfer weapons of mass destruction, whether nuclear, biological, toxin or chemical weapons, and to refrain from storing, acquiring or holding such weapons. Regarding the CWC specifically, the Declaration states the signatories support for the ongoing CWC negotiations and their intention to become original States Parties to the Convention. Like the Mendoza Declaration, the Cartagena Declaration states the goal of 'the transformation of Latin America and the Caribbean into the first inhabited area of the planet which is free of weapons of mass destruction'. Both declarations were included in the 2008 edition of the *Resource Guide*.

The **Organization of American States** (OAS) brings together 35 independent countries (however, while Cuba remains a member of the OAS, its government has been excluded from participation since 1962) to strengthen cooperation and advance common interests in the Western Hemisphere. At the Second Summit of the Americas, held in Santiago, Chile, in 1998 the Heads of State and Government decided to promote regional dialogue taking into account the new post Cold War political, economic, social, and strategic-military factors with a view to revitalizing and strengthening the institutions of the Inter-American system. One result of this regional dialogue was momentum to make the region a chemical and biological weapons-free zone, building on earlier commitments in the Mendoza and Cartagena Declarations of 1991. In October 2003, a Special Conference in Mexico City adopted the 'Declaration on Security in the Americas' which represented a new approach to hemispheric security taking into account the impact of globalization and other changes in the region. The Declaration reaffirmed their commitment to preventing the proliferation of weapons of mass destruction by resolutely supporting the OPCW. It additionally declared as an objective of the OAS making the Americas a region free of chemical and biological weapons. This latter objective was put into effect by a resolution of the 34th OAS General Assembly in Quito in 2004 in which OAS Member States resolved to 'concretely fulfil the shared commitment of member states to make the Americas a region free of biological and chemical weapons'. A copy of the resolution was included in the 2008 edition of the *Resource Guide*.

**CO-CHAIRS' SUMMARY REPORT OF  
THE FOURTH ASEAN REGIONAL FORUM INTER-SESSIONAL MEETING ON  
NON-PROLIFERATION AND DISARMAMENT (ISM-NPD)**

**Sydney, 8-9 March 2012**

1. Pursuant to the decision of the 18th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Bali on 23 July 2011, the Fourth ASEAN Regional Forum (ARF) Inter-Sessional Meeting on Non-Proliferation and Disarmament (ISM-NPD) was held in Sydney from 8 to 9 March 2012. The meeting was co-chaired by Australia (Mr Allan McKinnon, First Assistant Secretary, International Security Division, Department of Foreign Affairs and Trade), the Philippines (Mr Jose Brillantes, Undersecretary for Special and Ocean Concerns, Department of Foreign Affairs), and Japan (Mr Yoshiya Muto, Deputy Director-General for Disarmament, Non-Proliferation and Science Department of the Ministry of Foreign Affairs).

2. Participants from Australia, Bangladesh, Brunei, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Laos, Malaysia, Mongolia, Myanmar, New Zealand, Pakistan, Papua New Guinea, the Philippines, Republic of Korea, the Russian Federation, Singapore, Thailand, Timor Leste, the United States, Viet Nam and the ASEAN Secretariat attended the meeting. Experts from the International Atomic Energy Agency (IAEA), the Organisation for the Prohibition of Chemical Weapons (OPCW), the Biological Weapons Convention Implementation Support Unit (BWC ISU), the United Nations Security Council (UNSC) Committee established pursuant to Resolution 1540, the Panel of Experts established pursuant to UNSC Resolution 1874, and the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO), and the Malaysian Ministry of International Trade and Industry briefed the meeting. The list of participants is attached at Annex I.

3. The ISM was preceded by the 15<sup>th</sup> meeting of the Council for Security Cooperation in Asia-Pacific (CSCAP) Study Group on countering the proliferation of WMD in the Asia-Pacific. On 9 March, at the conclusion of the officials' meeting, participants took part in a tour of the Australian Nuclear Science and Technology Organisation at Lucas Heights.

### **Opening Session**

4. Mr Allan McKinnon, First Assistant Secretary, International Security Division, Department of Foreign Affairs and Trade of Australia, host and ISM Co-Chair, opened the meeting. Mr McKinnon noted the significant role the ARF plays in enhancing international security, particularly in the Asia-Pacific region. With the growing strategic and economic importance of the region, the role of the ARF was more significant than ever, including in relation to non-proliferation and disarmament. Mr McKinnon noted several non-proliferation challenges critical to international security. These included illicit trade in WMD materials supporting WMD programs, progress towards a Middle East WMD Free Zone, the Iran and DPRK nuclear issues, and terrorist attempts to acquire biological weapons. He expected this meeting would strengthen the regional approach to addressing such issues and contribute to international security and stability.

### **Agenda Item 1: Introduction and Adoption of Agenda**

5. Co-Chair Mr Jose Brillantes, Undersecretary for Special and Ocean Concerns, Department of Foreign Affairs, the Philippines, emphasised the importance of non-proliferation and disarmament issues in the maintenance of peace and security in the Asia-Pacific region. He noted the prominence of these issues in the ARF agenda and in the “Hanoi Plan of Action to Implement the ARF Vision Statement by 2020”, which provides policy guidance for practical actions, including cooperation, to take forward the non-proliferation and disarmament agenda. Mr Brillantes reviewed recent major international and regional non-proliferation developments and noted they serve as an impetus for further cooperation. On the regional front, he recalled the development of the ARF Preventive Diplomacy Work Plan, agreed at the 18th ARF Ministerial Meeting in Bali, Indonesia in July 2011, and the impetus this gives to enhancing action on all four ARF priority areas of preventive diplomacy. He also commended the successful conclusion of the first cycle of the ARF ISM-NPD and the opportunity of the second cycle to take stock of recent gains and to develop concrete actions to sustain ARF cooperation on non-proliferation, disarmament and peaceful uses of nuclear energy.

6. Co-Chair, Mr Yoshiya Muto, Deputy Director-General for Disarmament, Non-Proliferation and Science Department of the Ministry of Foreign Affairs of Japan, reiterated the valuable work of the ARF Inter-Sessional Meetings on non-proliferation and disarmament in implementing the “Hanoi Plan of Action to Implement the ARF Vision Statement by 2020”, including through practical actions such as capacity building activities and best practices. He noted the meeting’s timeliness in the lead-up to the first NPT Preparatory Committee of the 2015 NPT Review process. In this regard Mr Muto outlined the work of the Japan/Australia-launched Non-Proliferation and Disarmament Initiative (NPDI), a cross regional group of ten countries working on practical proposals for the realization of a world without nuclear weapons. In providing an update on the post-Fukushima situation, Mr Muto emphasised that it is vital to learn from such accidents in order to enhance international nuclear safety. He also announced The Fukushima Ministerial Conference on Nuclear Safety which will be held from 15-17 December 2012, organised by the Government of Japan in co-sponsorship with the IAEA.

7. Mr Ralph Cossa and Mr Nguyen Hung Son, representing the Council for Security Cooperation in Asia-Pacific (CSCAP), reported on key findings of the 15<sup>th</sup> meeting of the CSCAP Weapons of Mass Destruction Study Group, which had met immediately preceding the ISM. They highlighted: Indonesia’s CTBT ratification, hoping this will be an impetus for others in the region to also ratify; the recent DPRK/US agreement as a positive first step, although developments needed to be carefully handled to avoid unrealistic expectations; and the extension of the UN Security Council Resolution 1540 creating a new phase for this Resolution. The ARF’s attention was drawn to the range of CSCAP publications available online, including the CSCAP Guidelines for Managing Trade of Strategic Goods.

8. The meeting adopted the Agenda of the Fourth ARF ISM-NPD as attached in Annex II.

### **Agenda Item 2: Strengthening Global and Regional Nuclear Non-Proliferation Measures**

9. Dr Peter Rance, of the International Atomic Energy Agency, presented on “Strengthening Global and Regional Nuclear Non-Proliferation Measures”. He noted that the non-proliferation regime was an interconnected web of national, bilateral, regional, multilateral and international mechanisms, processes and commitments. The NPT was the centrepiece of this web, with the IAEA responsible for verifying states’ NPT and other non-proliferation commitments. To both verify the

correctness and completeness of states' declarations, the IAEA needed the required legal powers, including through conclusion of Additional Protocols, as well as states' full cooperation. The number of countries with Additional Protocols has for the last three years exceeded those without one and numbers continue to steadily rise; reaching 116 as of 2012.

10. Ms Nalinie Sewpersadsingh, of the Preparatory Commission of the Comprehensive Nuclear Test-Ban Treaty Organization (CTBTO), provided an update on the status of the treaty and the activities of the CTBTO. With the recent ratification of the treaty by Indonesia, there remained only eight Annex 2 states needing to ratify for the CTBT to enter into force. She outlined the global International Monitoring System, which is currently over 80% complete and not only provides a detection capability for nuclear tests, but is contributing to civil and scientific efforts related to earthquakes, tsunami warning, and radiation and atmospheric studies. These capabilities were used in the aftermath of the Fukushima incident to inform the international community. The CTBTO has recently launched a new education and training capacity building initiative.

11. Participants warmly welcomed Indonesia's ratification of the CTBT and many expressed the hope that this would lead to other ARF participants' ratification of the treaty in the near future. The majority of participants expressed strong support for the CTBT entering into force at the earliest opportunity.

12. Various challenges facing the region were noted along with the collective obligation of ARF members to address these challenges. Non-proliferation and disarmament were key elements of international peace and security. It was highlighted that ARF members could further contribute through mechanisms such as stronger safeguards, tighter export controls, full implementation of UN Security Council resolutions and other means such as entry into force of the CTBT. The value of capacity building was highlighted and several participants offered assistance in helping ARF states with implementing non-proliferation mechanisms.

13. Participants party to the NPT expressed their support for the Treaty and emphasised the importance of all three NPT pillars: disarmament, non-proliferation and the peaceful uses of nuclear energy. They welcomed the successful 2010 NPT Review Conference and its outcomes documents, and highlighted the importance of maintaining momentum in taking forward the 64-point Action Plan agreed by NPT states. They looked forward to the May 2012 NPT Preparatory Committee as an opportunity to take stock of developments to date and make further progress on the three pillars of the NPT. The meeting noted that it was important for ARF members to make a strong contribution to the 2012 NPT Preparatory Committee meeting.

14. Participants shared common aspirations and objectives to reduce and eliminate the threat of the proliferation of weapons of mass destruction and their means of delivery, and committed themselves to engage in efforts to this end. The meeting discussed the current developments, challenges and opportunities in the nuclear non-proliferation regime. They particularly noted the continuing challenge of ensuring the entirely peaceful nature of civil nuclear programs. Participants welcomed reports that the DPRK has agreed to a moratorium on nuclear tests, long-range missile launches, and nuclear activities at Yongbyon, and to allow the IAEA to monitor the moratorium on these nuclear activities.

15. Some participants noted various non-proliferation initiatives, including: the Non-Proliferation and Disarmament Initiative (NPDI), a cross regional group of ten countries undertaking practical steps

to take forward the NPT Action Plan; the initiative to promote de-alerting of nuclear weapons; and the Proliferation Security Initiative (PSI). Several participants expressed the hope that non-proliferation and disarmament momentum could be increased towards progress on a Fissile Material Cut-off Treaty and a Nuclear Weapons Convention.

16. The issue of the South East Asia Nuclear Weapons Free Zone (SEANWFZ) was discussed. Participants welcomed the conclusion of direct consultations between ASEAN Member States and the Nuclear Weapon States (NWSs) at the 19<sup>th</sup> ASEAN Summit in November 2011. This was considered a significant step forward in formally preserving South East Asia as a nuclear weapons-free zone. The participants encouraged all ASEAN Member States and the NWSs to continue their constructive collaboration to ensure the early accession of the NWSs to the Protocol of the SEANWFZ Treaty. It is expected that signing of the Protocol by NWSs could occur during the 45<sup>th</sup> ASEAN Ministerial Meeting/Post Ministerial Conference/19<sup>th</sup> ARF Meeting in July 2012.

17. The meeting noted concerns about the possibility of terrorists obtaining nuclear or radiological material. In this regard the meeting looked forward to the March 2012 Nuclear Security Summit in Seoul, Republic of Korea. This meeting was expected to focus on progress since the first Nuclear Security Summit in Washington, security of radiological sources and circumstances where security issues could lead to safety issues.

18. Some participants expressed disappointment that, to date, the Conference on Disarmament had not been able to make substantial progress on its agreed work program. They expressed their willingness to participate in the work of the CD in a positive and constructive manner, so as to make substantive contributions to the work of the CD on nuclear disarmament, the Fissile Material Cut-off Treaty, preventing an arms race in outer space, as well as negative security assurances to non-nuclear-weapon-states.

19. Participants reiterated the right of all states to pursue peaceful nuclear programs, while stressing that this work must be done in ways that are consistent with all non-proliferation commitments and international obligations. The role of the IAEA in fostering cooperation in peaceful uses of nuclear energy was welcomed.

20. Participants noted that the ARF can play a constructive role in addressing nuclear non-proliferation issues, including through the sharing of national experiences and expertise, and fostering a climate that facilitates enhanced implementation of our shared non-proliferation commitments.

### **Agenda Item 3: Prospects for the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC), in view of the outcomes of the BWC Review Conference and the Conference of the States Parties to the CWC**

21. Mr Malik Azhar Ellahi, from the Organisation for the Prohibition of Chemical Weapons (OPCW) provided an outline of the outcomes of the 16<sup>th</sup> Session of the Conference of the States Parties to the Chemical Weapons Convention (CWC). The Conference had decided to extend the deadline for destruction of chemical weapons by Possessor States, to extend Libya's deadline for destruction of chemical weapons, and to renew the OPCW's Action Plan on Universality. The Conference had also reaffirmed the importance of national implementation and international

cooperation. Mr Ellahi also provided an outline of the main achievements and future OPCW challenges.

22. Participants expressed their strong support for the CWC and their appreciation for the verification work of the OPCW. They encouraged all states possessing chemical weapons to maintain momentum on destruction activities and for all states to facilitate and cooperate with the verification activities of the OPCW. Participants emphasised the importance of CWC universality as a vital step towards eliminating all chemical weapons everywhere. Cooperation between the ARF and the OPCW was considered important to strengthen the CWC and support CWC States Parties. One participant emphasised the need for further work on abandoned chemical weapons and another participant referred to recent progress made in this field.

23. Mr Richard Lennane, from the Biological Weapons Convention (BWC) Implementation Support Unit provided a briefing on the outcomes of the 7th Review Conference (RevCon) of the Convention held in December 2011. The meeting welcomed the enhanced inter-sessional process (ISP) agreed by the RevCon. The meeting noted the greater continuity the ISP would provide over the coming five years for states to address in a sustained manner the following issues: ways and means to enhance national implementation; review of developments in science and technology related to the Convention; and cooperation and assistance.

24. The meeting noted the growing threat of bio-terrorism - non-state actors accessing biological materials and technologies- and considered the BWC as one mechanism to address this threat. Effective national implementation of the BWC's provisions was identified as important in reducing the possibility of BW proliferation and in raising barriers to bioterrorism. Confidence Building Measure under the BWC reports were considered to provide welcome transparency and confidence. Some participants regarded further discussion on a verification mechanism for the BWC would be another positive step towards strengthening the treaty.

25. Participants also acknowledged the important goal of BWC universality.

26. Overlaps, synergies and convergence between the BWC and CWC were discussed and the benefits of greater effectiveness and reduced resources were identified. Participants expressed the view that a common national approach to implementing these two treaties could lead to better controls over dual-use CBW material, strengthen CBW counter terrorism strategies and raise awareness of non-proliferation among the chemical and biological industries.

27. Some participants yet to ratify the BWC and CWC affirmed their commitment to ratify both conventions.

#### **Agenda Item 4: Reducing the WMD threat through implementing UNSCR 1540 and other sanctions obligations: Role of the ARF**

28. The Chairman of the UN Security Council Resolution 1540 Committee, H. E. Ambassador Baso Sangqu, made a presentation on the implementation of UNSCR 1540 and the future work of the Committee. The meeting noted the long-term objectives of the Resolution and the extension of the 1540 Committee until 2021. Participants commended the role of UNSCR 1540, not only for filling the gap in international efforts to prevent non-state actors, including terrorist groups, from acquiring

WMD, but also its important role in preventing the proliferation of WMD-related goods and knowledge more widely. Participants noted the progress that has been made in implementing UNSCR 1540, and underlined the need for greater cooperation among UN member states in its implementation at the national, regional and global levels.

29. Participants stressed their commitment to UNSCR 1540, supported the role of the ARF in implementing the resolution, and shared national and regional experiences in this regard, including legal, regulatory, control and enforcement efforts. It was suggested that the ARF could encourage regional initiatives focused on implementation of UNSC Resolution 1540, including through encouraging participants to designate Points of Contact for implementation of the Resolution, a step already taken by other regional organisations such as OAS, AU and OSCE.

30. Mr William Newcomb, from the Panel of Experts established pursuant to UN Security Council Resolution 1874 provided an update on developments in relation to UNSC Resolutions 1718 and 1874. The meeting noted that these resolutions require the DPRK to suspend its ballistic missile and related activities, abandon its nuclear weapons program and return to the NPT. The resolution further requires all states to prevent the sale and transfer of arms, missile, WMD related items and luxury goods to the DPRK. The 1718 Committee, supported by the Panel of Experts, assesses the effectiveness of the implementation of these resolutions. New recommendations from the Committee focus on implementation by states of financial controls and sanctions.

31. Some participants raised the issue of reporting requirements under the UNSC resolutions on non-proliferation. In particular, they noted the burden that the range of proliferation instruments imposed particularly on smaller states dealing with a range of competing requirements with limited resources. In this regard, the Chair of the 1540 Committee and several participants offered assistance to help states establish and implement their obligations under UNSC Resolution 1540 and other non-proliferation undertakings.

#### **Agenda Item 5: Strengthening export controls and eliminating illicit trade in WMD sensitive goods**

32. Mr Faizal Mohd Yusof, Deputy Strategic Trade Controller, Malaysian Ministry of International Trade and Industry, spoke on Malaysia's experience with export controls and eliminating the illicit trade in WMD-sensitive goods. He outlined the legislation and regulatory process to bring into force such controls and the challenges involved. Implementation required not only coordination across a large number of government agencies, but also a significant education program for Malaysian industry and exporters.

33. Some participants shared their national and regional experiences on export controls in a detailed manner. Participants recognised the usefulness of this information in improving their own national infrastructure. Participants noted the importance of transparency, legitimacy, effectiveness, and inclusiveness in implementing effective export controls. While noting the positive impact that export controls can have on the promotion of trade, and on the peaceful development of nuclear, chemical and biological activities, participants stressed the need to ensure that the regimes do not hamper the legitimate rights of developing countries to sustainable economic development.



34. Participants noted the challenges faced in implementing effective export and domestic controls, including the need for capacity and resources, enforcement, interagency coordination, raising industry awareness, industry-government relations, and the complexity of regulating certain activities. The meeting noted ASEAN's efforts to improve implementation of export controls in ways that help to facilitate economic development, such as the ASEAN Single Window Program.

35. Several participants and international organisations present at the meeting offered assistance to help states establish and implement effective tools for preventing the illicit transfer of WMD-related items, and to promote the peaceful development of nuclear, chemical and biological activities.

#### **Agenda Item 6: Wrap up / closing session**

36. Participants were encouraged by the comprehensive, in-depth and fruitful discussions during this two-day meeting. They expressed the view that the ongoing work of ISM-NPD provided a valuable opportunity for the ARF to foster consensus on disarmament and non-proliferation, and other related issues concerning regional and international security and stability. Participants commended the open and thoughtful contribution of participants and noted that the meeting had been useful in informing states on pressing issues related to disarmament, non-proliferation and peaceful use in the region and the world at large.

37. Participants appreciated the progress undertaken inter-sessionally by states on the ARF work plan on non-proliferation and disarmament and agreed that the elaboration of such a plan is a positive development. Some participants noted that the work plan was "a living document" and would require regular review as part of the ISM processes. Participants further agreed to recommend the work plan (Annex III) to the next ARF Inter-Sessional Group meeting in May as a basis for discussion, with a view to its endorsement by ARF Senior Officials and its eventual adoption by Ministers at the ARF meeting in July 2012.

38. Several participants highlighted additional national and regional activities that contribute to non-proliferation and disarmament. The meeting noted the annual UN-ROK joint Conference on Disarmament and Non-Proliferation Issues, the UN conferences on Disarmament Issues in cooperation with Japan and the ASEAN/P5 arrangements supporting the SEANWFZ Treaty and promoting the peaceful uses of nuclear energy and safe disposal of radioactive waste.

39. Participants expressed their gratitude and appreciation to the Government of Australia for its generous hospitality and for the excellent arrangements made for the meeting.

40. The meeting agreed the ARF ISM on Non-Proliferation and Disarmament would meet again in the Philippines where it would focus on peaceful uses, and in Japan where it would focus on disarmament in 2013 and 2014.



## III

(Acts adopted under the EU Treaty)

## ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

## COUNCIL DECISION 2009/569/CFSP

of 27 July 2009

**on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 13(3) and Article 23(1) thereof,

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction (hereinafter referred to as the EU Strategy), Chapter III of which contains a list of measures to combat such proliferation.
- (2) The EU Strategy underlines the crucial role of the Chemical Weapons Convention (CWC) and of the Organisation for the Prohibition of Chemical Weapons (OPCW) in creating a world free of chemical weapons. As part of the EU Strategy, the EU has committed itself to working towards universal adherence to key disarmament and non-proliferation treaties and agreements, including the CWC. The objectives of the EU Strategy are complementary to the objectives pursued by the OPCW, in the context of its responsibility for the implementation of the CWC.
- (3) On 22 November 2004, the Council adopted Joint Action 2004/797/CFSP on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction<sup>(1)</sup>, followed on its expiry by Joint Action 2005/913/CFSP of 12 December 2005<sup>(2)</sup> and Joint Action 2007/185/CFSP of 19 March 2007<sup>(3)</sup>. The latter will expire on 31 July 2009.

- (4) The continuation of such intensive and targeted assistance from the EU to the OPCW is necessary in the context of the active implementation of Chapter III of the EU Strategy. Measures related to the universalisation of the CWC should continue and be adapted and targeted to the declining number of States not Parties to the CWC. These activities should be complemented by new ones to support specific projects conducted by the OPCW aimed at the full implementation of the CWC and to enhance international cooperation in the field of chemical activities,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. For the purpose of giving immediate and practical application to some elements of the EU Strategy, the European Union shall support activities of the OPCW, with the following objectives:

- to enhance the capacities of States Parties in fulfilling their obligations under the Convention, and
- to promote universality by encouraging States not Party to join the Convention.

2. In this context, the projects of the OPCW, corresponding to measures of the EU Strategy, shall be the following:

Project I: National Implementation, Verification and Universality

Activities:

- bilateral technical assistance visits
- training of customs officials on the technical aspects of the Convention's transfers' regime
- training of national escorts

<sup>(1)</sup> OJ L 349, 25.11.2004, p. 63.

<sup>(2)</sup> OJ L 331, 17.12.2005, p. 34.

<sup>(3)</sup> OJ L 85, 27.3.2007, p. 10.

— training of national authorities for the use of an electronic declaration tool

— challenge inspection field exercise

#### Project II: International Cooperation

##### Activities:

— analytical skills development course

— CWC and chemical process safety workshop

#### Project III: Seminar — OPCW's Contribution to International Security Dimension and Challenges

Project IV: visits by representatives of the Executive Council to chemical weapons destruction facilities

Project V: second session of the Scientific Advisory Board

Project VI: seminar — OPCW's contribution in the sphere of security and non-proliferation

Project VII: preparedness of States Parties to prevent and respond to attacks involving chemicals

##### Activities:

— table top exercise

— regional workshop on Article X of the Convention

#### Project VIII: Africa programme

##### Activities:

— bilateral technical assistance visits

— outreach activity — academic and training Institution — Kofi Annan Centre

— training of customs officials on the technical aspects of the Convention's transfers' regime

— outreach to States not Parties

— analytical skills development course

— outreach to industry — CWC and chemical process safety workshop

— regional workshop — Article X and issues of regional cooperation in the area of assistance and emergency response

A detailed description of the projects is set out in Annex to this Decision.

#### Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative (SG/HR) for the CFSP, shall be responsible for the implementation of this Decision. The Commission shall be fully associated.

2. Technical implementation of the project referred to in Article 1(2) shall be carried out by the Technical Secretariat of the OPCW (hereinafter referred to as the Technical Secretariat). It shall perform this task under the responsibility of the Presidency and under the control of the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the Technical Secretariat.

3. The Presidency, the SG/HR and the Commission shall coordinate regularly on the project, in accordance with their respective competences.

#### Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 2 110 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Communities.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with the Technical Secretariat. The agreement shall stipulate that the Technical Secretariat is to ensure visibility of the EU contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement. The Commission shall publish in the *Official Journal of the European Union*, C series, notice of the date of conclusion of the financing agreement.

*Article 4*

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the Technical Secretariat. Those reports shall form the basis for the evaluation carried out by the Council. The Commission shall be fully associated. It shall report on the financial aspects of the projects referred to in Article 1(2).

*Article 5*

1. This Decision shall enter into force on the day of its adoption.
2. This Decision shall expire 18 months after the date of the conclusion of the financing agreement referred to in Article 3(3). However, it shall expire 6 months after its entry

into force if that financing agreement has not been concluded by that time.

*Article 6*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 July 2009.

*For the Council*  
*The President*  
C. BILDT

## ANNEX

**EU support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction****Project I: National implementation, verification and universality***Objective:*

To enhance the capacity of States Parties in fulfilling their obligations under the Convention and to encourage States not Party to better understand the benefits of joining the Convention and getting more involved in OPCW activities.

*Purpose:*

## — Purpose 1

— States Parties make progress towards:

- fulfilling national implementation requirements under Article VII of the Convention,
- complying with their declarations and inspection declarations requirements under Article VI of the Convention,
- understanding the procedures entailed in a challenge inspection under Article IX of the Convention, as well as the relevant challenges and other issues.

## — Purpose 2

— States not Party get more involved in OPCW activities and increase their understanding of the Convention and its benefits.

*Results:*

## — Result 1

- National Authorities have enhanced their capacity to draft national implementing legislation,
- Customs Officials have enhanced their capacity to identify chemicals relevant to the Convention and to submit accurate transfers of scheduled chemicals data to National Authorities,
- National Authorities have enhanced their capacity to prepare and submit timely declarations, particularly, in electronic format,
- National Authorities officials are trained to escort OPCW inspection teams, and
- States Parties have a better knowledge of the challenge inspection mechanism, as a fundamental verification tool at their disposal to clarify possible non-compliance with the Convention,
- States Parties receive assurances on the readiness of the Technical Secretariat to successfully conduct a challenge inspection and effectively apply the Convention verification regime.

## — Result 2

— States not Party are more involved in OPCW activities and have obtained a better understanding of the benefits of joining the Convention and are more involved in OPCW activities.

*Activities:*

Bilateral technical assistance visits: support to States Parties will be provided through technical assistance visits that will be designed on a case-by-case basis and conducted to provide focused assistance to meet the requirements of the requests made by the States Parties. The nature of this support will include sensitisation and outreach efforts through national awareness workshops, specialised training courses, assistance for drafting national implementing legislation and related measures, and Article VI industry-related topics.

Training of customs Officials on the Technical aspects of the Convention's transfers' regime: support to customs officials has been provided under the three previous Joint Actions. On the basis of experience gained, outreach to customs officials through training courses will be undertaken with a view to improving the collection and transmission of data on imports and exports of scheduled chemicals to National Authorities. Regional and sub-regional training courses undertaken will offer practical hands-on demonstrations and exercises.

Training of national escorts: a course will be offered to raise awareness amongst States Parties of their rights and obligations in the conduct of inspections under Article VI. Training of national escorts will be undertaken through a sub-regional training course designed to provide relevant information about the verification regime, in particular the conduct of inspections under Article VI. Such training course will also include practical hands-on exercises at a facility and table-top exercises.

Training of National Authorities for the use of an electronic declaration tool: courses and sensitisation workshops at regional or sub-regional level will provide personnel from National Authorities with the tools and the knowledge to collect, maintain, and analyse information about the production, processing and consumption of dual-use chemicals, making them better equipped to submit accurate and timely declarations and to identify any potential threats and/or proliferation activities.

Challenge inspection field exercise: a full-scale field exercise will be carried out to increase States Parties' knowledge and understanding of the procedures involved in a challenge inspection. This exercise will also provide an opportunity for the Technical Secretariat to test and improve its skills and capabilities to organise challenge inspections as well as identify problems which, if not known or addressed, could affect the Secretariat's ability to effectively conduct a real challenge inspection.

Outreach to States not Party: representatives of States not Party who are in a position to influence national actions relating to accession/ratification and those directly involved in issues of relevance to the Convention will be sponsored to attend various programmes organised by the International Cooperation and Assistance Division (ICA). These programmes will include regional workshops for National Authorities of States Parties and regional workshops for Customs Authorities. Where necessary, staff members from the External Relations Division of the Technical Secretariat will also be sponsored to attend these meetings in order to undertake necessary contacts and interaction with the sponsored participants from the States not Party. In addition, and as may be necessary, tailored-made visits and arrangements involving States not Party are also envisaged within this scheme of support to States not Party.

## **Project II: International Cooperation**

### *Objective:*

To enhance the technological capacity of States Parties through international cooperation in the field of chemical activities for the purposes not prohibited under the Convention.

### *Purpose:*

#### — Purpose 1

- States Parties with developing economies or economies in transition engage in international cooperation initiatives for the peaceful use of chemistry.
- States Parties in countries with developing economies or economies in transition enhance the capacity of their publicly funded laboratories to implement the Convention in the field of peaceful uses of chemistry.

#### — Purpose 2

- States Parties in countries with developing economies or economies in transition progress in the promotion of the industry-related national implementation of the Convention, in accordance with Article XI, through enhancing chemical process safety management approaches.

### *Results:*

#### — Result 1

- Increased capacity of States Parties with developing economies or economies in transition to engage in international cooperation initiatives for the peaceful use of chemistry.

- Enhanced level of technical competence in publicly funded laboratories in States Parties with developing economies or economies in transition to analyse chemicals related to national implementation of the Convention and in the peaceful application of chemistry using modern analytical methods especially Gas Chromatography (GC) and Gas Chromatography/Mass Spectrometry (GC/MS).

#### — Result 2

- Increased capacity of States Parties with developing economies or economies in transition to engage in international cooperation initiatives for the peaceful use of chemicals.
- Upgraded levels of competence and understanding by the personnel of small and medium enterprises, representatives of industry associations and the national authorities or governmental institutions of States Parties whose economies are developing or in transition regarding process safety management practices in small and medium chemical enterprises.

#### Activities:

Analytical skills development course: during this two weeks course, participants will receive theoretical training and hands-on experience in gas chromatography and gas chromatography-mass spectrometry, covering hardware, system validation and optimisation, and trouble-shooting. Focus will also be made on the preparation of environmental samples and on GC and GC/MS analyses of such samples for chemicals related to the Convention. Participants will also receive intensive hands-on training in the preparation of different sample matrices to be analysed by GC with element-selective detectors and by GC/MS in electron impact and chemical-ionisation modes and they will be introduced to a range of extraction, clean-up, and derivatisation procedures. The course will be implemented with the support of VERIFIN/TU Delft or similar renowned institutions selected through a transparent process.

Industry outreach — CWC and chemical process safety workshop: there will be an introduction on the Convention and the international cooperation programmes implemented pursuant to it. Best industry practices and the elements of the process safety management concept — amongst others — will be discussed during this workshop. In addition an overview of Process Hazard Analysis (PHA) and Hazard and Operability (HAZOP), principles of human factors, management of change, and safety culture/employee participation will be covered at this workshop.

### **Project III: Seminar — OPCW's contribution to the International Security Dimension and Challenges**

#### Objective:

To support the effective implementation of the Convention and enhance the understanding of its global contribution to international peace and security.

#### Purpose:

- Purpose 1 — to provide a holistic overview of the role and importance of the Convention in the international security architecture.
- Purpose 2 — to raise awareness among the major stakeholders of the Convention at the national, regional and international levels, on the provisions of the Convention and implementation strategies.
- Purpose 3 — to promote networking and synergies and other inter-agency cooperative approaches to international security.

#### Results:

- Result 1 — stakeholders are better informed on the importance of the Convention and increase their support to the work of the OPCW including its world-wide programme and activities.
- Result 2 — stakeholders are more aware of the Convention and innovative strategies for their implementation.
- Result 3 — States not Party have enhanced their dialogue and cooperative relations with the OPCW to facilitate their efforts aimed at joining the Convention.



- Result 4 — the chemical industry improves its capacity to coordinate joint initiatives to implement the Convention.

*Activity:*

Seminar: the seminar will be held in the Hague or in an interested State Party. The Technical Secretariat staff and representatives of other intergovernmental organisations, States Parties, the chemical industry and academia will provide presentations on the relevant subjects pertaining to the Convention. The event will also provide the Technical Secretariat an opportunity to conduct bilateral consultations with participating intergovernmental organisations and States not Party. This Seminar will be organised in partnership or with the support of the host country and any interested (and relevant) organisation.

**Project IV: visits by representatives of the Executive Council to chemical weapons destruction facilities**

*Objective:*

To advance the elimination of chemical weapons stockpiles and chemical weapons production facilities subject to the verification measures provided for in the Convention.

*Purpose:*

- Purpose 1 — States Parties are able to monitor progress made towards achieving complete destruction of chemical weapons stockpiles and can identify and address problems to achieve destruction at an early stage.
- Purpose 2 — States Parties are more confident that tangible and concrete steps are undertaken for the complete destruction of chemical weapons stockpiles.

*Results:*

- Result 1 — States Parties have enhanced understanding of the problems and technical difficulties related to the destruction of chemical weapons.
- Result 2 — States Parties have enhanced confidence that tangible and concrete steps are undertaken for the complete destruction of chemical weapons stockpiles.

*Activity:*

Visits to chemical weapons destruction facilities (CWDFs): To date, three visits have taken place — to the Anniston CWDF, in the United States of America (October 2007), to the Shchuchye CWDF, in the Russian Federation (September 2008), and to Pueblo and Umatilla CWDFs, also in the United States (June 2009). The three visits conducted so far have been valuable as a means of addressing questions or concerns about a possessor State Party's programme for fulfilling its obligations on the destruction of its chemical weapons within the approved extended deadline. Therefore, in line with the Conference decision, it is clear that for the remaining years until 2012, both possessor States Parties will host further such visits to their operational chemical weapons destruction facilities and to facilities currently under construction.

**Project V: Second Session of the Scientific Advisory Board**

*Objective:*

To enable the Conference of States Parties, the Executive Council or the States Parties to better take into account the advances in science and technology and their potential impact on the implementation of the Convention.

*Purpose:*

To enable the Director-General to render special advice to the OPCW policy making organs and to the States Parties on the areas of science and technology relevant to the Convention.

*Results:*

- Result 1 — States Parties receive advice and recommendations on areas of science and technology relevant to the Convention.

- Result 2 — States Parties are updated and more informed on areas of science and technology relevant to the Convention.

*Activity:*

Scientific Advisory Board (SAB): in the autumn of 2009, a second SAB session will be held in The Hague. The session will last for three days, during which the SAB will continue addressing questions related to advances in science and technology and their potential impact on the implementation of the Convention. The session will also address a report of the temporary working group on sampling and analysis, which will be prepared during the convened meeting of that group prior to the second session of the SAB. The temporary working group addresses questions related to new and additional techniques for on-site analysis, off-site analysis, and the analysis of toxins (ricin and saxitoxin) off-site and on-site.

**Project VI: Seminar — OPCW's contribution in the sphere of security and non-proliferation**

*Objective:*

To support the global efforts aimed at the non-proliferation of weapons of mass destruction, particularly chemical weapons.

*Purpose:*

- Purpose 1 — national authorities and other stakeholders involved in the implementation of the Convention enhance their capacities to help prevent the proliferation of chemical weapons and the use of chemicals in terrorist attacks.
- Purpose 2 — a multi-stakeholder cooperation forum is established as a tool to support specific activities of States Parties in the sphere of chemical non-proliferation and in the fight against terrorism.

*Results:*

- Result 1 — stakeholders in the Convention have increased awareness of the proliferation threat and challenges posed by chemical weapons and the use of toxic chemicals in terrorist attacks.
- Result 2 — States Parties are better prepared to meet the threats of terrorism involving the use of toxic chemicals in different settings.
- Result 3 — national authorities and relevant national and international partners, the chemical industry, academia and the OPCW are able to improve synergies and further contacts towards a common goal — the full and effective implementation of the Convention.
- Result 4 — States Parties with developing economies or economies in transition participate in the exchange of knowledge and experience on verification and other implementation measures and have increased knowledge on the recent developments in the sphere of the Convention's verification regime and the protection against chemical weapons.

*Activity:*

Seminar: the seminar will feature presentations by the Technical Secretariat on various issues related to the implementation of the Convention and its contribution to security and non-proliferation. Presentations will be made by the different stakeholders in the Convention, and specialised workshops will be organised in the context of the seminar on relevant aspects related to the risks associated with the proliferation of chemical weapons and the use of toxic chemicals in terrorist attacks. The seminar will also provide an opportunity to discuss and pose questions and answers on issues related to the OPCW's contribution to security and non-proliferation.

**Project VII: Preparedness of States Parties to prevent and respond to attacks involving chemicals**

*Objective:*

To contribute to the development of national capacities of States Parties to reduce the risks of a terrorist attack with chemicals and to improve their response to requests for assistance in case of use or threat of use of chemicals.

*Purpose:*

- Purpose 1 — States Parties, whose economies are developing or in transition, enhance their capacity to:
  - reduce the risks of possible terrorist access to materials, equipment and knowledge that could be used in a terrorist attack on chemical plants,
  - assess the adequacy of existing plans, policies, and procedures to respond to a terrorist attack on chemical plants,
  - respond in case of a terrorist attack with chemicals,
  - exercise their decision-making processes, including information exchange and coordination of actions with national and international partners in case of terrorist attack on chemical plants,
  - start working on the creation of a platform of cooperation between target groups to respond in case of terrorism with release of toxic chemicals.
- Purpose 2
  - States Parties enhance their awareness of the importance of submitting timely and full declarations on national programmes related to protective purposes,
  - States Parties contribute to the preparedness of the OPCW to respond to a request for assistance,
  - States Parties in the regions or sub-regions are encouraged to foster contacts for the creation of regional networks to improve their coordinated response to a chemical weapons emergency.

*Results:*

- Result 1 — increased awareness of States Parties, whose economies are developing or in transition, regarding:
  - the use of toxic chemicals by terrorists and/or safety and security at chemical plants,
  - the need to promote cooperation in relation to chemical weapons emergencies in case of a terrorist attack.
- Result 2 — increased capacity of States Parties, whose economies are developing or in transition, to:
  - reduce the risks of possible terrorist access to materials, equipment and knowledge that could be used in a terrorist attack on chemical plants,
  - respond in case of terrorist attack with toxic chemicals,
  - exchange information and coordinate actions with national and international partners in case of a terrorist attack on chemical plants.
- Result 3 — States Parties are aware of the importance of submitting timely and full declarations on national programmes related to protective purposes.
- Result 4 — States Parties are better positioned to make offers of assistance to the OPCW in response to a request of assistance.
- Result 5 — States Parties have developed contacts that may result in future cooperation at regional level to respond to a chemical weapons emergency.

*Activities:*

Table-top exercise: this activity aims at developing the capabilities of the States Parties to reduce the risks of chemical weapons being acquired or used for terrorist purposes. This will include preventing possible terrorist access to materials, equipment, and knowledge that could be used in the development and production of chemical weapons. A detailed concept of the table-top exercise will be developed. The terrorist attack at chemical plant with a release of toxic chemicals will be a basic scenario of the exercise. The table-top exercise will examine cross government decision-making, information exchange and provision of assistance between relevant national and international organisations. The table-top exercise will be repeated in other regions in the future, based on the module developed by the Technical Secretariat and the States Parties. This activity will involve the participation of related branches in the International Cooperation and Assistance Division, Verification Division and the Inspectorate Division. The table-top exercise will be organised by the Office of Special Projects.

Regional Workshop: The Regional Workshop is intended to foster discussion and analysis of several assistance and protection-related issues with special focus on areas such as, the rights and obligation of States Parties under Article X of the Convention, the submission of declarations of protective programmes, an analysis of Article X weaknesses and problem areas, and an overview of assistance and protection activities in the region. States Parties will make presentations in order to share experiences and lessons learned.

**Project VIII: Africa Programme***Objective:*

To enhance the capacity of States Parties in fulfilling their obligations under the Convention and to encourage States not Party to better understand the benefits of joining the Convention and getting more involved in OPCW activities.

*Purpose:*

## — Purpose 1 — African States Parties make progress towards:

- fulfilling national implementation requirements under Article VII of the Convention,
- complying with their declarations and inspection declarations requirements under Article VI of the Convention.

## — Purpose 2

- African States Parties make progress towards including the Convention in the curriculum of the Kofi Annan International Peacekeeping Training Centre (KAIPTC).

## — Purpose 3

- States not Party get more involved in OPCW activities and increase their understanding of the Convention and its benefits.

## — Purpose 4

- African States Parties with developing economies or economies in transition engage in international cooperation initiatives for the peaceful use of chemistry,
- African States Parties with developing economies or economies in transition enhance the capacity of their publicly-funded laboratories to implement the Convention in the field of peaceful uses of chemistry.

## — Purpose 5

- African States Parties enhance their awareness of the importance of submitting timely and full declarations on national programmes related to protective purposes,
- African States Parties contribute to the preparedness of the OPCW to respond to a request for assistance,
- African States Parties in the regions or sub-regions are encouraged to foster contacts for the creation of regional networks to improve their coordinated response to a chemical weapons emergency.

*Results:*

## — Result 1

- National authorities have enhanced their capacity to draft national implementing legislation,
- Customs officials have enhanced their capacity to identify chemicals relevant to the Convention and to submit accurate transfers of scheduled chemicals data to National Authorities,
- National authorities have enhanced their capacity to prepare and submit timely declarations, particularly, in electronic format,
- National authorities' officials are trained to escort OPCW inspection teams.

## — Result 2

- Staff at the KAIPTC and participants of the Centre's programmes will be more familiar with the Convention.

## — Result 3

- States not Party are more involved in OPCW activities and have obtained a better understanding of the benefits of joining the Convention and are more involved in OPCW activities.

## — Result 4

- Increased capacity of African States Parties with developing economies or economies in transition to engage in international cooperation initiatives for the peaceful use of chemistry,
- Enhanced level of technical competence in publicly funded laboratories in African States Parties with developing economies or economies in transition to analyse chemicals related to national implementation of the Convention and in the peaceful application of chemistry using modern analytical methods especially GC and GC/MS,
- Increased capacity of African States Parties with developing economies or economies in transition to engage in international cooperation initiatives for the peaceful use of chemicals,
- Upgraded levels of competence and understanding by the personnel of small and medium enterprises, representatives of industry associations and the national authorities/governmental institutions of African States Parties whose economies are developing or in transition regarding process safety management practices in small and medium chemical enterprises.

## — Result 5

- African States Parties are aware of the importance of submitting timely and full declarations on national programmes related to protective purposes,
- African States Parties are better positioned to make offers of assistance to the OPCW in response to a request of assistance,
- African States Parties have developed contacts that may result in future cooperation at regional level to respond to a chemical weapons emergency,

*Activities:*

Bilateral technical assistance visits: support to African States Parties will be provided through technical assistance visits that will be designed on a case-by-case basis and conducted to provide focused assistance to meet the requirements of the requests made by the African States Parties. The nature of this support will include sensitisation and outreach efforts through national awareness workshops, specialised training courses, assistance for drafting national implementing legislation and related measures, and Article VI industry-related topics.

Outreach Activity — academic and training institution — Kofi Annan Centre: staff of the OPCW will visit the KAIPTC to deliver presentations on various aspects of the Convention. Since the KAIPTC offers a wide range of training programmes for both military and civil-service officials, who are expected to assume policy making roles in the government, this outreach activity by the Technical Secretariat is intended to advance the inclusion of the Convention in the KAIPT curriculum.

Training of Customs officials on the technical aspects of the Convention's transfers' regime: support to customs officials has been provided under the three previous Joint Actions. On the basis of experience gained, outreach to customs officials through training courses will be undertaken with a view to improving the collection and transmission of data on imports and exports of scheduled chemicals to national authorities. Regional and sub-regional training courses undertaken will offer practical hands-on demonstrations and exercises.

Outreach to States not Party: representatives of the African States not Party who are in a position to influence perceptions regarding accession/ratification and those directly involved in issues of relevance to the Convention, including customs, will be sponsored to attend different programmes organised by the International Cooperation Branch. These programmes will include regional workshops for national authorities of States Parties and regional workshops for Customs authorities. Where necessary, staff members from the External Relations Division of the Technical Secretariat will also be sponsored to attend these meetings in order to undertake necessary contacts and interaction with the sponsored participants from the States not Party.

Analytical skills development course: During this two weeks course, participants of African States will receive theoretical training and hands-on experience in gas chromatography and gas chromatography-mass spectrometry, covering hardware, system validation and optimisation, and trouble-shooting. Focus will also be made on the preparation of environmental samples and on GC and GC/MS analyses of such samples for chemicals related to the Convention. Participants will also receive intensive hands-on training in the preparation of different sample matrices to be analysed by GC with element-selective detectors and by GC/MS in electron impact and chemical-ionisation modes and they will be introduced to a range of extraction, clean-up, and derivatisation procedures. The course will be implemented with the support of VERIFIN/TU Delft or similar renowned institutions selected through a transparent process.

Industry outreach — CWC and chemical process safety workshop: there will be an introduction on the Convention and the international cooperation programmes implemented pursuant thereto. Best industry practices and the elements of the process safety management concept — among others — will be discussed during this workshop. In addition, an Overview of Process Hazard Analysis (PHA) and Hazard and Operability (HAZOP), principles of human factor, management of change, safety culture/employee participation will be covered at this workshop.

Regional Workshop — Article X and issues of regional cooperation in the area of assistance and emergency response: the regional workshop is intended to foster discussion and analysis of several assistance and protection-related issues with special focus on areas such as, rights and obligation of States Parties under Article X of the Convention, submissions of declarations of protective programmes, analysis of Article X weaknesses and problem areas, and an overview of assistance and protection activities in the region. African States Parties will make presentations in order to share experiences and lessons learned.

# DECISIONS

## COUNCIL DECISION 2012/166/CFSP

of 23 March 2012

### **in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 26(2),

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction (hereinafter the 'EU Strategy'), Chapter III of which contains a list of measures to combat such proliferation.
- (2) The EU Strategy underlines the crucial role of the Chemical Weapons Convention (hereinafter the 'CWC') and of the OPCW in creating a world free of chemical weapons. As part of the EU Strategy, the Union has committed itself to working towards universal adherence to key disarmament and non-proliferation treaties and agreements, including the CWC. The objectives of the EU Strategy are complementary to the objectives pursued by the OPCW, in the context of the latter's responsibility for the implementation of the CWC.
- (3) On 22 November 2004, the Council adopted Joint Action 2004/797/CFSP on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction<sup>(1)</sup>, followed on its expiry by Joint Action 2005/913/CFSP<sup>(2)</sup>, which in turn was followed by Joint Action 2007/185/CFSP<sup>(3)</sup>. Joint Action 2007/185/CFSP was followed by Decision 2009/569/CFSP<sup>(4)</sup>, which expired on 3 December 2011.
- (4) The continuation of such intensive and targeted assistance from the Union to the OPCW is necessary in the context of the active implementation of Chapter III of

the EU Strategy. There is a need for further activities promoting the full implementation of the CWC as well as activities enhancing the preparedness of States Parties to the CWC (hereinafter 'States Parties') to prevent and respond to attacks involving toxic chemicals, international cooperation in the field of chemical activities, and the ability of the OPCW to adapt to developments in the field of science and technology. Measures related to the universalisation of the CWC should continue and be adapted to and targeted at the declining number of States not Parties to the CWC,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. For the purpose of giving immediate and practical application to some elements of the EU Strategy, the Union shall support activities of the OPCW, with the following objectives:

- to enhance the capacities of States Parties in fulfilling their obligations under the CWC,
- to enhance the preparedness of States Parties to prevent and respond to attacks involving toxic chemicals,
- to enhance international cooperation in the field of chemical activities,
- to support the ability of the OPCW to adapt to developments in the field of science and technology,
- to promote universality by encouraging States not Parties to join the CWC.

2. In this context, the Union-supported activities of the projects of the OPCW, which are in compliance with the measures of the EU Strategy, shall be the following:

<sup>(1)</sup> OJ L 349, 25.11.2004, p. 63.

<sup>(2)</sup> OJ L 331, 17.12.2005, p. 34.

<sup>(3)</sup> OJ L 85, 27.3.2007, p. 10.

<sup>(4)</sup> OJ L 197, 29.7.2009, p. 96.

**Project I: National Implementation, Verification and Universality**

## Activities:

- Bilateral technical assistance visits
- Training courses for customs officials on the technical aspects of the CWC's transfers' regime
- Grants to national authorities
- E-learning tool for national authorities/associated stakeholders
- Outreach to States not Party to the CWC
- Investigation of alleged use exercises

**Project II: International Cooperation**

## Activities:

- Analytical skills development course
- Industry Outreach — CWC and Chemical Process Safety Workshop

**Project III: Visits by representatives of the Executive Council of the OPCW and observers to chemical weapons destruction facilities (CWDFs)**

## Activity:

- Visits to CWDFs

**Project IV: Science and Technology**

## Activities:

- Scientific Advisory Board (SAB) working group meetings
- Co-funding of an OPCW-International Union of Pure and Applied Chemistry (IUPAC) International Science and Technology Workshop

**Project V: Preparedness of States Parties to prevent and respond to attacks involving chemicals**

## Activities:

- Regional Workshops — Article X of the CWC and issues of regional cooperation in the area of assistance and emergency response
- Table Top Exercises (TTEs) and exercise module
- OPCW as a platform for enhancing security at chemical plants

**Project VI: Africa Programme**

## Activities:

- Bilateral technical assistance visits
- Training courses for customs officials on the technical aspects of the CWC's transfers' regime
- Industry Outreach — CWC and Chemical Process Safety Workshop
- Analytical skills development course
- Regional workshop — Article X of the CWC and issues of regional cooperation in the area of assistance and emergency response
- Regional long-term capacity building project in the assistance and protection field

A detailed description of the Union supported activities of the OPCW referred to above is set out in the Annex.

*Article 2*

1. The High Representative of the Union for Foreign Affairs and Security Policy (HR) shall be responsible for the implementation of this Decision.

2. Technical implementation of the projects referred to in Article 1(2) shall be carried out by the Technical Secretariat of the OPCW (hereinafter the 'Technical Secretariat'). It shall perform this task under the responsibility and the control of the HR. For this purpose, the HR shall enter into the necessary arrangements with the Technical Secretariat.



*Article 3*

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 2 140 000.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a financing agreement with the Technical Secretariat. The agreement shall stipulate that the Technical Secretariat is to ensure visibility of the Union contribution, commensurate with its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after 23 March 2012. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

*Article 4*

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the Technical Secretariat. The HR reports shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the projects referred to in Article 1(2).

*Article 5*

1. This Decision shall enter into force on the day of its adoption.

2. This Decision shall expire 24 months after the date of the conclusion of the financing agreement referred to in Article 3(3). However, it shall expire six months after its entry into force if that financing agreement has not been concluded by that time.

Done at Brussels, 23 March 2012.

*For the Council*  
*The President*  
C. ASHTON

## ANNEX

**Union support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction****Project I: National Implementation, Verification and Universality***Objective:*

To enhance the capacity of States Parties in fulfilling their obligations under the CWC and to encourage States not Party to the CWC to better understand the benefits of joining the CWC and in getting more involved in OPCW activities.

*Purposes:*

- Purpose 1 — States Parties make progress towards:
  - fulfilling national implementation requirements under Article VII of the CWC,
  - complying with their declarations and inspection declarations requirements under Article VI of the CWC,
  - running more efficiently their national authorities,
  - facilitating the basic training of national authorities,
  - being prepared for investigations of alleged use under Articles IX and X of the CWC.
- Purpose 2 — States not Party to the CWC get more involved in OPCW activities and increase their understanding of the CWC and its benefits.

*Results:*

- Result 1
  - National authorities have enhanced their capacity to draft national implementing legislation and are in a position to submit legislation for adoption.
  - Customs officials have enhanced their capacity to identify chemicals relevant to the CWC and to submit accurate transfers of scheduled chemicals data to national authorities.
  - National authorities have enhanced their capacity to communicate with and deliver documentation and declarations to OPCW.
  - National authorities personnel have enhanced their capacity to understand and implement the basic principles of the CWC and make more cost effective use of face-to-face training opportunities.
  - States Parties have a better knowledge of investigations of alleged use and challenge inspections, as fundamental tools at their disposal to provide assistance and/or to clarify possible non-compliance with the CWC.
  - States Parties receive assurances on the readiness of the Technical Secretariat to conduct investigations of alleged use and challenge inspections.
- Result 2
  - States not Party to the CWC are more involved in OPCW activities and have obtained a better understanding of the benefits of joining the CWC.

*Activities:*

Bilateral technical assistance visits: Support to States Parties will be provided through technical assistance visits that will be designed on a case-by-case basis and conducted to provide focused assistance to meet the requirements of the requests made by the States Parties. The nature of this support will include sensitisation and outreach efforts through national awareness workshops, specialised training courses, assistance for drafting national implementing legislation and related measures, and Article VI of the CWC industry-related topics. Depending on their objective, these visits will entail coordinated work involving, as appropriate, the Technical Secretariat's Implementation Support Branch, the Office of the Legal Adviser, the Declarations Branch and the Industry Verification Branch.

Training of customs officials on the technical aspects of the CWC's transfers' regime: Support to customs officials has been provided under Joint Action 2005/913/CFSP, Joint Action 2007/185/CFSP and Decision 2009/569/CFSP. On the basis of experience gained, outreach to customs officials through training courses will be undertaken with a view to improving the collection and transmission of data on imports and exports of scheduled chemicals to national authorities. Regional and sub-regional training courses undertaken will offer practical hands-on demonstrations and exercises. One regional course will be held in the Latin American and Caribbean region and one sub-regional course will be held in the Asian region. The courses will be carried out by the Technical Secretariat's Implementation Support Branch with the technical expertise from the Declarations Branch.

Grants to national authorities: National authorities in developing States Parties are often hindered in their ability to fully implement the obligations under the CWC by a lack of basic equipment (desktop computers, printers, software, copiers etc). By providing basic office equipment to national authorities, they have the opportunity to develop a higher degree of efficiency and professionalism in their efforts to implement the CWC. The availability of such equipment will also be used as an incentive to national authorities to engage more actively in their efforts to implement the CWC, particularly if the making available of such equipment is made contingent upon achieving certain predefined targets.

Such targets will be defined on a case-by-case basis and in consultation with the States Parties concerned.

E-learning tool for national authorities/associated stakeholders: In order to maximise face to face training opportunities, the basic and generic elements of OPCW national authority training will be made available to States Parties in an electronic format, and translated in all OPCW official languages (Arabic, Chinese, English, French, Spanish, and Russian). Accordingly, five e-learning modules, based on existing materials within the Technical Secretariat, will be developed using the services of a commercial provider. The presentations currently being used that would be converted to e-learning tools are the following:

- an overview of the CWC,
- an introduction to the OPCW,
- the CWC article by article,
- the CWC — schedules 1, 2 and 3,
- the effective running of a national authority.

Outreach to States not Party to the CWC: Representatives of States not Party to the CWC who are in a position to influence national actions relating to accession/ratification and those directly involved in issues of relevance to the CWC will be sponsored to attend different programmes organised by the International Cooperation and Assistance Division (ICA). These programmes will include regional workshops for national authorities of States Parties and regional workshops for customs authorities. Where necessary, staff members from the External Relations Division of the Technical Secretariat will also be sponsored to attend these meetings in order to undertake necessary contacts and interaction with the sponsored participants from the States not Party to the CWC. In addition, and as may be necessary, tailor-made visits and arrangements involving States not Party to the CWC are also envisaged within this scheme of support to States not Party to the CWC.

Investigation of alleged use exercises: Since entry into force of the CWC, the Technical Secretariat, often in cooperation with States Parties, has conducted a number of exercises related to Articles IX and X of the CWC, including both investigations of alleged use (IAU) and challenge inspections (CI). Although many lessons learned in relation to CI exercises apply to IAU, and vice-versa, a comprehensive review has never been undertaken. In such a comprehensive review, previous lessons learned and evaluation reports from IAU and CI exercises (both table-top and field) will be analysed, and a workshop will be held to bring together experts involved in such exercises in order to share best practice, and to inform future exercises, especially in relation to investigations of alleged use.

## **Project II: International Cooperation**

### *Objectives:*

- To enhance the economic and technological development through international cooperation in the field of chemistry for activities whose purposes are not prohibited under the CWC.
- To promote the OPCW mission and CWC objectives through stronger engagement of States Parties in international cooperation initiatives for the peaceful use of chemistry.

### *Purposes:*

- Purpose 1 — To enhance capacity of the publicly funded laboratories in States Parties with developing economies or economies in transition to implement the CWC in the field of peaceful uses of chemistry.

- Purpose 2 — To assist States Parties with developing economies or economies in transition in enhancing chemical safety management approaches in chemical industry enterprises of small and medium size.

*Results:*

- Result 1 — Enhanced level of technical competence in publicly funded laboratories in States Parties with developing economies or economies in transition to analyse chemicals related to national implementation of the CWC and in the peaceful application of chemistry using modern analytical methods especially gas chromatography (GC) and gas chromatography/mass spectrometry (GC-MS).
- Result 2 — Upgraded levels of competence and understanding by the personnel of small and medium enterprises, representatives of industry associations and the national authorities/ governmental institutions of States Parties whose economies are developing or in transition regarding process safety management practices.

*Activities:*

Analytical skills development course: The course will take place over two weeks, during which participants will receive theoretical training and hands-on experience in GC and GC-MS. Topics covered will include: hardware; system validation and optimisation; troubleshooting; preparation of environmental samples; and GC/GC-MS analyses of such samples for chemicals related to the CWC. Participants will also receive intensive hands-on training in the preparation of different sample matrices to be analysed by GC with element-selective detectors and by GC-MS in electron impact and chemical-ionisation modes. Finally, participants will be introduced to a range of extraction, clean-up, and derivatisation procedures. The course will be implemented with the support of Verifin, renowned institution selected through a transparent tender process, with which OPCW has entered into a five-year agreement.

Industry Outreach — CWC and Chemical Process Safety Workshop: This workshop will be conducted over two-and-a-half days. It will cover, inter alia, safety and security issues in chemical industry; chemical management strategies; chemical-process safety management; industry best practices; and an introduction to Responsible Care®.

An overview of the CWC and of international cooperation programmes will also be presented at the opening session. One regional seminar will be held in the Latin American and Caribbean region and if needed, translation into Spanish will be provided.

**Project III: Visits by representatives of the Executive Council of the OPCW and observers to CWDFs**

*Objective:*

To advance and ensure the elimination of chemical weapons stockpiles and production facilities subject to the verification measures provided for in the CWC.

*Purposes:*

- Purpose 1 — States Parties are able to monitor progress made towards achieving complete destruction of chemical weapons stockpiles and can identify and address problems to achieve destruction at an early stage.
- Purpose 2 — States Parties are more confident that tangible and concrete steps are undertaken for the complete destruction of chemical weapons stockpiles by possessors.

*Results:*

- Result 1 — States Parties have enhanced understanding of the problems and technical difficulties related to the destruction of chemical weapons.
- Result 2 — States Parties have enhanced confidence that tangible and concrete steps are undertaken for the complete destruction of chemical weapons stockpiles.

*Activity:*

Visits to CWDFs: To date, five visits have taken place — three in the United States of America at the CWDFs located at Anniston, Alabama (October 2007); Pueblo, Colorado, and Umatilla, Oregon (May/June 2009), and Tooele and Pueblo (February-March 2011) and two visits in the Russian Federation at Shchuchye, in the Kurgansk region (September 2008) and Pochep, Bryanskaya Oblast (September 2010). The visits conducted so far have proved to be valuable as a means of addressing questions or concerns about a possessor State Party's programme for fulfilling its obligations on the destruction of its chemical weapons within the approved extended deadline. If the final extended destruction deadline will not be met, it is expected that, following a new Conference of States Parties' decision, the States Parties concerned will further continue to host such visits to their operational CWDFs and to facilities currently under construction till the destruction has been completed.

**Project IV: Science and Technology***Objective:*

To enable the Director-General of the OPCW to provide advice and make recommendations to the Conference of States Parties, the Executive Council of the OPCW or the States Parties on areas of science and technology relevant to the CWC.

*Purposes:*

- Purpose of the Meetings of the SAB temporary working groups: To enable the Director-General to render special advice to the OPCW policymaking organs and to the States Parties in the areas of science and technology relevant to the CWC.
- Purpose of the OPCW/IUPAC International Science and Technology Workshop: To assist the SAB in the preparation of the drafting of its report to the Third Review Conference.

*Results:*

- Result 1 — Advice and recommendations on areas of science and technology relevant to the CWC produced by the SAB and received by States Parties.
- Result 2 — States Parties updated and better informed on areas of science and technology relevant to the CWC.
- Result 3 — States Parties assisted in assessing the potential impact of advances of science and technology on the implementation of the CWC.

*Activities:*

SAB working group meetings: Two meetings of the temporary working group on the convergence of chemistry and biology and two meetings of a temporary working group on education and outreach will be held in 2012-13. The objective of the temporary working group on the convergence of chemistry and biology is to further explore the convergence of chemistry and biology, and its potential implications for the CWC, as recommended by the SAB at its Sixteenth Session. The temporary working group will assess these implications and will make recommendations to the SAB. The assessment and recommendations of the temporary working group will be used by the SAB in its report to the Third Review Conference. The objective of the meetings of the temporary working group on education and outreach, that is to be established, will focus on how to reach out to the scientific community and how to develop and enhance the relationship between the OPCW and the scientific community.

Co-funding of OPCW-IUPAC International Science and Technology Workshop: The objective of the workshop is to review trends and advances in chemistry, chemical engineering, the life sciences and related disciplines with a view to assessing how they affect the implementation of the CWC. The report to be produced by the workshop will assist the SAB in the preparation of its own report containing its assessment of the impact of developments in science and technology on the operation of the CWC.

This report will be provided, as a contribution of the Director-General, to the Third Review Conference of the CWC to be held in 2013. The OPCW-IUPAC International Science and Technology Workshop will provide valuable input for the preparation of the report of the SAB in view of the Third Review Conference.

**Project V: Preparedness of States Parties to prevent and respond to attacks involving chemicals***Objective:*

Contribute to developing the capacity of States Parties in the prevention of, preparedness for and response to a terrorist attack using chemical weapons and to improve their response to requests for assistance in the event of the use or threat of use of chemicals.

*Purposes:*

- Purposes of the regional workshops:

Purpose 1 — Enhance States Parties' awareness of the importance of submitting timely and full declarations on national programmes related to protective purposes.

Purpose 2 — Increase States Parties' contribution to the preparedness of OPCW to respond to requests for assistance.

Purpose 3 — Encourage States Parties in the regions or sub-regions to foster the creation of regional networks to improve their coordinated response to a chemical weapons emergency.

— Purposes of TTEs and exercise module:

Purpose 1 — Exercise and evaluate the national prevention of, preparedness for and response to a terrorist attack using chemical weapons and to increase awareness of further steps to be taken to enhance the level of preparedness.

Purpose 2 — Exercise and evaluate the coordination of the international community in the prevention and response to a terrorist attack using chemical weapons. Identify potential gaps in the support provided by OPCW and other international organisations to States Parties for their preparedness for terrorist attacks using chemical weapons.

— Purposes of OPCW as a platform for enhancing security at chemical plants:

Purpose 1 — Supporting governments and chemical industry associations of beneficiary States Parties in raising awareness on chemical security and improving it by adopting best practices.

Purpose 2 — Increasing chemical security in the beneficiary States Parties engaged in the process by fostering cooperation among all stakeholders including national authorities, the chemical industry, chemical industry associations, the science community and NGOs.

Purpose 3 — Keeping States Parties fully abreast of new developments in the sphere of chemical security and chemical safety best practices.

*Results:*

— Results of regional workshops:

Result 1 — States Parties are aware of the importance of submitting timely and full declarations on national programmes related to protective purposes.

Result 2 — States Parties are better positioned to make offers of assistance to the OPCW in response to a request of assistance.

Result 3 — Increased awareness of States Parties, whose economies are developing or in transition, regarding the need to promote cooperation in relation to chemical weapons emergencies in case of an attack.

— Results of TTE and exercises modules:

Result 1 — Development of a module for the preparation and conduct of TTEs that is flexible and can be adapted to the varying circumstances in different States Parties.

Result 2 — Enhancing preparedness for prevention of and response to terrorist attacks using chemical weapons identified by the State Party hosting the TTE.

Result 3 — Improving preparedness for prevention of and response to terrorist attacks using chemical weapons drawn by other States Parties participating in the TTE.

Result 4 — Increasing participating organisations' understanding of areas where improved coordination can reduce gaps and where new activities can be initiated.

— Results of OPCW as a platform for enhancing security at chemical plants:

Result 1 — Increased awareness of beneficiaries of requirements and best practices in chemical security.

Result 2 — Dissemination of best practices in chemical security among beneficiary States Parties, their industry associations and other stakeholders.

Result 3 — Concept paper for possible follow-up measures involving national authorities, scientists, laboratory managers, and chemical industry on best practices in chemical security with support of training materials.

Result 4 — Publications on chemical security for national authorities, chemical industry/laboratory managers, and on best practices in chemical security and chemical safety.

*Activities:*

Regional Workshops — Article X of the CWC and issues of regional cooperation in the area of assistance and emergency response: The Regional Workshops are intended to foster discussion and analysis of several assistance and protection-related issues with special focus on areas such as rights and obligations of States Parties under Article X of the CWC, submissions of declarations of protective programmes, the importance of States Parties' offers of assistance, analysis of CWC's Article X weaknesses and difficulties, and an overview of assistance and protection activities in the region. States Parties will make presentations in order to share experiences and lessons learnt. Two short-term regional workshops will be held in the Asian and the Latin American and Caribbean regions and will be organised by the Assistance and Protection Branch.

TTE and exercise module: This activity aims at developing the capabilities of the States Parties in prevention of, preparedness for and response to a terrorist attack using chemical weapons. An attack at chemical plant, installation or transport with a release of toxic chemicals will be the basic scenario of the exercises. The specifics of the scenario to be used during the TTE will be adapted to the circumstances and needs of the State Party hosting the TTE. This will include an inventory of national responsibilities and review of existing procedures and a walk-through talk-through exercise of the selected exercise facility/installation at the national level prior to the conduct of the TTE with regional and international participation. The exercise will examine cross government decision-making, information exchange and provision of assistance between relevant national and international organisations. Two TTEs will be conducted in two different regions. A detailed module for the preparation and conduct of TTEs on attacks with toxic chemicals involving national, regional international entities will also be developed. The activity will be organised and coordinated by the Office of Special Projects.

OPCW as a platform for enhancing security at chemical plants: In the first phase of the activity, an analysis will be developed on the possible roles and functions of the OPCW and its synergies with the interested parties in the field of chemical security. An event to discuss and disseminate best practices in chemical safety and security will take place.

The event is intended to foster the discussion and analysis of practical issues and experiences related to the enhancement of security at chemical facilities. The experience of other international partners in promoting chemical security, and more broadly speaking to help States to enhance their capacity with regard to prevention and preparedness for threats related to weapons of mass destruction and related materials, will be made available to the beneficiaries. The event will also identify opportunities and requirements for follow-up measures to further the process of enhancing chemical security, and for developing the OPCW as a platform for exchanges on this matter.

A result of the project will be a series of practical proposals for how the OPCW can be further developed as a platform for cooperation and coordination in the area of chemical security. The activity will be organised and coordinated by the Office of Special Projects.

**Project VI: Africa Programme***Objective:*

To enhance the capacity of African States Parties in fulfilling their obligations under the CWC.

*Purposes:*

Purpose 1 — African States Parties make progress towards:

- fulfilling national implementation requirements under Article VII of the CWC,
- complying with their declarations and inspection declarations requirements under Article VI of the CWC.

Purpose 2

- Enhancing the capacity of publicly funded laboratories in African States Parties whose economies are developing or in transition to implement the CWC in the field of peaceful uses of chemistry.
- Enhancing chemical safety management approaches in chemical industry enterprises of small and medium size in African States Parties whose economies are developing or in transition.

Purpose 3

- Enhance African States Parties' awareness of the importance of submitting timely and full declarations on national programmes related to protective purposes.
- Increase African States Parties' contribution to the preparedness of OPCW to respond to requests for assistance.
- Encourage African States Parties to foster the creation of regional networks in the African regions or sub-regions to improve their coordinated response to a chemical weapons emergency.



- Encourage African States Parties to establish coordination and cooperation between the sub-regions in the chemical emergency response.

*Results:*

— Result 1

National authorities in African States Parties have enhanced their capacity to draft national implementing legislation and are in a position to submit legislation for adoption.

- Customs officials in African States Parties have enhanced their capacity to identify chemicals relevant to the CWC and to submit accurate transfers of scheduled chemicals data to national authorities.

— Result 2

- Publicly funded laboratories in African States Parties have enhanced level of technical competence to analyse chemicals related to national implementation of the CWC and in the peaceful application of chemistry using modern analytical methods especially GC and GC-MS.

- Personnel of small and medium enterprises, representatives of industry associations and the national authorities/governmental institutions of African States Parties have upgraded levels of competence and understanding regarding process safety management practices.

— Result 3

- African States Parties are aware of the importance of submitting timely and full declarations on national programmes related to protective purposes.
- African States Parties are better positioned to make offers of assistance to the OPCW in response to a request of assistance.
- Increased awareness of African States Parties, whose economies are developing or in transition, regarding the need to promote cooperation in relation to chemical weapons emergencies in case of an attack.
- A team of instructors from African States Parties that can support the chemical emergency response plan by training their first responders.

*Activities:*

Bilateral technical assistance visits: Support to African States Parties will be provided through technical assistance visits that will be designed on a case-by-case basis and conducted to provide focused assistance to meet the requirements of the requests made by the African States Parties.

The nature of this support will include sensitisation and outreach efforts through national awareness workshops, specialised training courses, assistance for drafting national implementing legislation and related measures, and CWC's Article VI industry-related topics. Depending on their objective, these visits will entail coordinated work involving, as appropriate, the Technical Secretariat's Implementation Support Branch, the Office of the Legal Adviser, the Declarations Branch and the Industry Verification Branch.

Training of customs officials on the technical aspects of the CWC's transfers' regime: Support to customs officials has been provided under Joint Action 2005/913/CFSP, Joint Action 2007/185/CFSP and Decision 2009/569/CFSP. On the basis of experience gained, outreach to customs officials through training courses will be undertaken with a view to improving the collection and transmission of data on imports and exports of scheduled chemicals to national authorities. The sub-regional training courses undertaken in African States Parties will offer practical hands-on demonstrations and exercises. These courses will be carried out by the Implementation Support Branch with the technical expertise from the Declarations Branch.

Industry Outreach — CWC and Chemical Process Safety Workshop: This workshop will be conducted over two-and-a-half days. It will cover, inter alia, safety and security issues in chemical industry; chemical management strategies; chemical-process safety management; industry best practices; and an introduction to Responsible Care®. An overview of the CWC and of international cooperation programmes will also be presented at the opening session. Translation into French will be provided.

Analytical skills development course: The course takes place over two weeks, during which participants from African States Parties will receive theoretical training and hands-on experience in GC and GC-MS. Topics covered include: hardware; system validation and optimisation; troubleshooting; preparation of environmental samples; and GC/GC-MS analyses of such samples for chemicals related to the CWC. Participants will also receive intensive hands-on training in the preparation of different sample matrices to be analysed by GC with element-selective detectors and by GC-MS in electron impact and chemical-ionisation modes.



Finally, participants will be introduced to a range of extraction, clean-up, and derivatisation procedures.

The course will be implemented with the support of Verifin, renowned institutions selected through a transparent tender process, with which OPCW has entered into a five-year agreement. The course will be conducted in English.

Regional Workshop — Article X of the CWC and issues of regional cooperation in the area of assistance and emergency response: The regional workshop for African States Parties is intended to foster discussion and analysis of several assistance and protection-related issues with special focus on areas such as rights and obligation of States Parties under Article X of the CWC, submissions of declarations of protective programmes, the importance of the States Parties offers of assistance, analysis of CWC's Article X weaknesses and difficulties, and an overview of assistance and protection activities in the region. States Parties will make presentations in order to share experiences and lessons learnt. The activity will be organised by the Assistance and Protection Branch.

Regional long-term capacity building project in assistance and protection field: The main objective of this activity will be to develop a national/regional emergency response system against chemical weapons, train instructors of first responders and specialists involved in this field and help them to establish their national/regional response team.

This response team will be a part of a regional network that can respond to an emergency scenario. One long-term capacity building project for African State Parties in the Southern or Central African sub-regions will be implemented (for Central Africa in French; for Southern Africa in English).



## COUNCIL DECISION 2012/712/CFSP

of 19 November 2012

**relating to the 2013 Review Conference of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 29 and Article 31(1) thereof,

Whereas:

- (1) On 29 April 1997, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) entered into force. The CWC aims at eliminating an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons.
- (2) The European Union considers the CWC to be a key component of the non-proliferation and disarmament framework and a unique disarmament and non-proliferation instrument the integrity and strict application of which must be fully guaranteed. All EU Member States are States Parties to the CWC.
- (3) The Union, moreover, considers that the CWC has proven to be a very successful instrument in that near universal accession has been achieved and the possessor states have already destroyed a large part of their chemical weapons stockpiles. At the same time, and while destruction remains a priority for the Organisation for the Prohibition of Chemical Weapons (OPCW) established pursuant to the CWC, new challenges and threats present themselves to which the OPCW must adapt itself to preserve and protect the integrity of the CWC.
- (4) The Union also believes that close engagement of the OPCW with civil society on a regular basis, including in the run-up and during the Review Conference, is beneficial for the work of the OPCW.
- (5) On 17 November 2003, the Council of the European Union adopted Common Position 2003/805/CFSP on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery <sup>(1)</sup>. Under that Common Position the CWC is included as one of those multilateral agreements.
- (6) On 12 December 2003, the European Council adopted the EU Strategy against proliferation of Weapons of Mass Destruction, which reaffirms the commitment of the

Union to the multilateral treaty system and underlines, inter alia, the crucial role of the CWC and the OPCW in creating a world free of chemical weapons.

- (7) On 28 April 2004, the United Nations Security Council unanimously adopted Resolution 1540 (2004) reaffirming the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security. Subsequently, the Security Council adopted Resolutions 1673 (2006), 1810 (2008) and 1977 (2011) which reiterated the objectives of Resolution 1540 (2004) and expressed the interest of the Security Council in intensifying its efforts to promote full implementation of that Resolution. Implementation of the CWC and implementation of Resolution 1540 (2004) and subsequent related Resolutions are mutually reinforcing.
- (8) On 22 November 2004, the Council of the European Union adopted the first Joint Action 2004/797/CFSP on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction <sup>(2)</sup>. That Joint Action was followed by Council Joint Action 2005/913/CFSP <sup>(3)</sup>, adopted on 12 December 2005, Council Joint Action 2007/185/CFSP <sup>(4)</sup>, adopted on 19 March 2007, Council Decision 2009/569/CFSP <sup>(5)</sup>, adopted on 27 July 2009 and Council Decision 2012/166/CFSP <sup>(6)</sup>, adopted on 23 March 2012.
- (9) On 8 September 2006, the UN General Assembly adopted the Global Counter-Terrorism Strategy in which the States Members of the UN resolved, inter alia, to implement all UN Security Council resolutions related to international terrorism and to cooperate fully with the counter-terrorism subsidiary bodies of the Security Council in the fulfilment of their tasks. The Strategy also encouraged the OPCW to continue its efforts, within its mandate, in helping States to build capacity to prevent terrorists from accessing chemical materials, to ensure security at related facilities, and to respond effectively in the event of an attack using such materials.
- (10) On 2 December 2011, the UN General Assembly adopted, by consensus, a Resolution on the Implementation of the CWC.

<sup>(2)</sup> OJ L 349, 25.11.2004, p. 63.

<sup>(3)</sup> OJ L 331, 17.12.2005, p. 34.

<sup>(4)</sup> OJ L 85, 27.3.2007, p. 10.

<sup>(5)</sup> OJ L 197, 29.7.2009, p. 96.

<sup>(6)</sup> OJ L 87, 24.3.2012, p. 49.

<sup>(1)</sup> OJ L 302, 20.11.2003, p. 34.

- (11) In view of the forthcoming Third Review Conference of the CWC during 2013 ('Third Review Conference'), it is appropriate to define the approach of the Union which will guide its Member States at that conference,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. The objective of the European Union shall be to strengthen the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction (CWC) by building on the progress achieved so far in destroying declared stockpiles of chemical weapons and the prevention of their re-emergence, through, inter alia, enhancement of the CWC's verification regime, improvement of national implementation as well as efforts towards achieving universality.

2. The Union shall aim to strengthen the CWC also by adapting the implementation of the CWC in light of the changing security environment and developments in science and technology and by emphasising that the Third Review Conference should provide political support and broad guidance for the work to be undertaken in the inter-sessional period on the future priorities of the OPCW.

3. To attain the objective laid down in this Article, the Union shall put forward concrete proposals to the Third Review Conference.

#### *Article 2*

For the purposes of the objective laid down in Article 1, the Union shall:

- (a) contribute to a full review of the operation of the CWC at the Third Review Conference, taking into account in particular scientific and technological developments, as well as to building a solid foundation for addressing challenges that the CWC will be faced with in the future;
- (b) help build consensus for a successful outcome of the Third Review Conference and promote, inter alia, the following essential issues:
  - (i) reaffirmation of the comprehensive nature of the prohibition of chemical weapons as laid down in the General Purpose Criterion by:
    - reconfirming that the CWC's prohibitions apply to any toxic chemical, except where such chemical is intended for any purpose not prohibited by paragraph 9 of Article II and as long as the types and quantities are consistent with such a purpose, and thus take into account the developments in science and technology since the Second Review Conference in 2008,
    - underlining the obligation of States Parties to reflect the General Purpose Criterion in their national implementation legislation and administrative enforcement practice;
  - (ii) emphasising the full and timely implementation by the States Parties of all declaration obligations under

Article III, especially those relating to chemical weapons, and including also those relating to riot control agents;

- (iii) development and implementation by the CWC Technical Secretariat ('Technical Secretariat') of targeted, tailor-made approaches on achieving the universality of the CWC, in close coordination and cooperation with States Parties, also in view of the fact that at least one State not Party to the CWC, Syria, admitted, in July 2012, possession of chemical weapons;
- (iv) reaffirmation of the obligation of chemical weapons possessor states to destroy their chemical weapons and recognition of the achievements so far in eliminating chemical weapons through:
  - welcoming the efforts undertaken and the progress made by possessor states to destroy their declared stockpiles and highlighting the fact that we are well under way towards a world free of chemical weapons,
  - recognising the successful addressing of the issue of the final extended deadline for the destruction of chemical weapons by the possessor states,
  - calling upon chemical weapons possessor states to complete destruction of their chemical weapons stockpiles in the shortest time possible in accordance with the CWC and its Verification Annex as well as the decision of the Sixteenth Session of the Conference of the States Parties on the issue of the final extended deadline for destruction of the remaining stockpiles,
  - reiterating the importance of systematic verification of destruction by the Technical Secretariat as prescribed by the CWC and its Verification Annex,
  - emphasising that whilst expertise and capacity to deal with chemical weapons as well as with old chemical weapons and abandoned chemical weapons should be retained, the OPCW must also continue its adaptation to the new security environment;
- (v) strengthening of the verification regime with regard to activities not prohibited under the CWC, with a view to strengthening prevention of re-emergence of chemical weapons by:
  - highlighting the obligation of all States Parties to submit adequate and timely declarations under Article VI,
  - conducting a sufficient number of inspections under Article VI with appropriate geographical coverage and frequency, in accordance with the agreed guidelines,

- increasing the relevance of inspections under Article VI to the object and purpose of the CWC and ensuring effective site selection, including through the evaluation of the results of the interim Other Chemical Production Facilities site selection methodology,
  - improving the information basis for industry verification by, inter alia, encouraging the Technical Secretariat to use information already available, including information voluntarily submitted by States Parties and information from previous inspection reports as well as appropriate publicly available information,
  - emphasising that the Schedules of Chemicals ('Schedules') of the CWC were designed primarily for the application of different verification measures,
  - working on maintaining the relevance of the Schedules in light of developments in science and technology by, inter alia, examining the merits of reviewing the Schedules at regular intervals between Review Conferences,
  - further promoting engagement and interaction with the chemical industry and supporting the Technical Secretariat's efforts in that direction,
  - considering additional quality and efficiency measures for the inspection process, such as appropriate increases in the flexibility and the streamlining of the conduct of inspections,
  - ensuring a Technical Secretariat capability for effective sampling and analysis during industry inspections;
- (vi) continuous improvement of national implementation measures and recalling that full compliance with Article VII is a vital factor for the present and future efficiency of the CWC regime, including through:
- adopting a targeted and tailor-made approach in encouraging and assisting States Parties which are yet to adequately implement the CWC,
  - offering assistance to States Parties in need, as exemplified by the Joint Actions and Decisions adopted by the Council of the European Union in support of OPCW activities,
  - strengthening national export and import controls which are required to prevent the acquisition of chemical weapons, and improving the OPCW's capability to assist with the establishment of national mechanisms for control of international transfers,
  - implementing appropriate measures to enhance chemical safety and security,
  - exploring potential synergies between the OPCW and other relevant international organisations as regards implementation support and capacity building;
- (vii) implementation of the provisions of the CWC on consultations, cooperation and fact-finding, in particular the challenge inspection mechanism which remains a viable and usable tool of the OPCW's verification regime, stressing the legal right of States Parties to request a challenge inspection without prior consultation and encouraging the use of the mechanism as required for clarifying and resolving any questions concerning possible non-compliance with the CWC; in this respect, underlining the importance of the Technical Secretariat maintaining and further developing the technical capabilities, expertise and necessary preparedness to conduct challenge inspections as well as the obligation of States Parties to continuously be ready and able to receive challenge inspections;
- (viii) continued strong support of OPCW activities related to assistance and protection, in particular retaining the OPCW's capabilities and expertise and enhancing the capacity of the Technical Secretariat and the States Parties to prevent, respond to and mitigate misuse or attacks involving toxic chemicals, notably by:
- encouraging all States Parties to submit adequate and timely declarations under Article X as required by the CWC and encouraging States Parties to increase offers of assistance,
  - emphasising the importance of the Technical Secretariat retaining its capabilities and expertise as well as maintaining and further developing the necessary preparedness to conduct investigations of alleged use,
  - underlining the importance of continued OPCW support for national protective programmes and of enhancing the ability of the OPCW to mediate offers of expertise and assistance,
  - encouraging the OPCW to assist States in building capacity for preventing and mitigating terrorist attacks using chemical weapons, inter alia, through advice on enhancing chemical safety and security,
  - emphasising the importance of increased cooperation with regional and subregional organisations, including by taking part in international efforts to establish regional centres of excellence for assistance and protection, and considering combining this with efforts under Articles VII and XI, in accordance with the decision on Article XI taken by the Sixteenth Session of the Conference of the States Parties,

- considering ways of enhancing the OPCW's ability to deal with conflict and post-conflict situations involving chemical weapons,
  - requesting the Technical Secretariat to enhance its cooperation with other relevant international organisations on emergency response to the use or threat of use of chemical weapons, including in conflict and post-conflict situations, especially with respect to cooperation with the UN in relation to investigation of possible use of chemical weapons;
- (ix) fostering international cooperation in accordance with the CWC by:
- welcoming concrete and practical proposals which take account of existing initiatives, as exemplified by the Joint Actions and Decisions adopted by the Council of the European Union, in particular proposals concerning issues such as chemical safety and security and the management of chemicals, in accordance with the decision on Article XI taken by the Sixteenth Session of the Conference of the States Parties,
  - encouraging the Technical Secretariat to assist States Parties in implementing their national obligations through tailored and sustainable technical assistance, in order to facilitate enhanced international cooperation in the field of chemistry,
  - encouraging the Technical Secretariat to work in collaboration with other organisations and to evaluate its programmes to ensure that they have the desired impact and that resources are maximised;
- (x) enhancement of the OPCW's contribution to global anti-terrorism efforts by:
- continuing and intensifying work in the OPCW Open-Ended Working Group on Terrorism,
  - emphasising compliance with obligations under UN Security Council Resolution 1540 (2004) as well as the other relevant UN Resolutions, in particular to call for practical cooperation between the OPCW and relevant organisations with the aim of eliminating the risk of chemical weapons being acquired or used for terrorist

purposes, including possible terrorist access to materials, equipment and knowledge that could be used in the development and production of chemical weapons,

- underlining the need to work towards strengthening global chemical safety and security and the national control of international transfers, including assisting States Parties with the implementation of practical and targeted measures which at the same time could contribute to enhancing cooperation with regard to peaceful uses of chemistry and assistance and protection.

#### *Article 3*

Action taken by the Union for the purposes of Article 2 shall comprise:

- (a) where appropriate, demarches:
- (i) with a view to promoting universal accession to the CWC;
  - (ii) to promote effective national implementation of the CWC by States Parties;
  - (iii) to urge States Parties to support and participate in an effective and complete review of the CWC and thereby reiterate their commitment to this fundamental international norm against chemical weapons;
  - (iv) to promote the proposals in Article 2 which are aimed at further strengthening the CWC;
- (b) statements and working papers in the run-up to, and during, the Third Review Conference for consideration by States Parties.

#### *Article 4*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 19 November 2012.

*For the Council*  
*The President*  
 C. ASHTON



# **16<sup>th</sup> Summit of Heads of State or Government of the Non-Aligned Movement**

**Tehran, Islamic Republic of Iran**

**26 - 31 August 2012**

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## **FINAL DOCUMENT**

**Tehran, Islamic Republic of Iran**

**31 August 2012**



197. The Heads of State or Government *emphasized* that the IAEA is the sole inter-governmental organization within the UN system with the mandate and expertise to deal with the technical subjects of nuclear safety and nuclear security.

198. The Heads of State or Government *stressed* that the issues related to proliferation, should be resolved through political and diplomatic means, and that measures and initiatives taken in this regard should be within the framework of international law, relevant conventions and the UN Charter, and should contribute to the promotion of international peace, security and stability.

199. The Heads of State or Government of the NAM States Parties to the Biological and Toxin Weapons Convention (BTWC) *reaffirmed* that the possibility of any use of bacteriological (biological) agents and toxins as weapons should be completely excluded, and the conviction that such use would be repugnant to the conscience of humankind. They recognized the particular importance of strengthening the Convention through multilateral negotiations for a legally binding Protocol and universal adherence to the Convention. They *reiterated* their call to promote international cooperation for peaceful purposes, including scientific-technical exchange. They underlined the importance to maintain close coordination among the NAM States Parties to the Convention and highlighted that the Convention on Biological and Toxin Weapons forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner.

200. The Heads of State or Government of the NAM States Parties to the BTWC *welcomed* the active participation by NAM States Parties in the Seventh BTWC Review Conference held in Switzerland from 5-22 December 2011, to advance their positions on this Convention, particularly their key role in the adoption of the important decisions related to the implementation of Article X of the BTWC, especially by emphasizing the need for enhancing international cooperation, assistance and exchanges in toxins, biological agents equipment and technology for peaceful purposes, bearing in mind the Action Plan on the implementation of Article X submitted by the NAM States Parties at the Sixth Review Conference, and the additional NAM States Parties' proposal on a mechanism for the full, implementation of Article X of the Convention presented more recently. They further encouraged the BTWC States Parties to implement the Article X, as set forth in paragraphs 50-61 of the Final Document of the seventh BTWC Review Conference. They also welcomed the outcome of the Seventh Review Conference and in particular its decision to include cooperation and assistance as one of the Standing Agenda Items, with a particular focus on strengthening cooperation and assistance under Article X, as well as the Conference's decision to establish a database system to facilitate requests for and offers of exchange of assistance and cooperation among States Parties, and the establishment of a Sponsorship Programme, funded by voluntary contributions from States Parties, in order to support and increase the participation of developing States Parties in the meetings of the intersessional programme in the framework of the BTWC.

201. The Heads of State or Government of the States Parties to the Chemical Weapons Convention (CWC) *invited* all States that have not yet signed or ratified the Convention to do so as soon as possible with a view to its universality. They *reaffirmed* that the effective contribution of the Convention to international and regional peace and security can be enhanced through its full implementation, and in this context also encouraged all States Parties that have not yet done so to engage with the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons on the steps that need to be undertaken for the national implementation of the Chemical Weapons Convention. The Heads of State or Government *reaffirmed* the importance of international cooperation in the field of chemical activities for purposes not prohibited under the Chemical Weapons Convention. They *reiterated* their call on the developed countries to promote international cooperation for the benefit of States Parties through the transfer of technology, material and equipment for peaceful purposes in the chemical field and the removal of all and any discriminatory restrictions that are contrary to the letter and spirit of the Convention. They recalled that the full, balanced,



effective and non-discriminatory implementation of all provisions of the Convention in particular economic and technical development through international cooperation, is fundamental to the achievement of its object and purpose. The Heads of State or Government *expressed* their serious concern on the indications by certain possessor states parties that they will not meet their obligations regarding the deadlines for the total elimination of chemical weapons and that 36.28% of chemical weapons still remained to be destroyed as of 31<sup>st</sup> January 2012. While taking note of the decision on the Final Extended Deadline of 29 April, 2012 that was adopted by the 16<sup>th</sup> Session of the Conference of States Parties, they urged all possessor State Parties to take every necessary measure with a view to ensuring their compliance with the final extended destruction deadline in order to uphold the credibility and integrity of the Convention.

202. The Heads of State or Government of the States Parties to the CWC *reaffirmed* that the implementation of the Article X of the CWC on assistance and protection against chemical weapons make a significant contribution to countering the threats of use of chemical weapons. They *stressed* the importance of achieving and maintaining a high level of readiness of the OPCW to provide timely and needed assistance and protection against use or threat of use of chemical weapons, including assistance to the victims of chemical weapons.

203. The Heads of State or Government of the States Parties to the CWC *welcomed* the decision on Components of an agreed framework for the full implementation of Article XI adopted at the 16th Conference of the States Parties of the CWC and considered it as a positive step towards achieving the goal of the full, effective and non-discriminatory implementation of Article XI.

204. The Heads of State or Government of the States Parties to the CWC, while paying due respect to the chemical weapons victims and their families, *declare* their firm conviction that international support to provide special care and assistance to all victims suffering the effects of exposure to chemical weapons is an urgent humanitarian need and that the States Parties to the Convention as well as the OPCW should pay urgent attention to meeting these needs. In this context, they *welcomed* the decision adopted at the 16<sup>th</sup> Session of the Conference of States Parties to establish an International Support Network for Victims of Chemical Weapons and a voluntary Trust Fund for this purpose.

205. The Heads of State or Government once again *condemned* the Israeli military aggression against the Gaza Strip in 2009 and the occupying power's indiscriminate shelling and bombing of Palestinian civilian areas, and expressed their grave concern over the reported use in civilian areas of harmful and potentially fatal incendiary weapons, such as white phosphorous. In this regard, they reiterated their call for a thorough investigation of this serious matter by relevant bodies under the appropriate international conventions and agreements.

206. The Heads of State or Government *regretted* unsubstantiated allegations of non-compliance with relevant instruments on weapons of mass destruction and *called on* States Parties to such instruments that make such allegations to follow procedures set out in those instruments and to provide necessary substantiation for their allegations. They called upon all States Parties to the respective international instruments to implement fully and in a transparent manner all their obligations under these instruments.

207. The Heads of State or Government *expressed* their satisfaction with the consensus among States on measures to prevent terrorists from acquiring weapons of mass destruction. They *welcomed* the adoption by consensus of the General Assembly Resolution 66/50 entitled "Measures to prevent terrorists from acquiring weapons of mass destruction" and underlined the need for this threat to humanity to be addressed within the UN framework and through international co-operation. While *stressing* that the most effective way of preventing terrorists from acquiring weapons of mass destruction is through the total elimination of such weapons, they *emphasized* that progress was urgently needed in the area of disarmament and non-proliferation in

order to help maintain international peace and security and to contribute to global efforts against terrorism. They *called upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery. They also *urged* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture.

208. While *noting* the adoption of resolution 1540 (2004), resolution 1673 (2006), resolution 1810 (2008) and resolution 1977 (2011) by the Security Council, the Heads of State or Government underlined the need to ensure that any action by the Security Council does not undermine the UN Charter and existing multilateral treaties on weapons of mass destruction and of international Organisations established in this regard, as well as the role of the General Assembly. They further cautioned against the continuing practice of the Security Council to utilize its authority to define the legislative requirements for Member States in implementing Security Council decisions. In this regard, the Heads of State or Government *stressed* the importance of the issue of non-state actors acquiring weapons of mass destruction to be addressed in an inclusive manner by the General Assembly, *taking into account* the views of all Member States.

209. Mindful of the threat posed to humankind by the existing weapons of mass destruction, particularly Nuclear Weapons and underlining the need for the total elimination of such weapons, the Heads of State or Government *reaffirmed* the need to prevent the emergence of new types of weapons of mass destruction and therefore *supported* the necessity of monitoring the situation and triggering international action as required.

210. The Heads of State or Government *reaffirmed* the sovereign right of States to acquire, manufacture, export, import and retain conventional arms and their parts and components for their self-defence and security needs. They *expressed* their concern about unilateral coercive measures and *emphasized* that no undue restriction should be placed on the transfer of such arms.

211. The Heads of State or Government *recognized* the significant imbalance in the production, possession and trade in conventional weapons between the industrialized and the Non-Aligned Countries, and called for a significant reduction in the production, possession and trade of conventional weapons by the industrialized states with a view to enhancing international and regional peace and security.

212. The Heads of State or Government *remained* deeply concerned over the illicit transfer, manufacture and circulation of small arms and light weapons (SALW) and their excessive accumulation and uncontrolled spread in many regions of the world. They *recognized* the need to establish and maintain controls over private ownership of small arms. They *called on* all States, in particular major producing States, to ensure that the supply of small arms and light weapons is limited only to Governments or to entities duly authorized by Governments and to implement legal restrictions and prohibitions preventing the illicit trade of small arms and light weapons. They *encouraged* all initiatives by States to mobilize resources and expertise as well as to provide assistance to strengthen the full implementation of the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects.

213. The Heads of State or Government *emphasized* the importance of a prompt and full implementation of the Programme of Action, and in this regard, *stressed* that international assistance and cooperation is an essential aspect in the full implementation of the Programme of Action. They *expressed* disappointment at the inability of the UN Conference to Review the Progress made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects, held in New York, from 26 June to 7 July 2006, to agree on a final Document. The Heads of State or Government *noted* the fourth Biennial Meeting of States held in New York, from 14 to 18 June 2010 which considered the national,