

**NOTE BY THE DIRECTOR-GENERAL****ANNUAL REPORT ON THE IMPLEMENTATION OF THE ACTION PLAN
FOR THE UNIVERSALITY OF THE CHEMICAL WEAPONS CONVENTION
DURING THE PERIOD FROM 16 SEPTEMBER 2011 TO 15 AUGUST 2012**

1. This Note has been prepared in accordance with the action plan for the universality of the Chemical Weapons Convention (hereinafter “the Convention”), which was adopted by the Executive Council (hereinafter “the Council”) at its Twenty-Third Meeting (EC-M-23/DEC.3, dated 24 October 2003) at the recommendation of the First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (RC-1/5, dated 9 May 2003). In the action plan, the Council requested the Director-General to submit to the Conference of the States Parties (hereinafter “the Conference”) at its regular sessions an annual report on the implementation of the plan, and to keep the Council regularly informed, so that the Conference and the Council “may review progress and monitor its implementation effectively” (EC-M-23/DEC.3).
2. In its decisions on the universality of the Convention and on the implementation of the universality action plan adopted at its Tenth (C-10/DEC.11, dated 10 November 2005) and Eleventh (C-11/DEC.8, dated 7 December 2006) Sessions, the Conference noted with satisfaction the progress that had been achieved since the adoption of the action plan and requested the Technical Secretariat (hereinafter “the Secretariat”) “to provide further up-to-date information regarding the status of States not Party vis-à-vis the Convention, their prospects for adherence, their participation in universality-related activities, any significant chemical-industry issue[s], and any other issues relevant to the Convention” (paragraph 9 of C-10/DEC.11). Furthermore, the Conference at its Twelfth Session (C-12/DEC.11, dated 9 November 2007) decided to continue with the action plan and further decided that, “[A]t its Fourteenth Session, it shall review the results and implementation of that plan and take any decision it deems necessary...” (paragraph 5 of C-12/DEC.11).
3. At its Fourteenth Session, the Conference also decided “to continue with the action plan” (paragraph 5 of C-14/DEC.7, dated 2 December 2009), and requested the Secretariat “to continue to utilise all available opportunities and resources, including diplomatic channels, international forums, and relevant OPCW meetings and events to advance the objectives of the action plan in accordance with the mandate provided to it in the decisions on universality adopted by the Council and the Conference”



- (paragraph 4 of C-14/DEC.7). The Conference also decided that “at its Sixteenth Session, it shall review the results and implementation of that plan and take any decision it deems necessary, in particular addressing the status of those States not Party whose non-adherence is a cause for serious concern” (paragraph 5 of C-14/DEC.7). The Conference requested the Secretariat “to continue to provide and keep current information on activities related to promoting the universality of the Convention and the progress being made thereon, including in an annual report to the Conference at its Fifteenth Session” (paragraph 6 of C-14/DEC.7).
4. At its Fifteenth Session, the Conference noted the annual report by the Director-General on the implementation of the action plan for the universality of the Convention during the period from 14 September 2009 to 15 September 2010 (EC-62/DG.11 C-15/DG.8, dated 23 September 2010).
 5. At its Sixteenth Session, the Conference reviewed the results obtained and the progress made in the implementation of the action plan and adopted a decision (C-16/DEC.16, dated 2 December 2011) “[calling] upon all the remaining States not Party to ratify or accede to the Convention as a matter of urgency and without preconditions, thereby confirming their commitment to global peace and security, and to disarmament and non-proliferation” (paragraph 1 of C-16/DEC.16). Furthermore, the Conference also decided “to continue with the action plan ...” and further decided “that, at its Eighteenth Session, it shall review the progress and implementation of that plan and take any decision it deems necessary, in particular addressing the status of those States not Party whose non-adherence is a cause for serious concern” (paragraph 5 of C-16/DEC.16).
 6. Universality was also considered at the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Second Review Conference”), held in The Hague, the Netherlands, from 7 to 18 April 2008. The Second Review Conference welcomed the substantial progress achieved since the adoption by the Council of the action plan for the universality of the Convention and the subsequent decisions adopted by the Council and the Conference (paragraph 9.13 of RC-2/4, dated 18 April 2008).
 7. The Second Review Conference further underlined the fact that the goal of universality shall be pursued by the Secretariat, as well as by States Parties, as a matter of high priority and acknowledged the efforts made by the States Parties, the policy-making organs, the Secretariat, and the Director-General to this end (paragraphs 9.12 to 9.15 of RC-2/4).
 8. This report provides an overview of recent developments with regard to the status of participation in the Convention and the universality activities undertaken by the Secretariat since the last annual report on the implementation of the action plan (EC-66/DG.16 C-16/DG.15, dated 30 September 2011). This report covers the period from 16 September 2011 to 15 August 2012.
 9. As at the date of this report, there were 188 States Parties to the Convention, and there remained eight States that had not ratified or acceded to the Convention. Of these, two had signed the Convention and six were non-signatories.

10. The annex to this Note lists the States that were not Party to the Convention as at 15 August 2012.
11. During the period under review, the Secretariat continued to carry out a number of activities aimed at promoting universal adherence to the Convention and at enhancing synergies with States Parties, as well as with other international and regional organisations, within the framework of the action plan for universality.
12. In particular, the Secretariat continued to support and facilitate informal consultations on the action plan under its facilitator, Mr Balázs Géczy of Hungary. The facilitation has now been taken over by Mr Gary Applegarth of the United States of America.
13. The Secretariat further promoted and sponsored the participation of representatives of States not Party in various OPCW events, including the Sixteenth Session of the Conference. This enabled the Secretariat to hold bilateral meetings with representatives of attending States not Party. The European Union (EU) also contributed to sustaining these initiatives through its Council Decisions 2009/569/CFSP (of 27 July 2009) and 2012/166/CFSP (of 23 March 2012) on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.
14. The Director-General continued to accord high priority to universality and maintained high-level contacts with representatives of States not Party in order to create awareness and sustain a positive dialogue on the importance of joining the Convention. He also made full use of his contacts with, and visits to, States Parties and of his interaction with other international organisations, academic institutions, think tanks, policy institutes, research centres, and international conferences to underline the importance of universality and to gather support for the efforts of the Secretariat in this regard.
15. In this context, universality featured prominently in the statements that the Director-General delivered at regional and international forums, including the United Nations.
16. The United Nations continued to provide support for the goal of achieving universal adherence to the Convention. In his messages to the Conference at its Sixteenth Session and during commemorations held in The Hague, the Netherlands, on 26 April 2012 to mark the Day of Remembrance for all Victims of Chemical Warfare, the Secretary-General of the United Nations called upon States that remained not Party to ratify or accede to the Convention without further delay.
17. In his opening statements to the regular sessions of the Council, the Director-General continued to provide updates on the progress being made towards universality and on the relevant activities of the Secretariat. He further called on States Parties that are in a position to do so to assist the Secretariat in its endeavours.
18. The activities carried out by the Secretariat to promote the universality of the Convention in specific regions are detailed below. As in previous years, universality activities were financially supported through the Programme and Budget of the

OPCW, as well as through voluntary contributions by Member States and the EU under its above-mentioned 2009 and 2012 Council Decisions.

Developments in Africa

19. During the period under review, Angola, Somalia, and South Sudan remained as States not Party to the Convention in Africa.¹ The Secretariat continued to carry out various activities aimed at achieving the goals of universality in this region.
20. Contacts have been maintained with the African Union (AU) in order to promote the goals of the Convention and its universality within the framework of the memorandum of understanding (MoU) signed between the AU and the OPCW in January 2006, as well as within the framework of the decision on the implementation and universality of the Convention, adopted at the 38th Ordinary Session of the Assembly of Heads of State and Government of the Organisation of African Unity, held in Durban, South Africa, in July 2002 (AHG/Dec. 182 (XXXVIII)).
21. A team from the Secretariat briefed the AU's Specialized Technical Committee on Defense, Safety and Security during its seventh meeting, which took place from 23 to 25 October 2011 in Addis Ababa, Ethiopia. The Secretariat team delivered a presentation on the Convention and a statement on behalf of the Director-General to the meeting of the African Chiefs of Defence Staff and Heads of Security and Safety Services.
22. While in Addis Ababa, the Secretariat team held a bilateral meeting with the Ambassador of Angola to the African Union, who explained that Angola was preoccupied with post-conflict recovery, and that the Angolan legislature had substantial pending business. A number of international legal instruments remained under consideration. He mentioned that 2012 was an election year in Angola.
23. In February 2012, the Director-General received the Ambassador of Angola to the Netherlands at the OPCW Headquarters. The Director-General underscored the importance attached by the Member States of the OPCW with regard to universal adherence to the Convention, and offered to provide any assistance that may be necessary in facilitating the ratification process.
24. In May 2012, the Ambassador of Angola to the Netherlands expressed positive interest in the Convention. In a follow-up meeting with the Secretariat, he was provided with guidance on the process for depositing instruments of accession with the Secretary-General of the United Nations.
25. The conflict in Somalia remains a factor impeding its prospects to accede to the Convention. The country continued to face serious challenges and instability, making it unlikely for any authority in that country to consider joining the Convention at this time.

¹ Egypt, which is a State in Africa that is not Party to the Convention, is addressed in the section on developments in the Mediterranean Basin and the Middle East (paragraphs 35 to 43 below).

26. In October 2011, the Director-General met with the Ambassador of South Sudan to the Benelux countries and further encouraged ratification of the Convention by this State not Party.
27. In June 2012, the Director-General addressed a letter to the Foreign Minister of South Sudan, as a follow-up to his previous letter of July 2011, reminding him about the OPCW's offer to assist South Sudan in joining the Convention.
28. In August 2012, the Embassy of South Sudan in Brussels requested (by means of a note verbale) that the Secretariat provide a copy of the Convention, as well as materials related to its implementation, to be forwarded to the Minister of Foreign Affairs of South Sudan, the Hon. Lieutenant-General Nhial Deng Nhial. A copy of the Convention and a complete implementation kit were forwarded by the Secretariat to the Embassy.
29. Universality in Africa also continued to be promoted through other activities undertaken in the context of the Programme to Strengthen Cooperation with Africa on the Chemical Weapons Convention.

Developments in Asia

30. Myanmar, which signed the Convention in 1993, and the Democratic People's Republic of Korea, a non-signatory State, remain the only two States in North-East Asia that are not yet Party to the Convention. The Secretariat, through various initiatives, has continued to encourage these countries to join.
31. A representative of Myanmar was sponsored to attend the Sixteenth Session of the Conference held in December 2011.
32. On the occasion of his visit to the United Nations in connection with a meeting of the First Committee of the 66th Session of the General Assembly in October 2011, the Director-General met with H.E. Mr Than Swe, Permanent Representative of Myanmar to the United Nations, and conveyed to him the importance that the OPCW membership attaches to Myanmar's participation in the Convention.
33. In May 2012, on the occasion of a seminar on the Convention and chemical-safety-and-security management, the Director-General visited Kuala Lumpur, Malaysia, and met with Mr Wing Naing, Director-General of International Organisations and Economic Department of Myanmar, who had been sponsored by the Secretariat to participate in the seminar. The Director-General reiterated the readiness of the Secretariat to assist Myanmar in its efforts to join the Convention at the earliest.
34. During the period under review, the Secretariat continued to make efforts to reach out to the Democratic People's Republic of Korea. The Government of this State has not been responsive to these démarches.

Developments in the Mediterranean Basin and the Middle East

35. In the Mediterranean Basin and the Middle East Region, Egypt, Israel, and the Syrian Arab Republic remain as States not Party to the Convention.
36. Israel participated as an observer in the Sixteenth Session of the Conference.
37. In July 2012, the Director-General received H.E. Mr Haim Divon, Ambassador of Israel to the Netherlands and Ms Ilana Mittelman, Deputy Head of Mission.
38. In his statements at international forums, including statements to the United Nations, the Director-General has also continued to consistently urge the leaders of the three remaining States not Party in the Middle East to join the Convention.
39. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which concluded in New York in May 2010, decided to convene a conference in 2012 “on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction ...”. It also requested the OPCW and other relevant international organisations to prepare background documentation for this conference, which is expected to be convened in 2012, “regarding modalities for a zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained” (NPT/CONF.2010/50 (Vol.1)).
40. During a visit to Finland in December 2011, the Director-General met with H.E. Mr Jaakko Laajava, Under-Secretary of State of Finland, who has been appointed as facilitator for the planned conference regarding the establishment of a WMD²-free zone in the Middle East. Contacts between his team and the Secretariat have since been maintained, and the Secretariat is currently preparing a background document that had been requested by the facilitator in accordance with a decision taken by the NPT Review Conference in 2010.
41. The Secretariat supported activities that were held in the context of this Middle East initiative throughout the period under review. It participated in a seminar held in Amman, Jordan, in November 2011 to explore the feasibility of the creation of a WMD-free zone in the Middle East. The Secretariat also participated in a workshop entitled, “Disarmament Futures: Evolution of International Disarmament Treaties and Their Contribution to Middle Eastern Security”, which the European Union Institute for Security Studies (EUISS) organised in Paris, France, in April 2012.
42. These were valuable occasions for the Secretariat to interact with representatives of States not Party from the region of the Middle East and to present the work of the OPCW. The presentations made by the Secretariat highlighted the comprehensive nature of the prohibition on chemical weapons under the Convention, as well as the work that has been carried out over the last 15 years to realise its aims and objectives. The Secretariat also stressed the fundamental importance of attaining the universality

² WMD = weapons of mass destruction

of the Convention in the Middle East as a necessary condition for making this region of the world free from WMD.

43. On 1 October 2012, the OPCW will convene a high-level meeting at the United Nations Headquarters in New York. The purpose of the meeting is to generate support for the long-term objectives of the Convention, provide impetus to the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, scheduled to be convened in April 2013 and draw greater attention to the importance of achieving universality of the Convention.

Conclusion

44. The Secretariat will continue to accord priority to the fulfilment of the goal of universality, as established under the action plan and the relevant decisions of the Council, the Conference, and the Second Review Conference.
45. As in the past, the promotion of universal adherence to the Convention will be pursued through the utilisation of all available resources and opportunities, including through diplomatic channels, international forums, and cooperation with the United Nations, as well as with other international and regional organisations.
46. With eight States not Party remaining, it is evident that endeavours towards universality now face a greater challenge, particularly in light of the fact that the majority of these States link their non-participation in the Convention to political and security considerations. As recommended by the Second Review Conference, it is crucial that all States Parties in a position to do so further intensify their efforts with the remaining States not Party. The Secretariat, for its part, will also continue its close coordination of these initiatives with States Parties in order to enhance synergies and complement activities in this important area.

Annex: States not Party as at 15 August 2012

Annex

STATES NOT PARTY AS AT 15 AUGUST 2012

TABLE 1: SIGNATORY STATES THAT HAD NOT RATIFIED THE CONVENTION

	State	Date of Signature
1.	Israel	13 January 1993
2.	Myanmar	14 January 1993

TABLE 2: STATES THAT HAD NEITHER SIGNED NOR ACCEDED TO THE CONVENTION

1.	Angola
2.	Democratic People's Republic of Korea
3.	Egypt
4.	Somalia
5.	South Sudan
6.	Syrian Arab Republic

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