



OPCW

Executive Council

Forty-Sixth Session
4 – 7 July 2006

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DRAFT DECISION

**REQUEST BY THE UNITED STATES OF AMERICA FOR ESTABLISHMENT OF A
REVISED DATE FOR THE FINAL DEADLINE FOR DESTROYING ALL OF ITS
CATEGORY 1 CHEMICAL WEAPONS**

The Executive Council,

Recalling that, pursuant to Article 1, paragraph 2 of the Chemical Weapons Convention (hereinafter the “Convention”), each State Party undertakes to destroy chemical weapons it owns or possesses in accordance with the provisions of the Convention;

Recalling also that, according to Article IV, paragraph 6, of the Convention, each State Party shall destroy all chemical weapons specified in paragraph 1 of that Article pursuant to the Verification Annex to the Convention (hereinafter “the Verification Annex”) and in accordance with the agreed rate and sequence of destruction;

Recalling further that, according to Part IV(A), paragraph 24, of the Verification Annex, if a State Party believes that it will be unable to ensure the destruction of all of its Category 1 chemical weapons not later than 10 years after the entry into force of the Convention, it may submit a request to the Executive Council (hereinafter the “Council”) for an extension of the deadline for completing the destruction of such chemical weapons, and that, according to paragraph 26 of that Part, a decision on the request shall be taken by the Conference of the States Parties (hereinafter the “Conference”) at its next session, on the recommendation of the Council;

Bearing in mind the stipulations in the same paragraph that any extension shall be the minimum necessary, and that in no case shall the deadline for a State Party to complete the destruction of its chemical weapons be extended beyond 15 years after the entry into force of the Convention, in other words, 29 April 2012;

Bearing in mind further that, at its Eighth Session, the Conference granted the United States of America, in principle, an extension of the final deadline for completing the destruction of its Category 1 chemical weapons (C-8/DEC.15, dated 24 October 2003);

Noting that, in accordance with Part IV (A), paragraphs 24-28, of the Verification Annex, the United States has submitted a request for establishment of 29 April 2012 as the revised date for the final deadline for completing destruction of all of its Category 1 chemical weapons stockpiles (EC-45/NAT.3, dated 26 April 2006);



Having considered the duration of the proposed extension and the United States' detailed explanation of the reasons for the proposed extension; and

Welcoming the United States' commitment to destroy all of its Category 1 chemical weapons as soon as possible, and the efforts it has already made toward that end;

Hereby:

1. **Recommends** that the Conference at its Eleventh Session establish 29 April 2012 as the date by which the United States must destroy all of its Category 1 chemical weapons, subject to the following conditions:
 - (a) that this decision shall in no way affect the obligation of the United States under the terms of the Convention to destroy all its Category 1 chemical weapons not later than 15 years after the entry into force of the Convention;
 - (b) that the United States shall report to the Council on its destruction activity not later than at the end of each 90 days of the extension period, in accordance with Part IV(A), paragraph 28, of the Verification Annex; and
 - (c) that, until all of its Category 1 chemical weapons have been destroyed, it shall continue to submit to the Technical Secretariat:
 - (i) detailed annual plans for destruction in accordance with Part IV(A), paragraph 29, of the Verification Annex; and
 - (ii) annual reports on the destruction of its Category 1 chemical weapons in accordance with paragraph 36 of that part; and
2. **Also recommends** that the Conference
 - (a) request that the Director-General report periodically to the Council on the progress made by the United States in completing destruction of its chemical weapons;
 - (b) request that the Chairperson of the Council, in the exercise of the Chair's competencies and in cooperation with the Director-General, report periodically to the Council on these matters;
 - (c) request that the Chairperson of the Council arrange annual visits, during the extension period, by representatives from States Parties that are members of the Council to selected facilities within the United States to be used to complete the destruction of its chemical weapons;
 - (d) request that the Council review the progress made by the United States in destroying all of its Category 1 chemical weapons, take the necessary measures to document this progress, provide to States Parties, on request, all information concerning the destruction activities of this State Party during the extension period; and
 - (e) request that the Chairperson of the Council report to the Conference on an annual basis on these matters.