



OPCW

Executive Council

Thirty-First Session
10 - 13 December 2002

EC-31/DEC.3
10 December 2002
Original: ENGLISH
Unofficial electronic version

DECISION

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

The Executive Council,

Recalling that, in accordance with paragraph 50 of Article VIII 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 (hereinafter the “OPCW”) 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 OPCW, subject to prior approval by the Conference of the States Parties (hereinafter the “Conference”);

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

Bearing in mind that the Secretariat has negotiated the agreement between the OPCW and the Republic of Finland on the privileges and immunities of the OPCW;

Pursuant to the prior approval by the Conference at its Seventh Session of the agreement between the OPCW and the Republic of Finland (C-7/DEC.21, dated 11 October 2002);

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, in the event of a conflict between the provisions of this 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 appropriate, provided that the new agreements conform with the provisions of the Convention;

Hereby:

Concludes the agreement between the OPCW and the Republic of Finland on the privileges and immunities of the OPCW, as annexed to C-7/DEC.21; and

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

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