



**OPCW**

**Executive Council**

Forty-Seventh Session  
7 – 10 November 2006

EC-47/DEC.11  
8 November 2006  
Original: ENGLISH

**DECISION**

**AGREEMENT BETWEEN  
THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS  
AND BURKINA FASO  
ON THE PRIVILEGES AND IMMUNITIES OF THE OPCW**

**The Executive Council,**

**Recalling** that, according to Article VIII, paragraph 50, of the Chemical Weapons Convention (hereinafter “the Convention”), the legal capacity, privileges, and immunities referred to in that Article shall be defined in agreements between the Organisation for the Prohibition of Chemical Weapons (OPCW) and the States Parties;

**Recalling also** that Article VIII, subparagraph 34(a), of the Convention states that the Executive Council (hereinafter “the Council”) shall conclude agreements or arrangements with States and international organisations on behalf of the OPCW, subject to prior approval by the Conference of the States Parties (hereinafter “the Conference”);

**Noting** that at its Eighth Session the Conference authorised the Council to conclude privileges-and-immunities agreements between the OPCW and States Parties (C-8/DEC.12, dated 23 October 2003);

**Noting also** that the Technical Secretariat has negotiated an agreement between the OPCW and Burkina Faso on the privileges and immunities of the OPCW;

**Affirming** that the agreement is without prejudice to the relevant provisions of the Convention, that nothing in the agreement shall be applied or interpreted in a way that contradicts the Convention, and that, in the event of a conflict between the agreement and the Convention, the Convention shall take precedence; and

**Recognising** that the Member States of the OPCW remain free either to draw upon the present agreement for the conclusion of other agreements on the privileges and immunities of the OPCW or to depart from it, where they deem this to be appropriate, provided that the new agreements conform to the Convention;



**Hereby:**

**Concludes** the agreement annexed to EC-47/DEC/CRP.2, dated 21 September 2006, regarding the privileges and immunities of the OPCW; and

**Requests** the Director-General to enter into this agreement on behalf of the OPCW.

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