

1. CWC Documents

Article VIII of the CWC set out the operational provisions of the treaty, including provision for special sessions of the Conference of the States Parties to ‘undertake reviews of the operation of this Convention’. These reviews shall ‘take into account any relevant scientific and technological developments’. The First Review Conference took place in The Hague during April/May 2003, the second during April 2008, with the Third scheduled for April 2013. Included in this section of the *Resource Guide* are documents from the First and Second CWC Review Conferences and others issued by the Conference of the States Parties, the Technical Secretariat and the Scientific Advisory Board. Documents of the Third Review Conference will be posted on the OPCW website at <http://www.opcw.org/rc3> and will be available in hard-copy to all delegations at the Review Conference. This will include the Rules of Procedure of the Review Conference.

1.1 CWC Review Conferences

The CWC stipulates that its States Parties should convene a Review Conference every five years to ‘undertake reviews of the operation’ of the CWC. The Convention also specifies that such reviews ‘shall take into account any relevant scientific and technological developments’.

In September 2001, the OPCW Executive Council established an Open-Ended Working Group (OEWG), chaired by Ambassador Alberto Davèrède of Argentina, to prepare the agenda for the First Review Conference and to prepare drafts of the political declaration and the report. The First CWC Review Conference itself took place from 28 April to 9 May 2003 in The Hague and was attended by 113 States Parties, two Signatory States, two non-Signatory States, 5 international organizations, 22 NGOs and 6 industry associations. The conference was chaired by Ambassador Nourreddine Djoudi of Algeria. At the Review Conference, the States Parties reviewed the operation of the CWC within particular themes: the role of the CWC in enhancing international peace and security; measures to ensure CWC universality; implementation of the CWC; and functioning of the OPCW. The First Review Conference adopted a Political Declaration and a Report, both of which are included in this section of the *Resource Guide*.

Preparations for the Second Review Conference proceeded in a similar fashion to those for the First Review Conference. In March 2006 the Executive Council established an Open-Ended Working Group, chaired by Ambassador Lyn Parker of the UK who undertook consultations with numerous States Parties in order to prepare draft language to be used as a basis for discussion on a final declaration from the Conference. The work of the OEWG was reported to the Second Review Conference which took place during 7–18 April 2008 under the chairmanship of Ambassador Waleed A. Elkhareiji of Saudi Arabia.

At the Review Conference, States Parties reviewed the operation of the Convention and concluded with a ‘clear reaffirmation of the provisions of the Chemical Weapons Convention and work of its implementing agency, the OPCW’. One hundred and seventeen States Parties participated in the Second Review Conference, in addition to which two Signatory States participated as observers and the participation of five international organisations and 28 non-governmental organisations was approved. The *Resource Guide* includes the Report of the Second Review Conference.

Preparation for the Third Review Conference has proceeded in a similar manner with an Open Ended Working Group (OEWG) holding its first meeting on 7 June 2012. Documents from the Third Review Conference will be distributed to participants over the course of the

conference and will be made available from the OPCW website listed above.

1.2 Action Plans

The First Review Conference drew attention to the issues of national implementation and universality and recommended the adoption of action plans to facilitate progress on both issues, which were then adopted by the Executive Council and Conference of the States Parties. These plans have been reviewed at subsequent meetings and follow up decisions have been made. As of early 2012, the number of States Parties to the CWC was 188, with 2 Signatory States (Myanmar and Israel) that have yet to ratify the Convention and six states (Angola, Egypt, North Korea, Somalia, South Sudan and Syria) have neither signed nor acceded to the Convention. A note in 2012 by the Director-General on the implementation of Article VII (C-17/DG.8) indicates that 88 States Parties (47%) have ‘already adopted legislation and/or administrative measures that fully implement the Convention, as per the plan of action’ on Article VII. The Action Plans, together with more recent documents relating to them, including annual reports and recent decisions, are included in the *Resource Guide*.

1.3 Scientific Advisory Board

The CWC directs the OPCW Director-General to establish a Scientific Advisory Board (SAB) to enable him to ‘render specialized advice in areas of science and technology relevant to this Convention, to the Conference, the Executive Council or States Parties’. The members of the SAB are to be ‘independent experts’ selected by the Director-General in consultation with States Parties on the basis of their expertise in particular scientific fields relevant to the implementation of the Convention. The second session of the Conference of the States Parties adopted the SAB’s terms of reference (CII/ DEC.10) in 1998 when it also held its first meeting. Membership of the SAB was originally set at 20 but was increased to 25 in 2007. The term of office for SAB members is three years, and they can serve for two consecutive terms although under exceptional circumstances SAB membership can be extended as was the case in 2009 following a Decision on Terms of Office of Members of the Scientific Advisory Board which expired in December 2012.

The SAB meets annually but it can also establish Temporary Working Groups which meet more often. The SAB submits an annual report to the Director-General which he then passes on to the Executive Council and the Conference of the States Parties. It also submits a special report prior to each Review Conference and the report for the Third Review Conference, which ‘analyses relevant developments in science and technology over the past five years and presents recommendations and observations that the SAB considers to be important to both the review of the operation of the Convention and its future implementation’ (RC-3/DG.1) is included within the *Resource Guide* along with the Decision on extending terms of office for SAB members.

In line with earlier practice, the OPCW Director-General will produce a formal response to the SAB report. However, this had not been published by the time the *Resource Guide* went to press.

While it is not an OPCW publication, readers may also be interested in a forthcoming technical report entitled ‘The Impact of Scientific Developments on the Chemical Weapons Convention’ that is due to be published soon in the journal *Pure and Applied Chemistry* (<http://www.iupac.org/publications/pac/>), the in-house publication of the International Union of Pure and Applied Chemistry.

1.4 Advisory Panel on Future OPCW Priorities

In December 2010, at the 15th session of the Conference of the States Parties, the Director General declared the establishment of an independent advisory panel to review the implementation of the Convention and to make recommendations for future OPCW activities. (S/951/2011) This panel consisted of 14 experts selected from across the globe who met four times under the Chairmanship of Ambassador Rolf Ekéus of Sweden. The panel produced a report which sets out the evolving context in which the OPCW is located before making a number of recommendations for the OPCW. This report is included in the *Resource Guide*.

1.5 Other CWC Documents

Included in this *Resource Guide* are several other documents identified as being of particular relevance to discussions over the course of the Third CWC Review Conference. These include, in chronological order: the ‘Decision on the Full Implementation of Article XI’ (2009); ‘Agreed Detailed Plan for Verification of the Destruction at the Abandoned Chemical Weapons Mobile Destruction Facility of the Chemical Weapons Abandoned by Japan on the Territory of the People’s Republic of China’ (2010); ‘Decision: Final Extended Deadline of 29 April 2012’ (2011) on the destruction of remaining chemical weapons in Libya, the Russian Federation, and the United States of America; ‘Medium-Term Plan for the Period from 2013 to 2015’ (2012); ‘Progress Report on and the Status of Implementation of Article XI of the Chemical Weapons Convention During the Period from 1 January to 15 August 2012’ (2012); and ‘Report of the Seventieth Session of the Executive Council’ (2012).