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NOTE BY THE DIRECTOR-GENERAL

**OVERVIEW OF THE STATUS OF IMPLEMENTATION
OF ARTICLE VII OF THE CHEMICAL WEAPONS CONVENTION
AS AT 27 JULY 2012**



1. At its Fourteenth Session (30 November to 4 December 2009), the Conference of the States Parties (hereinafter “the Conference”) adopted a decision on “National Implementation Measures of Article VII Obligations” (C-14/DEC.12, dated 4 December 2009), in which it invited the Technical Secretariat (hereinafter “the Secretariat”) to, inter alia, compile two concurrent annual reports on the status of implementation of Article VII of the Chemical Weapons Convention (hereinafter “the Convention”) and requested the Secretariat to provide those annual reports to the Executive Council (hereinafter “the Council”). The Council was invited to consider and submit these reports to the Conference, together with its recommendations, as appropriate. The Conference indicated that one of the two concurrent reports should address obligations pursuant to subparagraphs 1(a) to (c) of Article VII and other obligations, and that the second report should address national implementing measures other than those pursuant to subparagraphs 1(a) to (c) of Article VII (referred to, for the purposes of this document, as “further obligations”).
2. This document is an overview of the status and progress regarding legislative and administrative measures adopted by States Parties to implement their obligations under Article VII of the Convention. It introduces the two concurrent reports on the steps taken by States Parties to implement their obligations under subparagraphs 1(a) to (c) of Article VII (EC-70/DG.3 C-17/DG.6, dated 28 August 2012) and their further obligations (EC-70/DG.4 C-17/DG.7, dated 28 August 2012). The reporting period for this document is between 29 July 2011—the cut-off date for the last two annual reports on the status of implementation as submitted to the Council at its Sixty-Sixth Session and to the Conference at its Sixteenth Session (EC-66/DG.7 C-16/DG.10 and EC-66/DG.8 C-16/DG.11, both dated 29 August 2011)—and 27 July 2012, the cut-off date for this document and the two reports mentioned above. The Director-General is pleased to submit the present document, which provides a global overview of the status of implementation of obligations under Article VII of the Convention to the Council for its consideration and action.

Designation or establishment of National Authorities

3. Pursuant to paragraph 4 of Article VII of the Convention, States Parties are required to designate or establish a National Authority to serve as the national focal point for effective liaison with the OPCW and other States Parties. For fulfilling the requirement of notification of the designation of a National Authority, it can suffice to designate an individual who will serve as point of contact and to provide his or her contact details to the Secretariat. On a number of occasions, the Conference has recalled the importance of this obligation and has urged States Parties that have not yet done so, to designate or establish their National Authority (paragraph 1 of C-14/DEC.12).
4. During the reporting period, no additional State Party designated a National Authority. Therefore, the number of States Parties that had not yet met this requirement and which were thus required to take action remains stable at two (Cape Verde and Timor-Leste). The Secretariat continues to actively engage with both the States Parties with a view to establishing or designating their National Authority.

5. At the reporting cut-off date, 21 States Parties that have designated or established a National Authority (permanent or interim), have indicated that they are in the process of changing or further developing their National Authority or of considering doing so in the future. During the reporting period, two States Parties requested the Secretariat to provide comments on their draft National Authority decree. The Secretariat observes that States Parties continue to elaborate the structure and functioning of their National Authority and other institutional arrangements, particularly when their implementing legislation has entered into force.

Article VII(5) submissions: general overview

6. According to paragraph 5 of Article VII, each State Party shall inform the Secretariat of the legislative and administrative measures taken to implement the Convention. The same principle was reiterated by the Conference in its decision C-14/DEC.12, whereby the Conference strongly reaffirmed the obligation of each State Party to adopt the necessary measures to implement its obligations under the Convention—in accordance with its constitutional processes—and urged States Parties to inform the OPCW, on an ongoing basis, as appropriate, with regard to the steps they are taking in this regard (subparagraph 1(b) of C-14/DEC.12).
7. At the beginning of the reporting period, 100 States Parties had yet to take the necessary steps to enact legislation and/or to adopt administrative measures to fully implement the obligations under Article VII of the Convention. During the reporting period, one State Party, namely Morocco, informed the Secretariat that it had adopted measures that cover all key areas (Table 1). Thus, at the cut-off date of the report, 100 States Parties had yet to notify the Secretariat of the adoption of implementing measures that cover all key areas. In other words, 88 States Parties (47%)¹ have already adopted legislation and/or administrative measures that fully implement the Convention, as per the plan of action regarding the implementation of Article VII obligations adopted by the Conference in 2003 (C-8/DEC.16, dated 24 October 2003).

TABLE 1: UPDATES ON ARTICLE VII(5) SUBMISSIONS COVERING ALL KEY AREAS

	State Party	Date Of Entry Into Force	Article VII(5) Submission – Legislation Now Covering All Key Areas
1.	Morocco	29/04/1997	In June 2012, under cover of a note verbale, Morocco made an Article VII(5) submission by providing the Secretariat with the text of the implementing legislation (No. 36-09 published on 20 October 2011). With this new measure, the last gap in Morocco's profile was filled and its legislation covers all key areas of the plan of action.

¹

Please note that these figures (88 States Parties, or 47%) correspond to those that appear in last year's report. This is not due to an oversight or a mistake, but to the fact that during the reporting period, the profile of one of the States Parties considered as having legislation covering all key areas (according to the information then available to the Secretariat), was updated by virtue of new information received, according to which, this State Party can no longer be considered as having legislation covering all key areas.

8. At the cut-off date of the report, two States Parties, namely the Central African Republic² and the Democratic Republic of the Congo, made their first Article VII(5) submission (Table 2).

TABLE 2: FIRST ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES WITHOUT LEGISLATION COVERING ALL KEY AREAS

	State Party	Date Of Entry Into Force	First Article VII(5) Submissions
1.	Central African Republic	20/10/2006	Under cover of a note verbale, the Central African Republic made an Article VII(5) submission by notifying the Secretariat of the promulgation of law No. 12.008 on the implementation of the Convention. The text has not yet been provided.
2.	Democratic Republic of the Congo	11/11/2005	In May 2012, the Democratic Republic of the Congo made its first Article VII(5) submission informing the Secretariat of the legislative and administrative measures taken to implement the Chemical Weapons Convention.

9. Five further States Parties, namely Armenia, Cambodia, Iraq, the Philippines, and Turkmenistan, which had already made Article VII(5) submissions prior to the reporting period, made additional Article VII(5) submissions (Table 3).

TABLE 3: ADDITIONAL ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES WITHOUT LEGISLATION COVERING ALL KEY AREAS

	State Party	Date of Entry Into Force	Additional Article VII(5) Submission
1.	Armenia	29/04/1997	In September 2011, Armenia submitted an update of its Criminal Code and the text of a decree appointing a body responsible for exercising control of the export of dual-use commodities, as well as the text of a law on controlling the export of dual-use commodities

²

At this stage, it is not possible to assess whether the legislation of the Central African Republic covers all key areas of the plan of action, because no indication in this regard has been given. For reporting purposes, the Central African Republic has been listed in Table 2; however, it might well be possible that its legislation covers all key areas.

	State Party	Date of Entry Into Force	Additional Article VII(5) Submission
			In October 2011, Armenia forwarded the Secretariat the decree on the establishment of the interagency commission. In May 2012, Armenia provided the Secretariat with an updated response to the Legislation Questionnaire on penal enforcement of the Convention.
2.	Cambodia	18/08/2005	In August 2011, during a technical-assistance visit (TAV) taking place in Phnom Penh, the National Authority made an Article VII(5) submission by submitting the text of the following pieces of legislation (in both Khmer and English): Law on the Prohibition of Chemical, Nuclear, Biological and Radiological Weapons; Royal Decree on the Establishment of the National Authority; Sub-Decree on Chemical Substances involved in the Production of Chemical, Nuclear, Biological and Radioactive Weapons (which includes the Scheduled Chemicals); Decision on the Composition of the National Authority; Sub-Decree on the Organisation and Functioning of the General Secretariat of the National Authority.
3.	Iraq	12/02/2009	In March 2012, under cover of a letter sent by the Minister of Foreign Affairs, Iraq informed the Secretariat of the adoption by the Council of Representatives of the Iraqi National Monitoring Directorate Law on Non-Proliferation of Weapons of Mass Destruction. In July 2012, under cover of a note verbale, Iraq made an Article VII(5) submission by providing the Secretariat with the text of the National Monitoring Directorate Law on the Prohibition of Nuclear, Chemical and Biological Weapons adopted on 22 May 2012.

	State Party	Date of Entry Into Force	Additional Article VII(5) Submission
4.	Philippines	29/04/1997	In November 2011, the Philippines made an Article VII(5) submission by delivering the text of Executive Order No. 39, through which the Anti-Terrorism Council was designated as the National Authority for the Chemical Weapons Convention. In April 2012, the Philippines forwarded the Secretariat the last draft legislation on the implementation of the Convention.
5.	Turkmenistan	29/04/1997	In September 2011, Turkmenistan made an Article VII(5) submission by forwarding the Secretariat the Law of Turkmenistan on Chemical Safety (Russian text).

10. Finally, nine States Parties, namely Austria, Colombia, Costa Rica, France, Kazakhstan, Malaysia, Norway, Singapore, and Ukraine, which at the beginning of the reporting period already had legislation covering all key areas, provided updates to their Article VII(5) submissions. Such submissions consist of, for example, updates on implementing legislation previously reported to the Secretariat, texts of implementing legislation, and notifications of the adoption of complementary measures to ensure the effectiveness of implementing measures (Table 4).

TABLE 4: UPDATED ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES THAT HAD LEGISLATION COVERING ALL KEY AREAS AT THE BEGINNING OF THE REPORTING PERIOD

	State Party	Date Of Entry Into Force	Updated Article VII(5) Submission
1.	Austria	29/04/1997	In 2011, in response to the survey sent by the Secretariat on the implementation of decision C-14/DEC.4 (dated 2 December 2009), ³ Austria made an additional Article VII(5) submission by notifying the Secretariat of the adoption of two laws on low concentration limits for declarations of schedule 2A and 2A* chemicals.

³

Guidelines regarding low-concentration limits for declarations of schedule 2A and 2A* chemicals.

	State Party	Date Of Entry Into Force	Updated Article VII(5) Submission
2.	Colombia	05/05/2000	In July 2012, under cover of a note verbale, the Embassy of Colombia submitted to the Secretariat “the Annual Report on National Implementation Measures”. Through this report, the Secretariat was informed of the adoption of Decree 4927 of 26 December 2011, which updates the system of customs tariff. Furthermore, the Secretariat was advised that a new risk management act had been adopted.
3.	Costa Rica	29/04/1997	In December 2011, Costa Rica made an Article VII(5) submission and provided the texts (in Spanish) of the legislation related to customs (Ley General de Aduanas), health (Ley General de Salud), weapons and explosives (Ley de Armas y Explosivos), phytosanitary protection (Ley de Protección Fitosanitaria) and confidentiality (Ley de Información No Divulgada).
4.	France	29/04/1997	In January 2012, France notified the Secretariat of the adoption of Decree No. 2011-195 on low concentrations. In April 2012, France notified the Secretariat of the adoption of 16 new texts (laws and regulations) amending, completing and/or replacing previous legislation on the implementation of the Convention. In June 2012, France notified the Secretariat of the adoption of two new decrees amending the Code of Defence: one on captive use and the other on challenge inspections.
5.	Kazakhstan	22/04/2000	In May 2012, Kazakhstan notified the Secretariat of the adoption of Decree No. 418 dated 15 April 2011, amending Decree No. 104 dated 5 February 2008 on the “approval of the nomenclature of the products to export control” and Decree No. 493 dated 13 June 2007 on “approving the list of poisons, which production, processing, transportation, purchase, possession, sale, use and disposal must be licensed”.

	State Party	Date Of Entry Into Force	Updated Article VII(5) Submission
6.	Malaysia	20/05/2000	In October 2011, Malaysia informed the Secretariat that the Strategic Act (2010) that controls export, transit and transshipment of dual-use items, including Scheduled Chemicals under the Convention, entered into force on 1 July 2011.
7.	Norway	29/04/1997	In February 2012, Norway submitted to the Secretariat the answer to the Survey on the implementation of decision C-14/DEC.4, in which Norway informed the Secretariat that law LOV 1994-05-06 Nr10 and FOR 1997-05-16 Nr 477 make up the existing legislation that implements the decision.
8.	Singapore	20/06/1997	In November 2011, Singapore submitted the text of the amendment to the Chemical Weapons (Prohibition) Regulations 2007. In June 2012, Singapore submitted the text of the Miscellaneous Amendments Act 77/2012, which amends the Chemical Weapons (prohibition) Act.
9.	Ukraine	15/11/1998	In May 2012, under cover of a note verbale, Ukraine provided the text of regulations on low concentration limits for declarations of schedule 2A and 2A* chemicals, adopted on 12 December 2011.

11. In C-8/DEC.16, the Conference had requested that States Parties provide the Secretariat with the full text of their national implementing legislation, including updates. During the reporting period, Armenia, Cambodia, Costa Rica, France, Morocco, Philippines, Singapore, Turkmenistan and Ukraine, submitted such text. The number of States Parties that have already submitted the full text of their legislation increased from 122 to 126, or 67%.

Article VII(5) submissions: regional overview

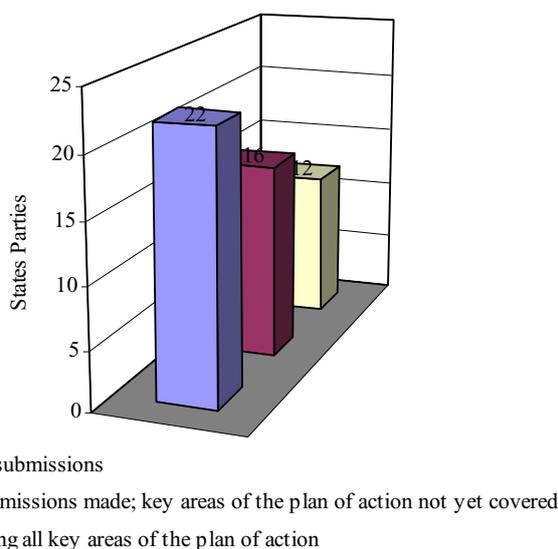
States Parties in Africa (50)

12. At the beginning of the reporting period, 39 African States Parties had yet to take the necessary actions to adopt legislation and/or administrative measures to fully implement the Convention.
13. During the reporting period—according to the information available to the Secretariat—36 States Parties have informed (through different means) the Secretariat of the steps they have taken towards the adoption of implementing legislation/regulations. At the cut-off date of the reporting period, one of them,

Morocco, had notified the Secretariat of the adoption of implementing measures that cover all key areas. Thus, at the cut-off date of this report (27 July 2012) 12 States Parties in Africa (24%) had enacted legislation covering all key areas.

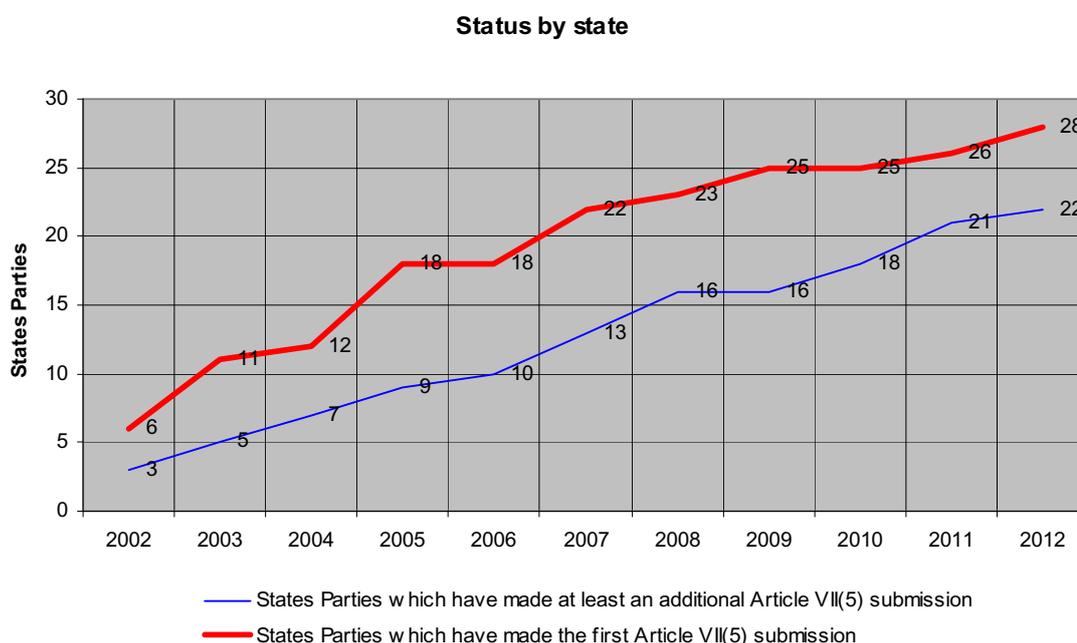
14. Two States Parties, namely the Central African Republic and the Democratic Republic of the Congo, made their first Article VII(5) submissions (see Table 2) by providing the Secretariat with information regarding their respective implementing measures.
15. Chart 1 shows the status of Article VII(5) submissions as at 27 July 2012. Twenty-two States Parties (44%) have not made any Article VII(5) submission, while the remaining 28 States Parties (56%) have made at least one submission. Of these 28, 12 (24%) have enacted legislation covering all key areas of the plan of action, whilst 16 (32%) do not have legislation covering all key areas of the plan of action.

CHART 1: STATUS OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN AFRICA, AS AT 27 JULY 2012



16. In addition to the data provided in Chart 1, it is interesting to note that, since the adoption of the plan of action in 2003, the trend of Article VII(5) submissions (first and additional submissions) has been upward. It is clear from the chart that, between 2003 and 2009, there has been a constant increase in the number of submissions. Regarding first submissions (see the thick line on Chart 2 below) in 2002, only six African States Parties (12%) had made their first Article VII(5) submissions; at the cut-off date of the present report, 28 States Parties (56%) had made a first submission. In other words, since the inception of the plan of action in 2003, the number of States Parties that have made a first submission has more than quadrupled. It is also important to note that, while this positive trend had almost stabilised between 2010 and 2011, during the reporting period it started rising again. This analysis of the trend of first submissions applies *mutatis mutandis* to the trend of additional Article VII(5) submissions.

CHART 2: TREND OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN AFRICA

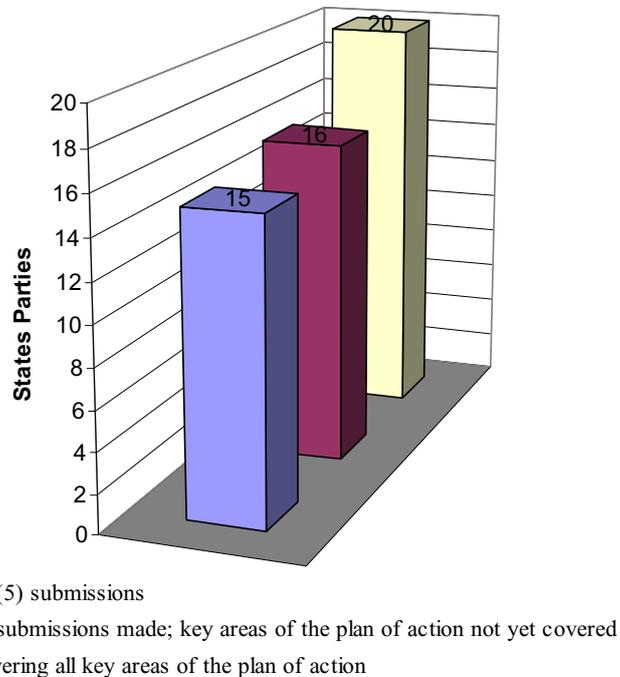


States Parties in Asia (51)

17. At the beginning of the reporting period, 31 out of 51 States Parties in Asia had yet to notify the Secretariat of the adoption of legislation and/or administrative measures to fully implement the Convention. The Secretariat notes that the situation has remained stable compared to last year's report
18. According to the information provided to the Secretariat, at the cut-off date of the report, 12 States Parties that have yet to adopt implementing measures covering all key areas identified under the plan of action, have informed the Secretariat (through different means) of the steps they have taken towards the adoption of implementing legislation/regulations. It is important to note that three out of these 12 States Parties, namely Cambodia, Philippines, and Turkmenistan, made an additional Article VII(5) submission (see Table 3). It is noteworthy that two States Parties—which at the beginning of the reporting period had legislation covering all key areas, namely Malaysia and Singapore—made an updated Article VII(5) submission (see Table 4).
19. Notwithstanding the above, at the end of the reporting period, no State Party, which at the beginning of the reporting period had yet to adopt implementing measures covering all key areas, had notified the Secretariat of the adoption of implementing measures covering all key areas. At the cut-off date of the report, the situation thus remains stable compared to last year's report.
20. Chart 3 shows the status of Article VII(5) submissions as at 27 July 2012. It is important to point out that 15 States Parties (29%) have not made any Article VII(5) submissions, while the remaining 36 States Parties (71%) have made at least one Article VII(5) submission. Of these, 16 States Parties (31%) do not have legislation covering all

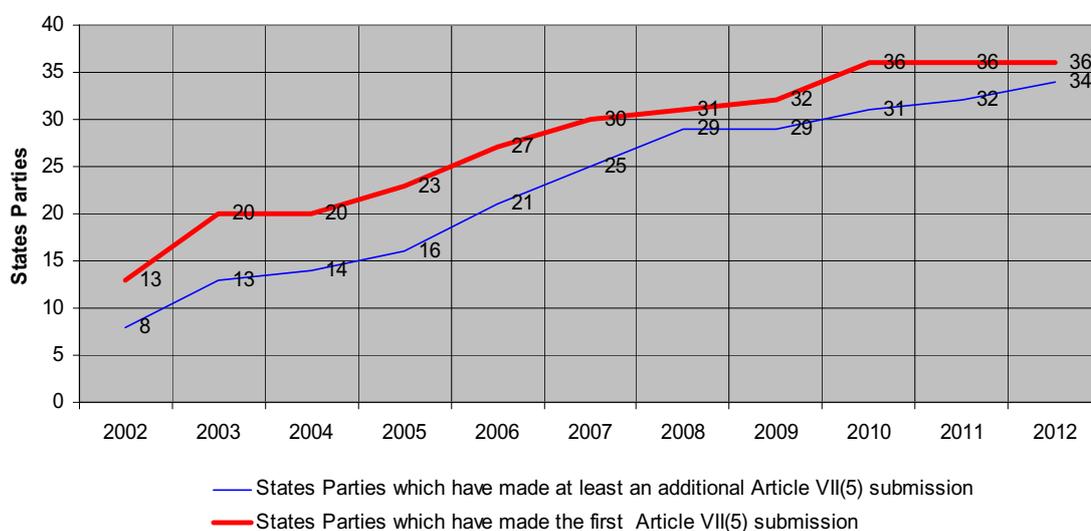
key areas of the plan of action, while the remaining 20 States Parties (39%) have enacted legislation and/or administrative measures covering all key areas of the plan of action.

CHART 3: STATUS OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN ASIA, AS AT 27 JULY 2012



21. Chart 4 reflects the course of Article VII(5) submissions since the adoption of the plan of action in 2003. This trend has clearly been upwards; however, in 2010 the trend has generally steadied. Between 2003 and 2009 both first and additional submissions (despite the difference in number), have increased consistently and risen at a similar pace. Observing the thicker line (the number of States Parties that have made the first Article VII(5) submission), the Secretariat notes that in 2002, 13 States Parties (25%) had made their first Article VII(5) submission, while at the cut-off date of this report (27 July 2012), 36 States Parties (71%) have made a first submission. This means that, since the outset of the plan of action, the number of States Parties that have made a first submission has almost tripled. This tendency applies also to additional submissions, the number of which (in the same period) has expanded: from eight States Parties (16%) in 2002 to 34 States Parties (67%) at the cut-off date for this report.

CHART 4: TREND OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN ASIA

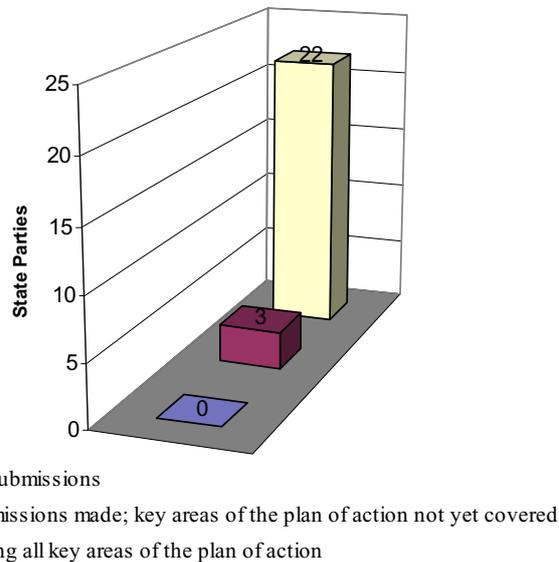


States Parties in Eastern Europe (25)

22. At the beginning of the reporting period, only three⁴ of the 25 States Parties in Eastern Europe had yet to notify the Secretariat of the adoption of legislation and/or administrative measures to fully implement the Convention.
23. According to the information available to the Secretariat, at the cut-off date of the report, one of the States Parties that does not have legislation covering all key areas, namely Armenia, has made an additional Article VII(5) submission (see Table 3). Additionally, two States Parties—which at the beginning of the reporting period had legislation covering all key areas, namely, Kazakhstan and Ukraine—made an updated Article VII(5) submission (see Table 4).
24. In summary, at the end of the reporting period, no State Party, which at the beginning of the reporting period had yet to adopt implementing measures covering all key areas, had notified the Secretariat of the adoption of implementing measures that cover all key areas. At the cut-off date of this report (27 July 2012), the situation remained stable compared to last year’s report. However, it is important to note that the number of States Parties with legislation covering all key areas of the plan of action is significant.
25. Chart 5 shows that, as at 27 July 2012, all 25 States Parties in Eastern Europe had made an Article VII(5) submission. Of these, 22 States Parties (88%) have already enacted legislation covering all key areas of the plan of action; only three States Parties in the region (12%) have yet to adopt legislation covering all key areas.

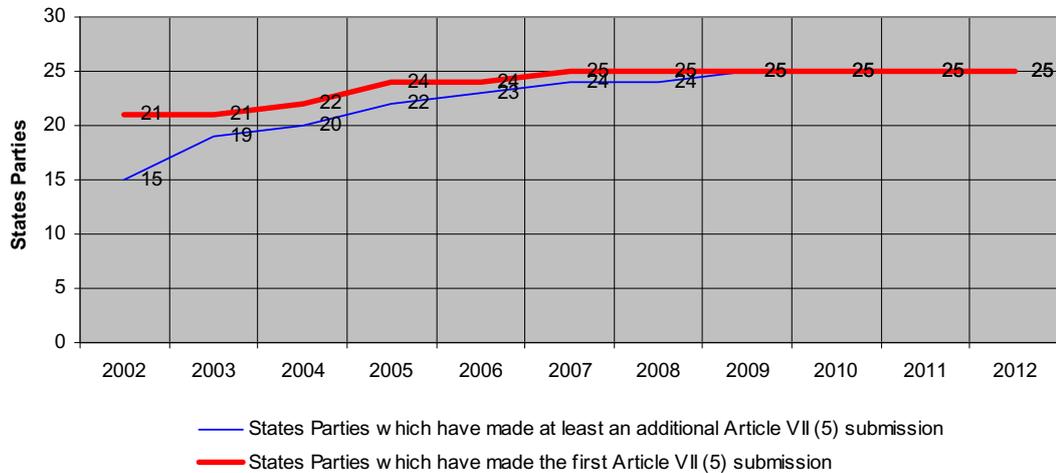
⁴ This number is different from last year’s report; please see note 1 on page 3.

CHART 5: STATUS OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN EASTERN EUROPE, AS AT 27 JULY 2012



26. Chart 6 illustrates the trend of Article VII(5) submissions before and after the adoption of the plan of action. The Secretariat notes that, until 2002 (before the inception of the plan of action), an already remarkable number of States Parties in Eastern Europe (21, representing 84% of the total), had made a first Article VII(5) submission, while, in the same period, 15 States Parties had made at least one additional submission. At the cut-off date of the report, the number of submissions was higher now than in 2002: 25 States Parties have submitted first and additional submissions—representing all States Parties in Eastern Europe. In terms of percentage increase, additional submissions have risen by 40%: from 15 States Parties (60%) in 2002 to 25 (100%) at the cut-off date of this report. In relation to first submissions, the Secretariat acknowledges a 100% performance rate. However, due to the high number of States Parties that in 2002 had already made the first submission (21 out of 25), the increment amounts to 16%, ranging from 21 (84%) to 25 (100%). The Secretariat wishes to highlight the fact that, according to the current reporting criteria, the trend of Article VII(5) submissions has stabilised, with all States Parties in the region having provided at least an additional Article VII(5) submission.

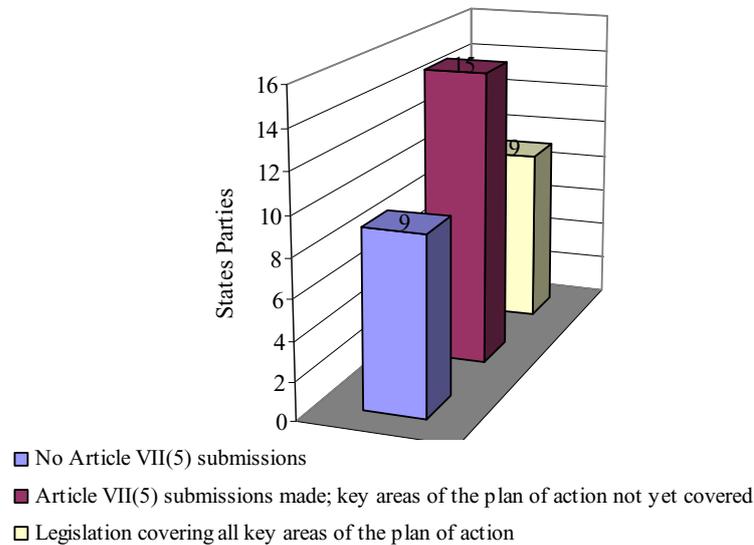
CHART 6: TREND OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN EASTERN EUROPE



States Parties in Group of Latin American and Caribbean States—GRULAC (33)

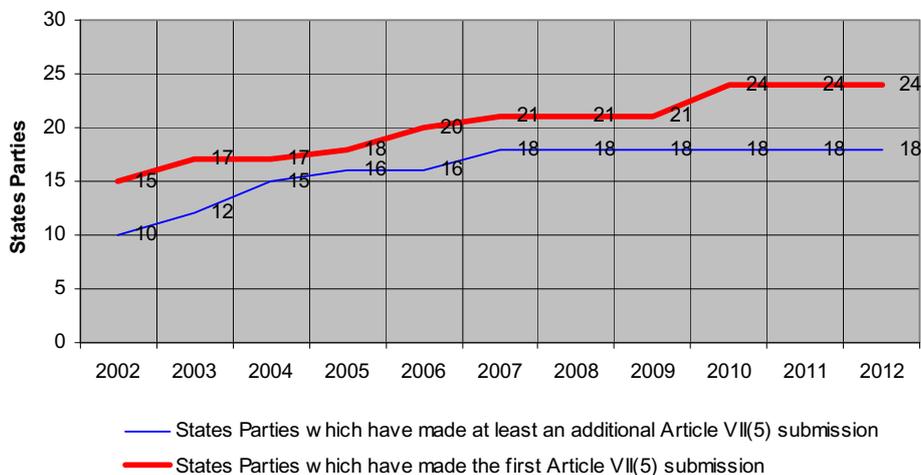
27. At the beginning of the reporting period, 24 out of the 33 GRULAC States Parties (73%) had yet to notify the Secretariat of the adoption of legislation and/or administrative measures to fully implement the Convention.
28. According to the information provided to the Secretariat at the cut-off date of this report, 11 States Parties that have yet to adopt implementing measures covering all key areas identified under the plan of action informed the Secretariat of the steps they are taking towards the adoption of implementing legislation/regulations. It is worth noting that two States Parties, which at the beginning of the reporting period had legislation covering all key areas of the plan of action (namely, Colombia and Costa Rica), made an updated Article VII(5) submission by providing the Secretariat with relevant information on their implementing legislation and/or the text of the respective legislation enacted (see Table 4).
29. As reflected in Chart 7, at the cut-off date of this report, nine States Parties (27%) had not yet made any Article VII(5) submission, whilst 24 States Parties (73%) had made at least one Article VII(5) submission as follows: 15 States Parties (45%) do not have legislation covering all key areas of the plan of action; nine (27%) have already enacted legislation that covers all key areas. The Secretariat notes that the situation has remained stable compared to last year's report.

CHART 7: STATUS OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN GRULAC, AS AT 27 JULY 2012



30. Since the adoption of the plan of action, there has been a consistent increase in the number of Article VII(5) submissions made by GRULAC States Parties. As Chart 8 shows, the number of both first and additional submissions has increased since 2003, yet after a few years of consecutive increments, this positive trend stabilised in 2010.
31. The number of States Parties that have made the first submission has increased by 28% since the adoption of the plan of action, from 15 (45%) in 2002 to 24 (73%) by the cut-off date of this report. Nonetheless, as previously mentioned, this number has remained stable since 2010. Also, there has been a similar fluctuation in the number of additional submissions (thinner line). At the cut-off date of this report, there had been an increase of 28%, with the number of submissions growing from 10 States Parties (30%) in 2002 to 18 States Parties (55%). However, as Chart 8 shows, this positive trend stopped in 2007, and the situation has not changed since.

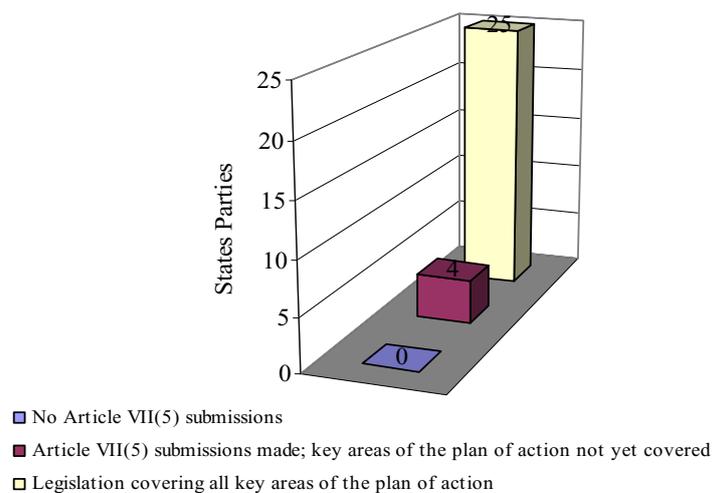
CHART 8: TREND OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN GRULAC



States Parties in Western European and Other States Groups—WEOG (29)

32. All 29 WEOG States Parties have made at least one Article VII(5) submission, and the great majority of them (25 States Parties, representing 86%), at the beginning of the reporting period, had already notified the Secretariat of the adoption of measures covering all key areas. Therefore, only four States Parties (14%) have yet to adopt legislation covering all key areas (see Chart 9 below).
33. According to the information available to the Secretariat, at the cut-off date of the report (27 July 2012), three States Parties with legislation covering all key areas, namely Austria, France and Norway, made an updated Article VII(5) submission. In particular, Austria informed the Secretariat of the adoption of two laws on low concentration limits for declarations of schedule 2A and 2A* chemicals. France notified the Secretariat of the adoption 16 new pieces of legislation/regulations including Decree No. 2011-195 on low concentrations. Norway submitted the response to the survey on the implementation of decision C-14/DEC.4 (see Table 4) to the Secretariat.

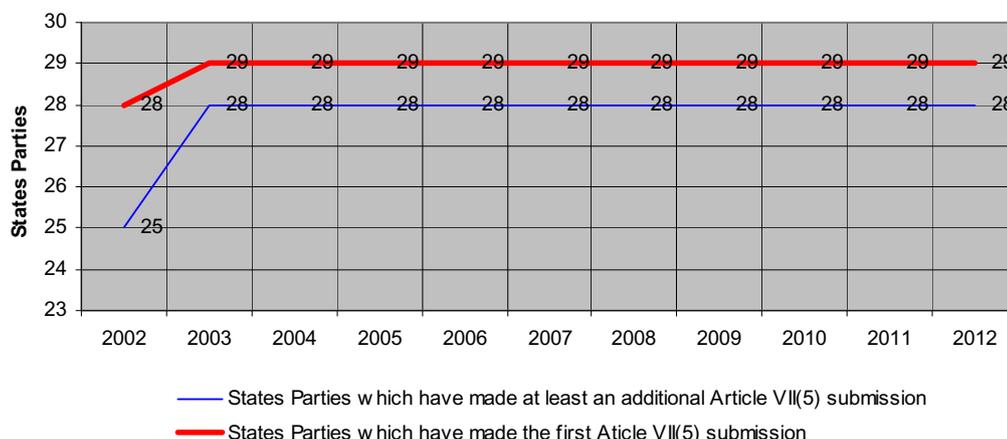
CHART 9: STATUS OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN WEOG, AS AT 27 JULY 2012



34. The trend of first and additional Article VII(5) submissions has been uniform in terms of fluctuation: 28 States Parties (97%) had made their first submission by 2002; the inception of the plan of action brought a 3% contribution to that figure, which increased to 29 States Parties (100%) in 2003. With small differences, this overview could also apply to the additional submissions: in 2002, 25 States Parties (86%) had already made at least one additional Article VII(5) submission; in 2003, this number reached 28 States Parties (97%) and then stabilised. In other words, apart from a different percentage increase between the two categories of submissions (3% for first against 11% for additional submissions), it is interesting to see that in 2003, all WEOG States Parties had made a first submissions and 28 out of 29 had made at least one additional Article VII(5) submission. The Secretariat notes that, according to the

current reporting criteria, the trend of Article VII(5) submissions has stabilised, meaning there is very little possibility of any further increase.

CHART 10: TREND OF ARTICLE VII(5) SUBMISSIONS BY STATES PARTIES IN WEOG

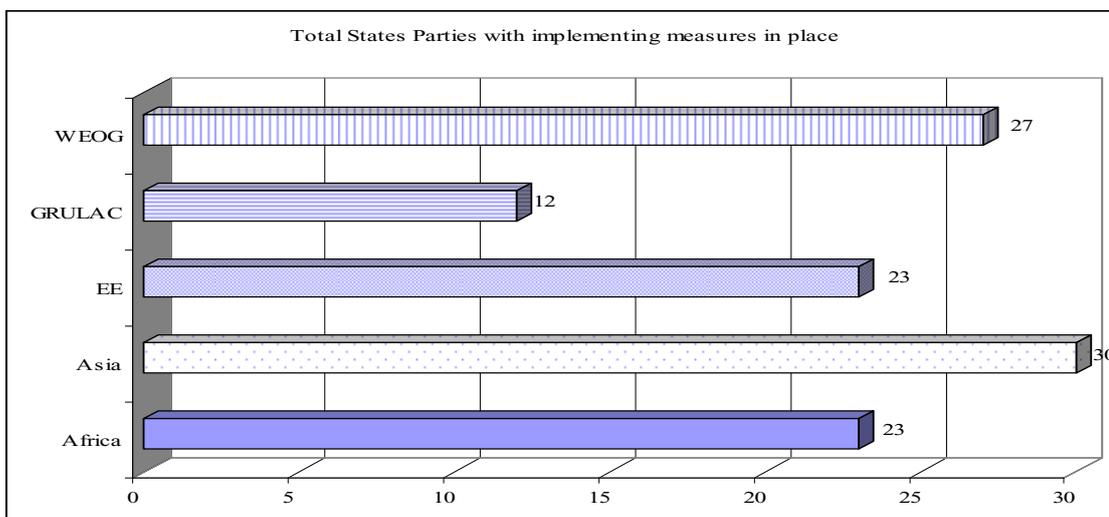


General overview of steps taken by States Parties to enact legislation and/or adopt administrative measures to implement the Convention

35. States Parties have continued to provide the Secretariat with information on their legislative and administrative processes. This includes States Parties that have implementing legislative and/or administrative measures covering all key areas and have made an Article VII(5) submission, States Parties that have some implemented legislation and have made an Article VII(5) submission, and States Parties that have yet to make an Article VII(5) submission.
36. As at the cut of date of this report, out of the 115 States Parties that have implementing measures in place, 88 have legislation that covers all key areas, four have implementing legislation reported as adopted but without an Article VII(5) submission, and 23⁵ have adopted implementing measures without covering all key areas.
37. During the reporting period, six out of the 88 States Parties that have legislation covering all key areas have notified the Secretariat about the adoption of further measures to make certain provisions of their implementing legislation fully enforceable, namely Austria, France, Kazakhstan, Norway, Singapore and Ukraine.

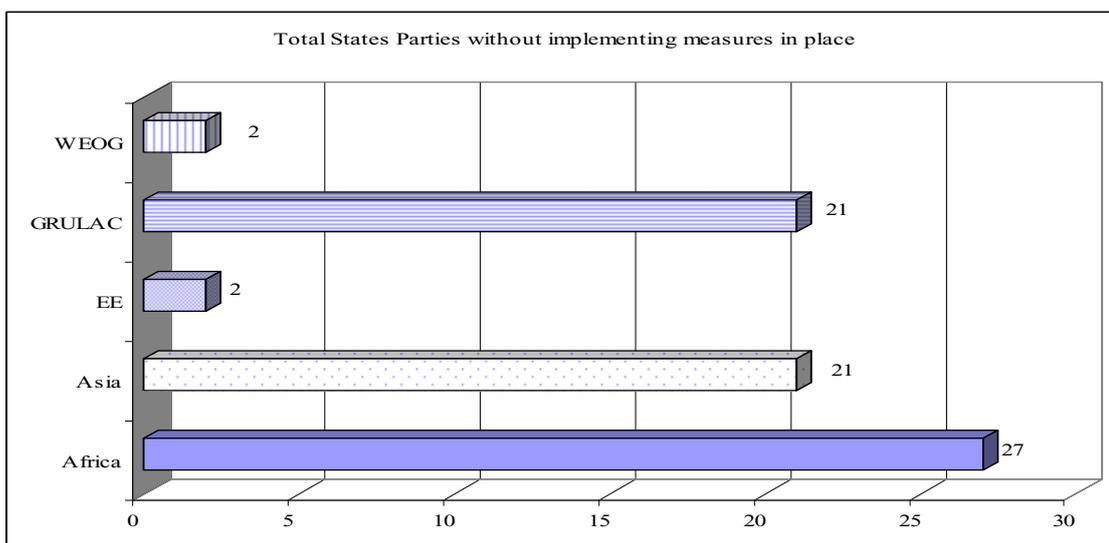
⁵ Please note that the Central African Republic is among the 23 States Parties that have adopted legislation without covering all key areas. As the text of the legislation has not yet been submitted, the Secretariat has not been able to assess the coverage of the legislation. Please refer to Table 2 for more information.

CHART 11: REGIONAL BREAKDOWN OF STATES PARTIES HAVING IMPLEMENTING MEASURES IN PLACE



38. States Parties that have not yet adopted implementing legislation covering all key areas have continued to provide the Secretariat with information on their legislative and administrative drafting processes. This includes States Parties at the first step of their implementing process (i.e., development of draft implementing legislation at the government level) and those at the last step (i.e., consideration by parliament for adoption and/or promulgation of the implementing legislation).

CHART 12: REGIONAL BREAKDOWN OF STATES PARTIES THAT HAVE TO ADOPT IMPLEMENTING LEGISLATION



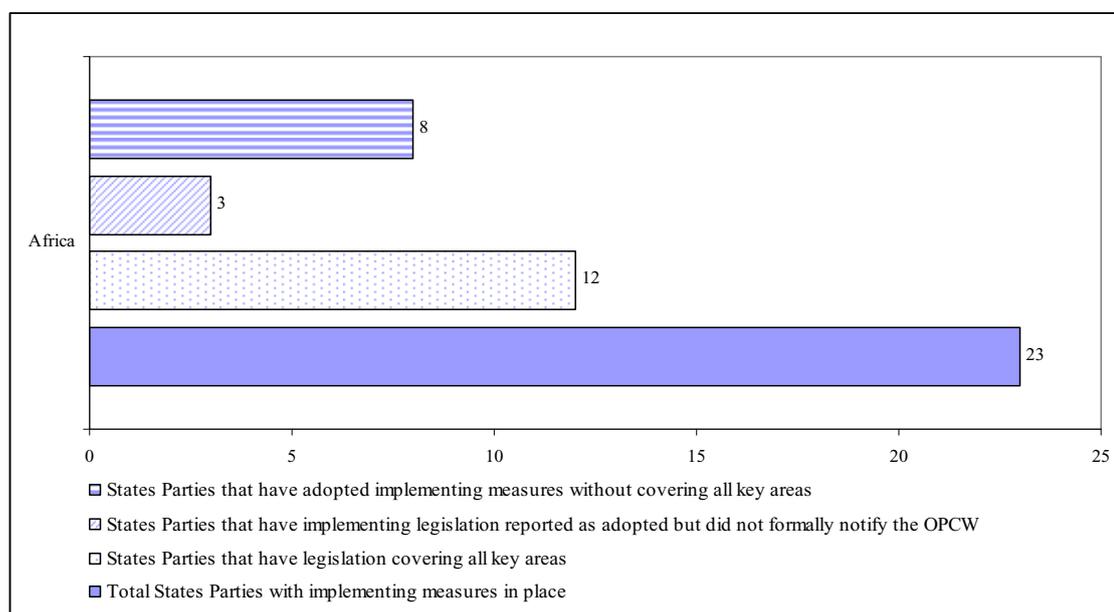
39. As at the cut-off date of the report, according to the information available to the Secretariat, of the 73 States Parties that have to adopt implementing measures, 13 States Parties have informed the Secretariat of having draft legislation before parliament, 41 have indicated that they have a draft pending government approval, and 19 have indicated that they have not yet started developing a draft.

Regional overview on steps taken by States Parties to enact legislation and to adopt administrative measures to implement the Convention

States Parties in Africa (50)

40. During the reporting period, according to the information available to the Secretariat, two States Parties, namely the Central African Republic and Morocco, have notified the Secretariat of the adoption of implementing legislation. In addition, most States Parties informed the Secretariat that they are working either on administrative measures to fully implement their implementing legislation or on draft implementing legislation.
41. As at the cut-off date of this report, of the 23 States Parties that have implementing measures in place, 12 have legislation that covers all key areas and eight States Parties (namely, Burundi, the Central African Republic,⁶ the Comoros, Côte d'Ivoire, Liberia, Mali, Zambia and Zimbabwe) informed the Secretariat that they have implementing measures, but to cover all key areas of the plan of action, further legislative and/or administrative measures are needed. In addition, three States Parties, namely Gambia, Guinea and Rwanda, have informed the Secretariat that the implementing legislation has been adopted, but they have not made an official Article VII(5) submission.

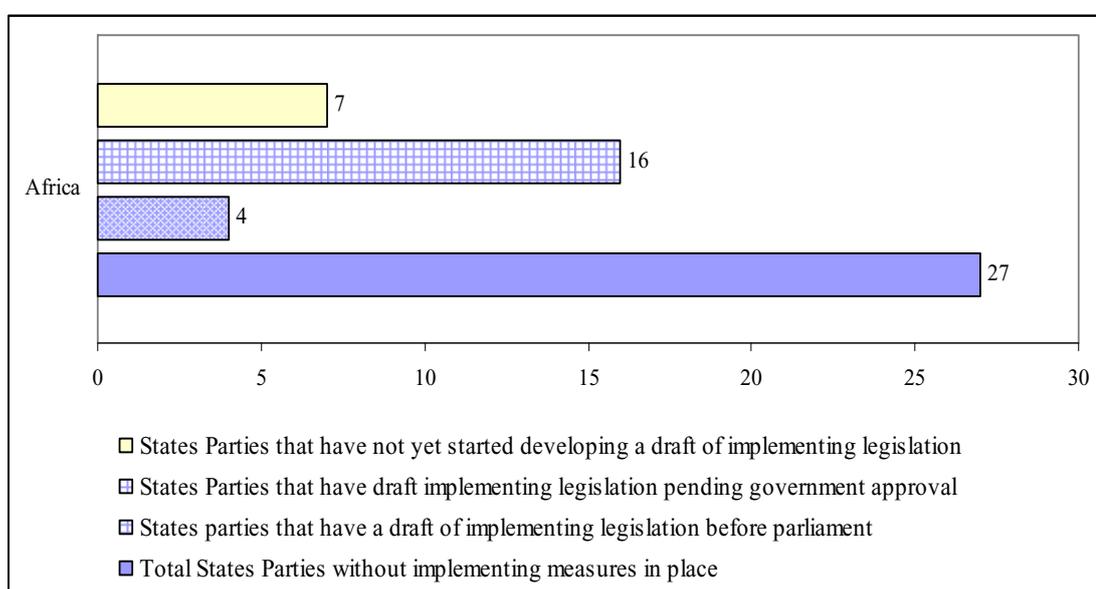
CHART 13: PROGRESS OF STATES PARTIES IN AFRICA HAVING IMPLEMENTING MEASURES IN PLACE



⁶ Please note that the Central African Republic is among the 23 States Parties that have legislation without covering all key areas. As the text of the legislation has not been submitted yet, the Secretariat was not able to assess its coverage. Refer to Table 2 for more information.

42. States Parties in Africa that have not yet adopted implementing measures have continued to provide the Secretariat with information on their legislative and administrative drafting processes. As at the cut-off date of this report, according to the information available to the Secretariat, of the 20 States Parties in Africa that have notified the Secretariat of working on draft implementing measures, four States Parties, namely Benin, the Democratic Republic of the Congo, Libya,⁷ and Nigeria, have informed the Secretariat that their draft implementing legislation is under consideration by their respective parliaments.

CHART 14: PROGRESS IN DRAFTING IMPLEMENTING MEASURES OF STATES PARTIES IN AFRICA WITHOUT IMPLEMENTING LEGISLATION



43. During the reporting period, three of the 50 States Parties in Africa requested assistance from the Secretariat, either in the process of identifying areas in which complementary measures could be beneficial for the effective enforcement of the implementing legislation or in the process of drafting legislation and/or administrative measures in such areas.

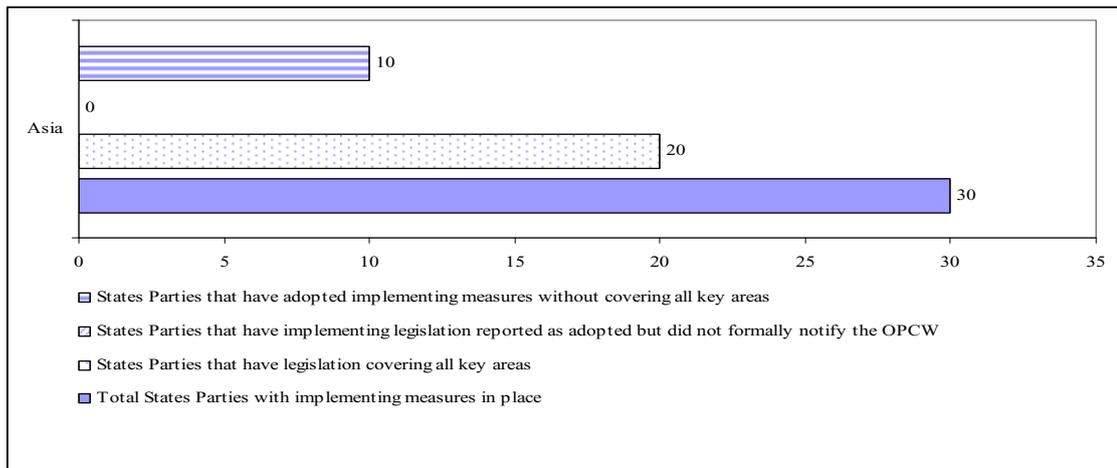
States Parties in Asia (51)

44. During the reporting period, according to the information available to the Secretariat, one State Party in Asia, namely Iraq, has notified the Secretariat of the adoption of implementing legislation. However, a majority of States Parties have informed the Secretariat that they are working either on administrative measures to fully implement their implementing legislation or on draft implementing legislation.

⁷ On 16 September 2011, the National Transitional Council requested, via the Protocol and Liaison Service of the United Nations, that the form “Libya”, previously not in use at the United Nations, replace both the earlier official and short forms (respectively, “the Socialist People’s Libyan Arab Jamahiriya” and “the Libyan Arab Jamahiriya”).

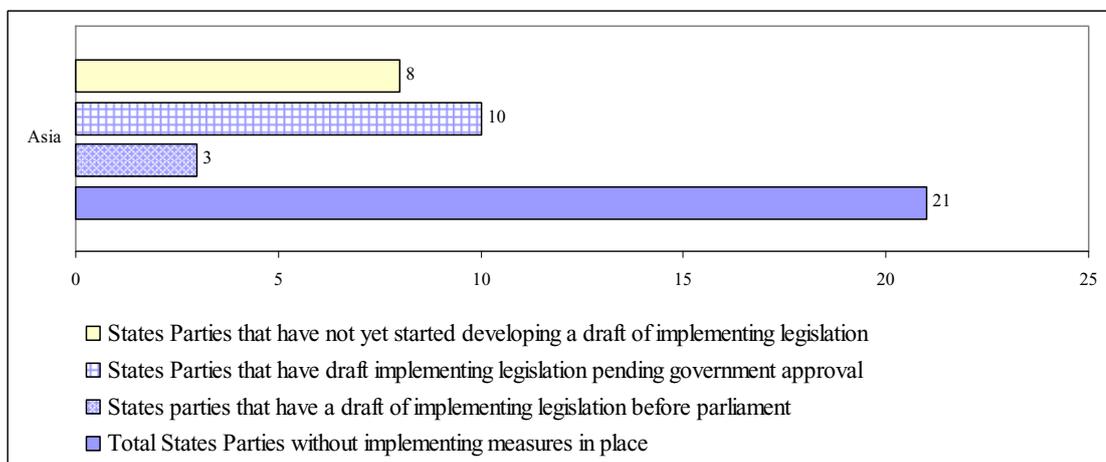
45. As at the cut-off date of this report, of the 30 States Parties that have implementing measures in place, 20 have legislation that covers all key areas, and 10 States Parties, namely, Mongolia, Jordan, Bahrain, Bangladesh, Cambodia, Iraq, Kiribati, Niue, Samoa and the United Arab Emirates, informed the Secretariat that they have implemented measures, but to cover all key areas of the plan of action, further legislative and/or administrative measures are needed.

CHART 15: PROGRESS OF STATES PARTIES IN ASIA HAVING IMPLEMENTING MEASURES IN PLACE



46. States Parties in Asia that have not yet adopted implementing measures have continued to provide the Secretariat with information on their legislative and administrative drafting processes. As at the cut-off date of this report, according to the information available to the Secretariat, of the 21 States Parties in Asia that have notified the Secretariat of working on draft implementing measures, three States Parties, namely, Afghanistan, Kuwait and Yemen, have informed the Secretariat that their draft implementing legislation is under consideration by their respective parliaments.

CHART 16: PROGRESS IN DRAFTING IMPLEMENTING MEASURES OF STATES PARTIES IN ASIA WITHOUT IMPLEMENTING LEGISLATION

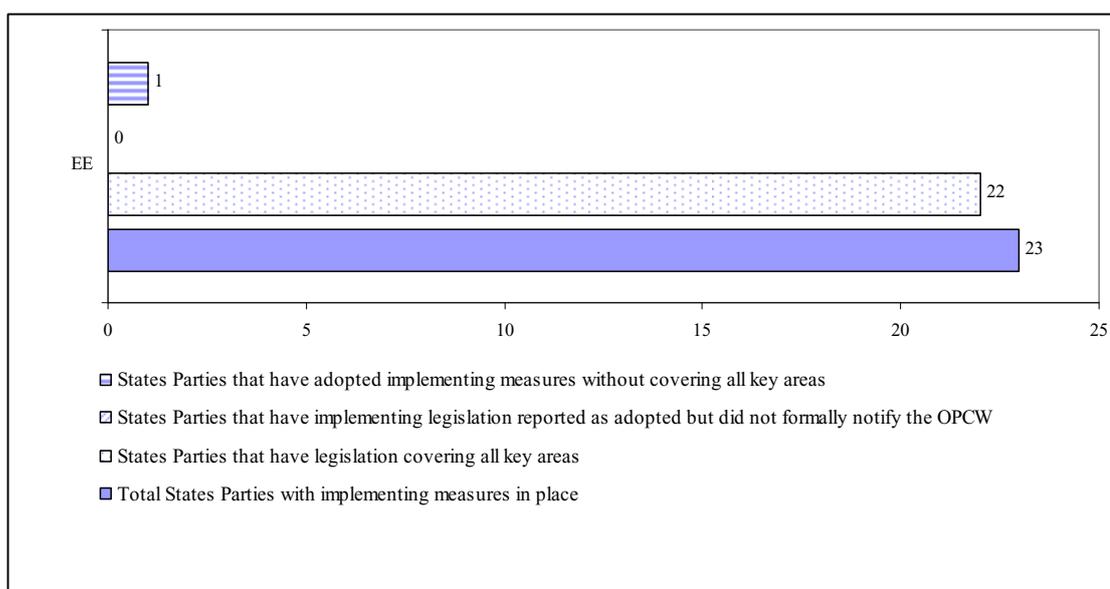


47. During the reporting period, three of the 51 States Parties in Asia have requested assistance from the Secretariat, either in the process of identifying areas in which complementary measures could be beneficial for the effective enforcement of the implementing legislation or in the process of drafting legislation and/or administrative measures in such areas.

States Parties in Eastern Europe (25)

48. During the reporting period, according to the information available to the Secretariat, no State Party in Eastern Europe has notified the Secretariat of the adoption of implementing legislation. However, according to a new Article VII(5) submission, one State Party, namely Armenia, that used to be considered as having legislation covering all key areas informed the Secretariat that some areas of the Plan of Action are not currently covered by legislation. Therefore, as at the cut-off date of this report, three States Parties in Eastern Europe need to work on further legislative or administrative measures to fully implement the Convention (i.e., legislation covering all key areas).
49. As at the cut-off date of this report, of the 23 States Parties that have implementing measures in place, 22 have legislation that covers all key areas, and one State Party, namely, Armenia, informed the Secretariat that they have implementing measures, but to cover all key areas of the plan of action, further legislative and/or administrative measures are needed.

CHART 17: PROGRESS OF STATES PARTIES IN EASTERN EUROPE HAVING IMPLEMENTING MEASURES IN PLACE

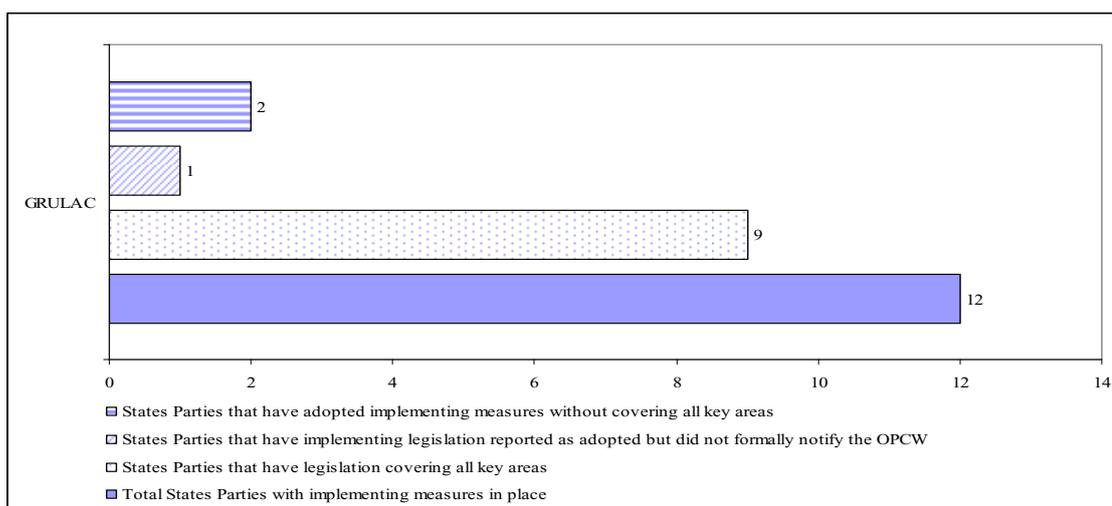


50. The two States Parties in Eastern Europe that do not have implementing measures in place are currently working on draft implementing measures. As at the cut-off date of this report, according to the information available to the Secretariat, those two States Parties, namely, Georgia and Kyrgyzstan, have informed the Secretariat that their drafts are pending government approval before submission to parliament.

States Parties in GRULAC (33)

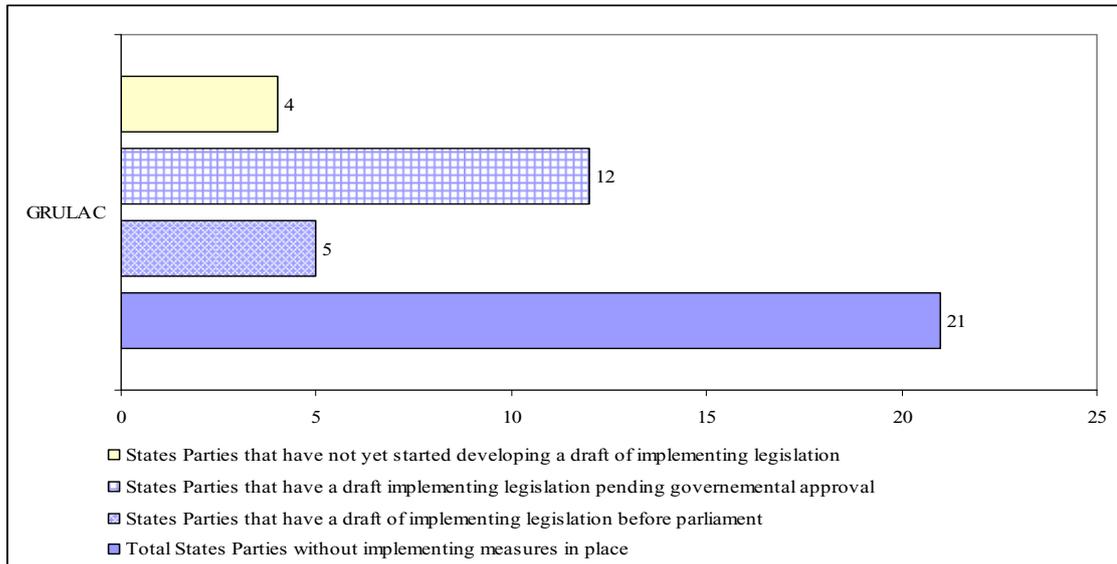
51. During the reporting period, according to the information available to the Secretariat, no additional State Party in GRULAC has notified the Secretariat of the adoption of implementing legislation. However, the majority of States Parties have informed the Secretariat that they are working either on administrative measures to fully implement their implementing legislation or on draft implementing legislation.
52. As at the cut-off date of this report, of the 12 States Parties that have implementing measures in place, nine States Parties have legislation that covers all key areas and two States Parties, namely, Panama and Saint Kitts and Nevis, informed the Secretariat that they have implementing measures, but to cover all key areas of the plan of action, further legislative and/or administrative measures are needed. In addition, one State Party, namely, Belize, has informed the Secretariat that the implementing legislation has been adopted, but without making an official Article VII(5) submission.

CHART 18: PROGRESS OF STATES PARTIES IN GRULAC HAVING IMPLEMENTING MEASURES IN PLACE



53. States Parties in GRULAC that have not yet adopted implementing measures have continued to provide the Secretariat with information on their legislative and administrative drafting processes. As at the cut-off date of this report, according to the information available to the Secretariat, of the 17 States Parties in GRULAC that have notified the Secretariat that they are working on draft implementing measures, five States Parties, namely, Bolivia, El Salvador, Guatemala, Uruguay and Venezuela, have informed the Secretariat that their draft implementing legislation is under consideration by their respective parliaments.

CHART 19: PROGRESS IN DRAFTING IMPLEMENTING MEASURES OF STATES PARTIES IN GRULAC WITHOUT IMPLEMENTING LEGISLATION



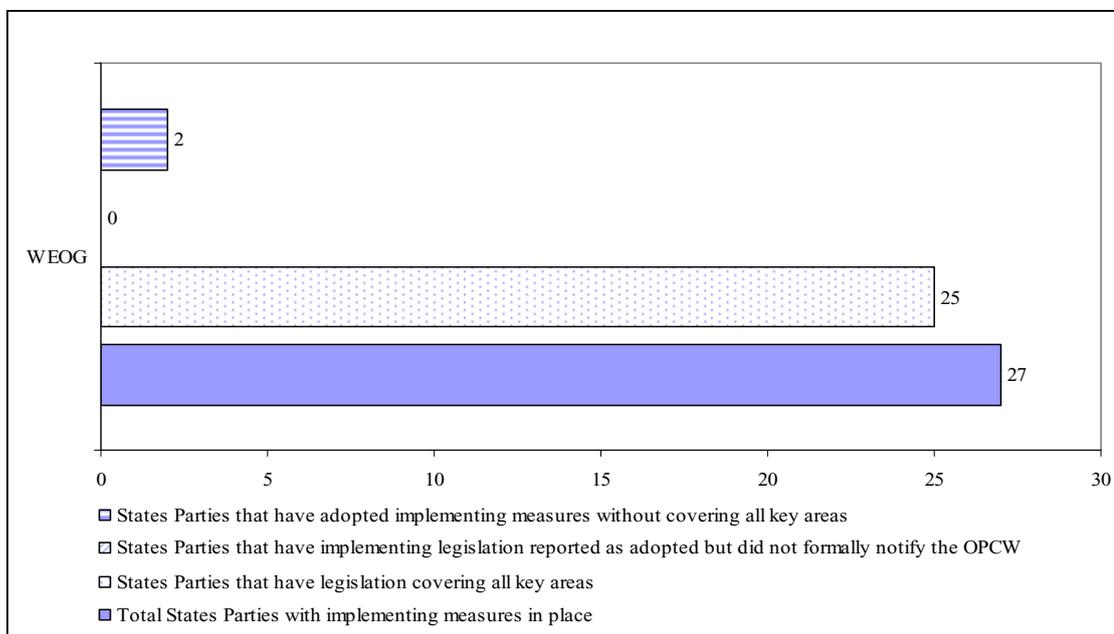
54. During the reporting period, three of the 33 States Parties in GRULAC requested assistance from the Secretariat either in the process of identifying areas in which complementary measures could be beneficial for the effective enforcement of the implementing legislation or in the process of drafting legislation or administrative measures in such areas.

States Parties in WEOG (29)

55. During the reporting period, according to the information available to the Secretariat, no State Party in WEOG notified the Secretariat of the adoption of implementing legislation covering all key areas. However, only four States Parties need to work on further legislative and/or administrative measures to fully implement the Convention.

56. As at the cut-off date of this report, of the 27 States Parties that have implementing measures in place, 25 States Parties have legislation that covers all key areas, and two States Parties, namely, Belgium and Luxembourg, informed the Secretariat that they have implementing measures, but to cover all key areas of the plan of action, further legislative and/or administrative measures are needed.

CHART 20: PROGRESS OF STATES PARTIES IN WEOG HAVING IMPLEMENTING MEASURES IN PLACE



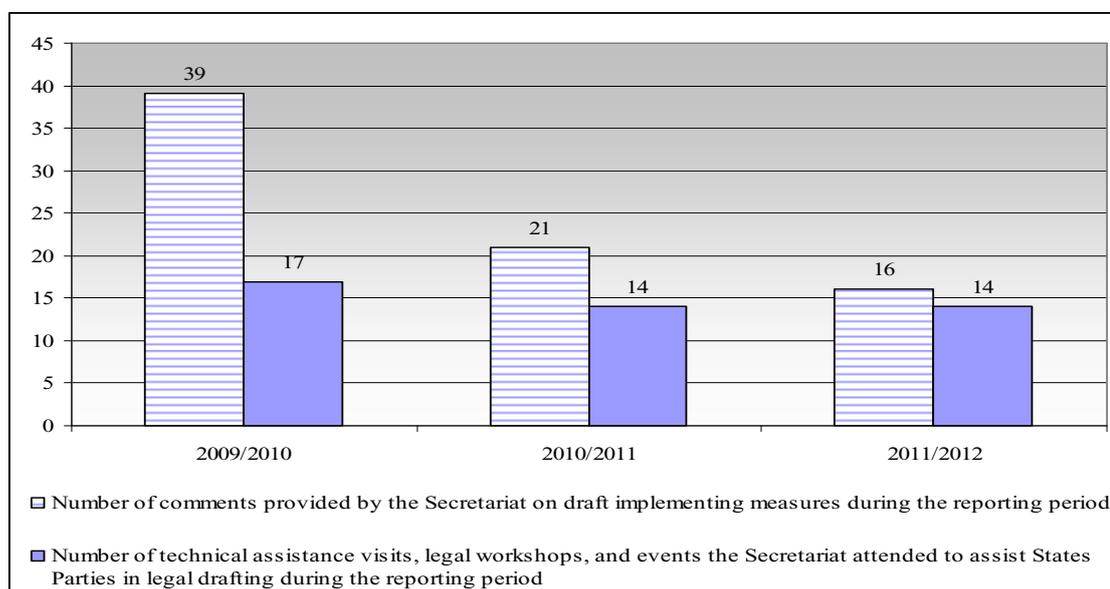
57. States Parties in WEOG that have not yet adopted implementing measures have continued to provide the Secretariat with information on their legislative and administrative drafting processes. As at the cut-off date of this report, according to the information available to the Secretariat, of the two States Parties in WEOG that have notified the Secretariat that they are working on draft implementing measures, one State Party, namely, Iceland, informed the Secretariat that its draft legislation is under consideration by its parliament. The other State Party, namely, San Marino, informed the Secretariat that its draft legislation is pending government approval before being submitted to the parliament.
58. During the reporting period, two of the 29 States Parties in WEOG requested assistance from the Secretariat, either in the process of identifying areas in which complementary measures could be beneficial for the effective enforcement of the implementing legislation or in the process of drafting legislation or administrative measures in such areas.

Legal assistance under the plan of action on Article VII

59. In C-14/DEC.12, the Conference encouraged the Secretariat to continue to provide, upon request, technical assistance in a tailor-made and systematic manner to effectively address the needs of States Parties in regard to their practical national implementation issues and concerns. In the same decision, the Conference encouraged States Parties, particularly those desiring assistance in fulfilling their Article VII obligations, to avail themselves of assistance that is offered if they consider it appropriate (paragraphs 4 and 5 of decision C-14/DEC.12).

60. The Secretariat can provide assistance throughout the whole legislative and administrative process, from when drafting instructions are developed and issued up until adoption of implementing measures. It provides assistance by raising awareness of the requirements of the Convention, and by providing guidance as to possible policy choices in implementing the Convention under different factual and legal circumstances, at the legislative and, increasingly, at the administrative level.
61. During the reporting period, the Secretariat provided 16 States Parties with comments on draft implementing legislative and/or administrative measures, and organised and/or participated in 14 events to promote national legislative and/or administrative implementation of the Convention. These events can be categorised as follows:
- (a) global and regional annual meetings for National Authorities;
 - (b) a subregional legal workshop;
 - (c) on-site bilateral TAVs; and
 - (d) a subregional meeting of parliamentarians.

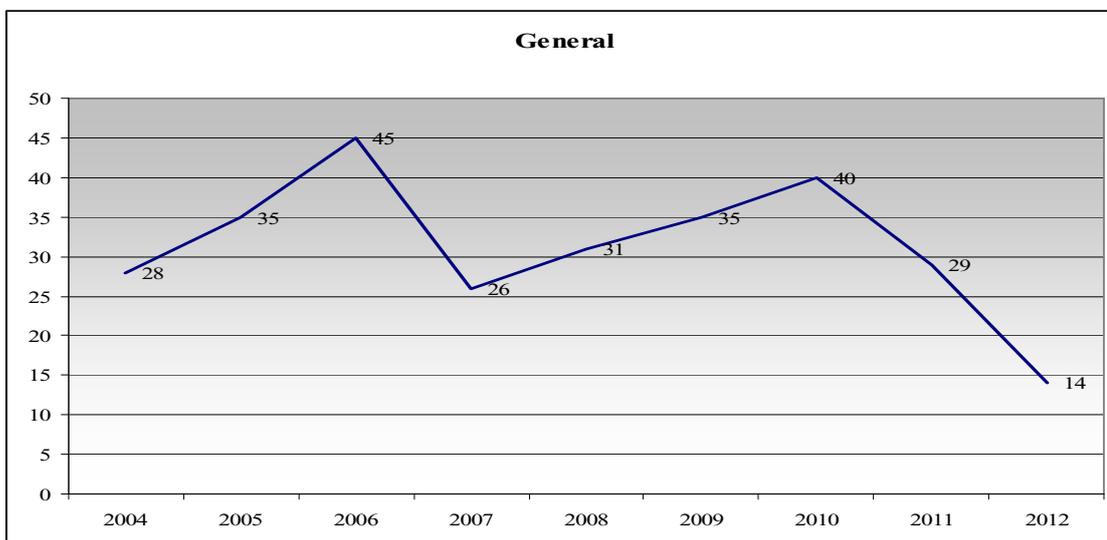
CHART 21: TREND OF LEGAL ASSISTANCE PROVIDED BY THE SECRETARIAT DURING THE LAST THREE REPORTING PERIODS



62. Upon request, the Secretariat reviews drafts of implementing measures and provides comments on them. When States Parties request the Secretariat to provide comments on legislation, they wish, in particular, to ensure that the national drafts meet the requirements of the Convention. States Parties that request comments also expect to be provided with insights into advantages or disadvantages encountered by other States Parties that have taken policy choices similar to those the requesting State Party is considering. The assistance is available for each of the common steps of the

implementation (i.e., guidance for policy choices, comments on draft implementing legislation, guidance in developing regulations and comments on regulations).

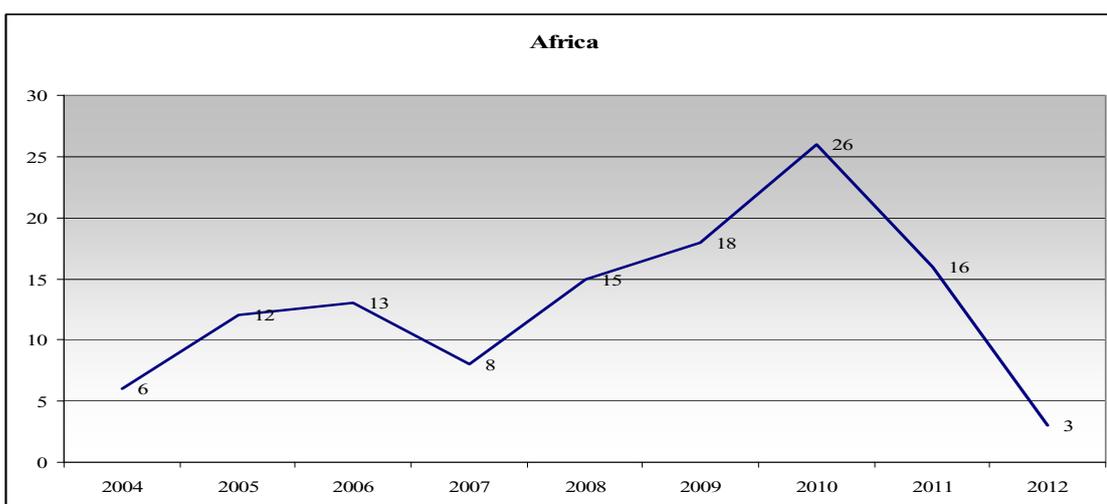
CHART 22: GENERAL TREND OF REQUESTS FROM STATES PARTIES FOR COMMENTS, BY YEAR



States Parties in Africa

63. During the reporting period, the Secretariat provided six States Parties in Africa with comments on draft implementing legislative and/or administrative measures, and organised six TAVs and/or legal workshops or events to assist States Parties in drafting their implementing measures.

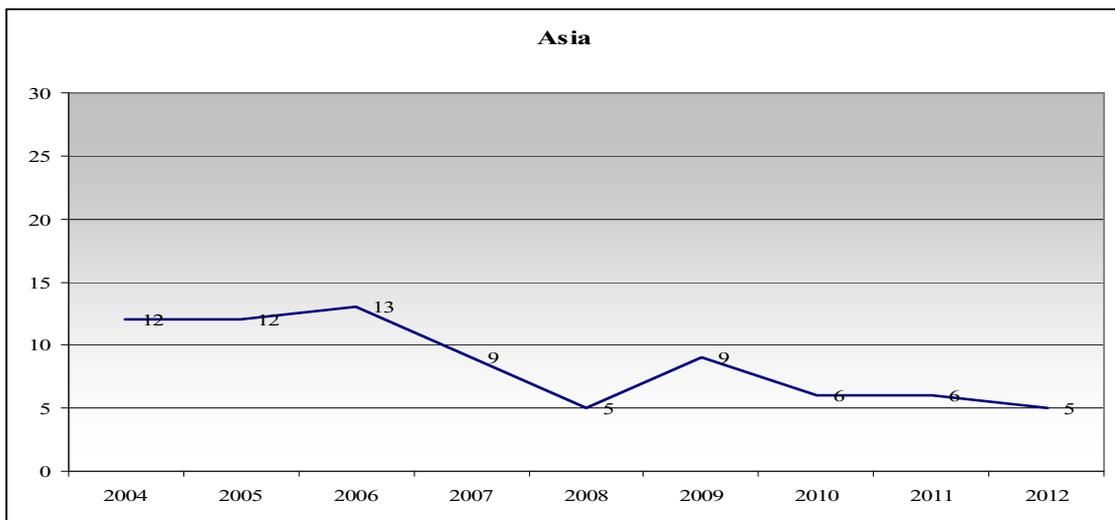
CHART 23: TREND OF REQUESTS FROM STATES PARTIES IN AFRICA FOR COMMENTS, BY YEAR



States Parties in Asia

64. During the reporting period, the Secretariat provided four States Parties in Asia with comments on draft implementing legislative and/or administrative measures, and organised two TAVs and/or legal workshops or events to assist States Parties in drafting their implementing measures.

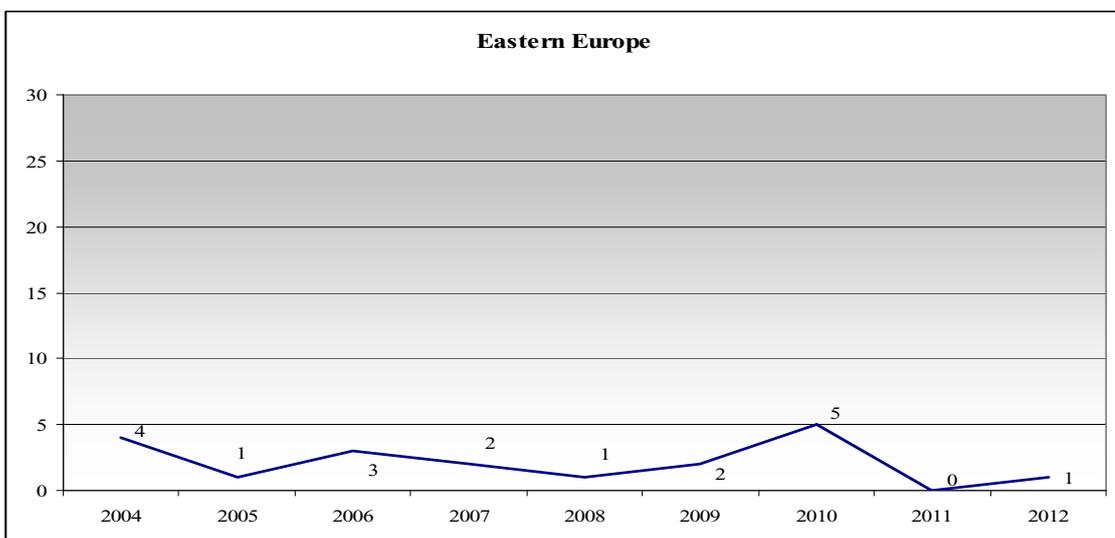
CHART 24: TREND OF REQUESTS FROM STATES PARTIES IN ASIA FOR COMMENTS, BY YEAR



States Parties in Eastern Europe

65. During the reporting period, the Secretariat provided one State Party in Eastern Europe with comments on draft implementing legislative and/or administrative measures, and one TAV to assist a State Party in drafting its implementing measures was organised.

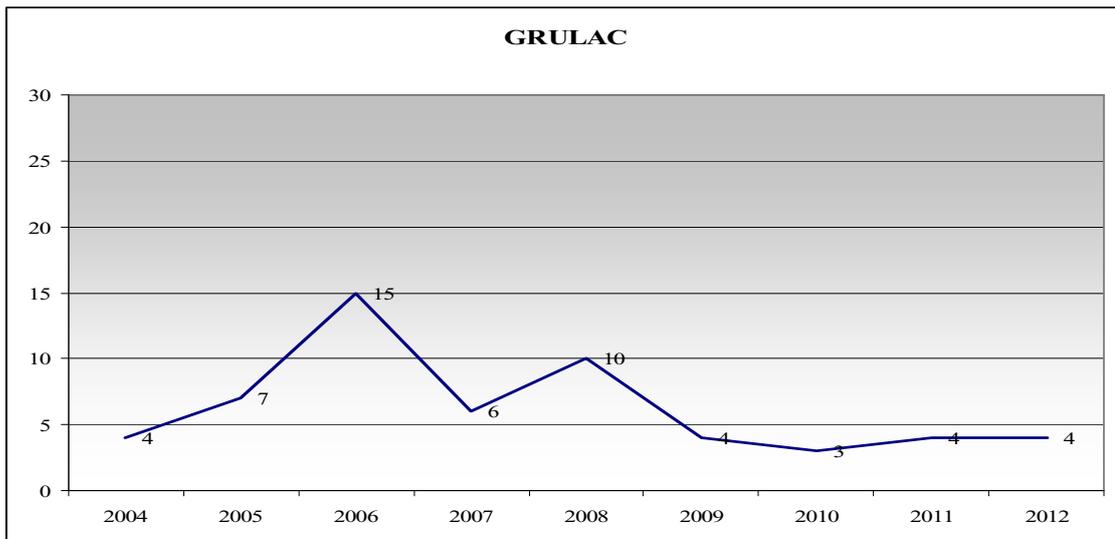
CHART 25: TREND OF REQUESTS FROM STATES PARTIES IN EASTERN EUROPE FOR COMMENTS, BY YEAR



States Parties in GRULAC

66. During the reporting period, the Secretariat provided four States Parties in the GRULAC group with comments on draft implementing legislative and/or administrative measures, and organised one event to assist States Parties in drafting their implementing measures.

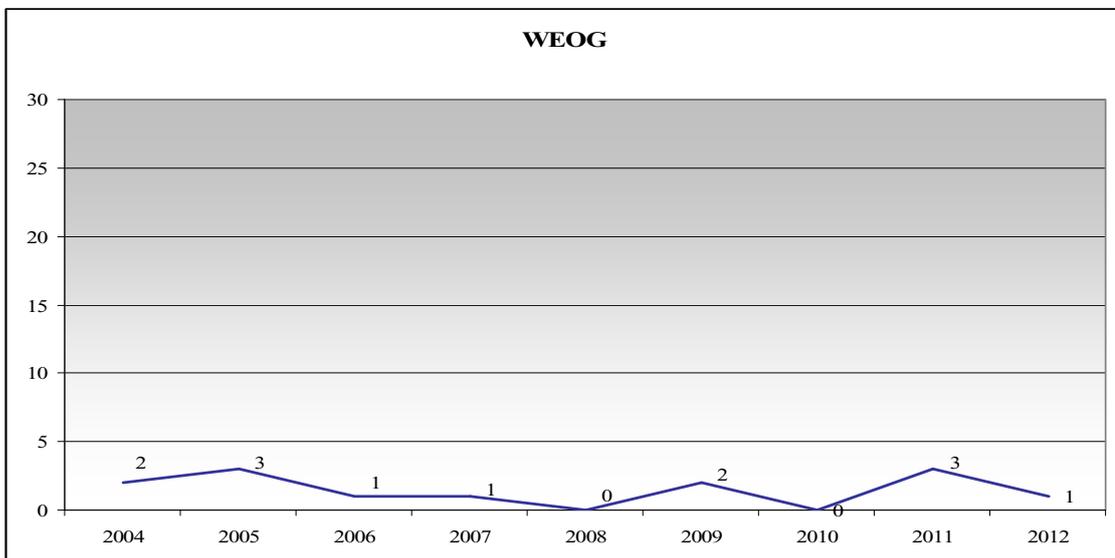
CHART 26: TREND OF REQUESTS FROM STATES PARTIES IN GRULAC FOR COMMENTS, BY YEAR



States Parties in WEOG

67. During the reporting period, the Secretariat provided one State Party in the WEOG with comments on draft implementing legislative and/or administrative measures, and one event to assist States Parties in drafting their implementing measures was organised.

CHART 27: TREND OF REQUESTS FROM STATES PARTIES IN WEOG FOR COMMENTS, BY YEAR



68. The annexes to this document contain further details on implementing processes on the part of all individual States Parties, as well as some of the communications between the Secretariat and States Parties with regard to the national implementation of Article VII.

Annex 1:

Updates on Steps Taken by States Parties That, as at 27 July 2012, Had Yet to Notify the OPCW of the Enactment of Implementing Legislation Covering All Key Areas

Annex 2 (English only):

Status and Progress Regarding Legislative and Regulatory Implementation by States Parties (Including Assistance Provided) as at 27 July 2012