



**OPCW**

**Executive Council**

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Twenty-Fifth Session  
27 - 28 June 2001

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**DECISION**

**AGREEMENT BETWEEN THE REPUBLIC OF AUSTRIA AND THE  
ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS ON THE  
PRIVILEGES AND IMMUNITIES OF THE OPCW**

**The Executive Council,**

**Recalling** that, in accordance with paragraph 50 of Article VIII of the Convention, the legal capacity, privileges and immunities referred to in that Article shall be defined in agreements between the Organisation and the States Parties;

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

**Noting** that the privileges and immunities enjoyed by the Director-General and the staff of the Technical Secretariat during the conduct of verification activities are those set out in Part II, Section B, of the Verification Annex;

**Bearing in mind** that the Secretariat has negotiated the agreement between the Republic of Austria and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW;

**Recognising** the prior approval by the Conference of States Parties at its Sixth Session of the agreement between the Republic of Austria and the OPCW (C-VI/DEC.12, dated 17 May 2001);

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

**Recognising** that 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 appropriate, provided that the new agreements conform with the provisions of the Convention;

**Hereby:**

**Considers and concludes** at its Twenty-Fifth Session the agreement between the Republic of Austria and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the OPCW as annexed to C-VI/DEC.12, dated 17 May 2001.

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