



OPCW

Conference of the States Parties

Twelfth Session
5 – 9 November 2007

C-12/NAT.1
6 November 2007
Original: ENGLISH

**WORKING PAPER BY THE STATES PARTIES TO THE CHEMICAL WEAPONS
CONVENTION WHICH ARE MEMBERS OF THE NON-ALIGNED MOVEMENT,
AND CHINA¹**

**INDICATIVE ELEMENTS OF A PLAN OF ACTION ON
THE FULL IMPLEMENTATION OF ARTICLE XI**

INTRODUCTION

1. The importance of international cooperation in the field of chemical activities for purposes not prohibited under the Chemical Weapons Convention (hereafter “the Convention”) including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under this Convention, has been recognised by all States Parties since the entry into force of the Convention. The First Special Session of the Conference of States Parties to Review the Operation of the Chemical Weapons Convention in its report (RC-1/5, dated 9 May 2003) adopted relevant provisions regarding the implementation of Article XI. Furthermore, at its Tenth Session, the Conference of States Parties (hereinafter “the Conference”) adopted a decision on the full implementation of Article XI (C-10/DEC.14, dated 11 November 2005), which has been object to follow-up actions by the Executive Council (hereinafter “the Council”) and by the Eleventh Conference.
2. Article XI states that:

“Subject to the provisions of this Convention, and without prejudice to the principles and applicable rules of international law, the States Parties shall:

 - (a) Have the right, individually or collectively, to conduct research with, to develop, produce, acquire, retain, transfer, and use chemicals;
 - (b) Undertake to facilitate, and have the right to participate in, the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention;

¹ List of States Members of the Non-Aligned Movement that are States Parties to the CWC (by region) is annexed hereto.



- (c) Not maintain among themselves any restrictions, including those in any international agreements, incompatible with the obligations undertaken under this Convention, which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes
 - (d) Not use this Convention as grounds for applying any measures other than those provided for, or permitted, under this Convention nor use any other international agreement for pursuing an objective inconsistent with this Convention;
 - (e) Undertake to review their existing national regulations in the field of trade in chemicals in order to render them consistent with the object and purpose of this Convention.”
3. According to Article XI of the Convention, the provisions of the Convention shall be implemented in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for purposes not prohibited under the Convention, including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under the Convention.
4. The international-cooperation programs of the OPCW should foster economic and technological development through international cooperation in the field of chemical activities for purposes not prohibited under the Convention, in accordance with the provisions of Article XI, and should in particular contribute to the development of States Parties’ capacities to implement the Convention.

**INDICATIVE ELEMENTS FOR
A PLAN OF ACTION
FOR THE FULL IMPLEMENTATION OF ARTICLE XI**

The Conference of the States Parties,

1. **Reaffirms** its determination to promote the full implementation of Article XI as it relates, *inter alia*, to the fullest possible exchange of chemicals, equipment, and scientific and technical information on the development and application of chemistry for purposes not prohibited under the Convention, subject to the provisions of the Convention and without prejudice to the principles and applicable rules of international law;
2. **Calls on States Parties:**
 - (a) to actively seek, nationally, bilaterally, multilaterally or through regional mechanisms the full implementation of the decisions adopted by the policy-making organs of the OPCW regarding Article XI;

- (b) to prepare a national report on implementation of Article XI, including offers and specific requests for assistance in different areas under the terms of Article XI, with a view to conducting a comprehensive review of the status of the implementation of article XI at the next regular session of the Conference;
 - (c) to undertake to review their national regulations governing international exchanges and transfers in order to ensure their consistency with the objectives and the provisions of Article XI and to report about the results of this review at the next regular session of the Conference;
 - (d) to adopt positive measures to promote technology transfer and international cooperation, in particular to the developing countries, for the benefit of all mankind;
 - (e) to facilitate cooperation, where in position to do so, in particular capacity building, as well as technology transfer in the area of custom control , to facilitate the implementation of relevant provisions of the Convention;
 - (f) to provide, where in position to do so, financial and technical support, directly as well as through international organisations and relevant international institutions, with a view to building capacities in States Parties in need of assistance on subjects related to exchange scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under this Convention;
 - (g) to promote and facilitate regional workshops on scientific and technological cooperation and exchanges for peaceful purposes in pursuance of Article XI;
 - (h) to support the adoption of measures to create networks between scientific communities and academic institutions regarding the peaceful use of chemistry and other areas relevant to the Convention;
 - (i) to develop cooperation projects in areas relevant to Article XI, with the Technical Secretariat (hereinafter “the Secretariat”) of the OPCW, providing support upon request;
 - (j) to exchange scientific and technical information, chemicals, and equipment for the production, processing, or use of chemicals for purposes not prohibited under the Convention, with the Secretariat providing support upon request; and
 - (k) to continue to offer cooperation in terms of Article XI, either directly or through voluntary contributions to the OPCW and without prejudice to the allocation of approved program resources;
3. **Resolves** to continue fostering international cooperation in the field of chemical activities by requesting the Secretariat to:

- (a) Maintain, for information purposes, lists of voluntary offers of cooperation from States Parties and of specific requests for cooperation, under the terms of Article XI;
 - (b) foster cooperation between the OPCW and the chemical industry through the States Parties concerned;
 - (c) develop and promote internship programs for participants from States Parties;
 - (d) facilitate the provision of assistance with national capacity-building in the field of chemical activities for peaceful purposes;
 - (e) continue to design, develop, enhance, and implement the OPCW's international-cooperation programs; and
 - (f) promote, and assist with, both the attendance by experts or trainees from States Parties at courses and workshops, and the organisation of international seminars in fields relevant to the Convention;
4. **Requests** the Secretariat to report to the next regular Session of the Conference and to every second session of the Council starting with the, in 2008, on the progress made in implementing this Plan of Action;
 5. **Requests further** the Council to provide guidance to, and to coordinate with, the Secretariat as necessary and to monitor the implementation of this Plan of Action;
 6. **Undertakes** to review, at its next regular session, the progress made in implementing this plan of action, and to decide on any further action needed; and undertakes to review further, at its Session, the status of implementation of Article XI and to consider and decide on any appropriate measures to be taken, if necessary, in order to ensure full implementation by all States Parties of Article XI; and
 7. **Decides** that a full review of the progress made in the implementation of the provisions set out in this Plan of Action be carried out at the Third Special Session of the Conference of States Parties to Review the Operation of the Chemical Weapons Convention.

Annex: List of States Members of the Non-Aligned Movement that are States Parties to the CWC (by region)

Annex**List of States Members of the Non-Aligned Movement that are States Parties to the CWC (by region)**

Africa	Asia	Latin America and the Caribbean	Eastern Europe
Algeria	Afghanistan	Antigua and Barbuda	Belarus
Benin	Saudi Arabia	Barbados	
Botswana	Bahrain	Belize	
Burkina Faso	Bangladesh	Bolivia	
Burundi	Bhutan	Chile	
Cape Verde	Brunei Darussalam	Colombia	
Cameroon	Cambodia	Cuba	
Chad	United Arab Emirates	Dominica	
Comoros	Philippines	Ecuador	
Côte D'Ivoire	India	Grenada	
Djibouti	Indonesia	Guatemala	
Eritrea	Iran	Guyana	
Ethiopia	Jordan	Haiti	
Gabon	Kuwait	Honduras	
Gambia	Lao People's	Jamaica	
Ghana	Democratic Republic	Nicaragua	
Guinea	Malaysia	Panama	
Equatorial Guinea	Maldives	Peru	
Kenya	Mongolia	Saint Kitts and Nevis	
Libyan Arab	Nepal	Saint Vincent and the	
Jamahiriya	Oman	Grenadines	
Lesotho	Pakistan	Saint Lucia	
Liberia	Palestine	Suriname	
Madagascar	Papua New Guinea	Trinidad and Tobago	
Malawi	Qatar	Venezuela	
Mali	Singapore		
Morocco	Sri Lanka		
Mauricio	Thailand		
Mauritania	Timor Leste		
Mozambique	Turkmenistan		
Namibia	Uzbekistan		
Niger	Vanuatu		
Nigeria	Viet Nam		
Democratic Republic of Congo	Yemen		
Center African Republic			
Rwanda			
Sao Tome and Principe			
Senegal			
Seychelles			
Sierra Leone			
South Africa			
The Sudan			
Swaziland			
Tanzania			
Togo			
Tunisia			
Uganda			
Zambia			
Zimbabwe			