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REPORT BY THE DIRECTOR-GENERAL

STATUS OF IMPLEMENTATION OF ARTICLE VII OF THE CHEMICAL WEAPONS CONVENTION AS AT 31 JULY 2023: INITIAL MEASURES

INTRODUCTION

1. In operative paragraph 1 of the decision on the follow-up to the plan of action regarding the implementation of obligations under Article VII of the Chemical Weapons Convention (hereinafter “the Convention”) (C-10/DEC.16, dated 11 November 2005), the Conference of the States Parties (hereinafter “the Conference”) stressed that it was imperative for States Parties that had yet to fulfil their obligations under Article VII to do so without delay.
2. The Third Review Conference¹ “[e]ncouraged the Secretariat to explore innovative methods of providing assistance on tailor-made approaches as a potential means to further advance the implementation of Article VII” (subparagraph 9.103(c) of RC-3/3*, dated 19 April 2013). Furthermore, the Technical Secretariat (hereinafter “the Secretariat”) was requested to “continue to submit its annual report on the implementation of Article VII to the Conference, and [...] to include an assessment in this report, for consideration by the policy-making organs, containing a comprehensive and objective analysis of the current status of national implementation, with a view to tracking the progress made and formulation of focused assistance programmes” (subparagraph 9.103(h) of RC-3/3*).
3. Pursuant to the request received from the Third Review Conference, and in close cooperation with States Parties, the Secretariat has updated the two matrices included in the annual reports and, as invited by the Conference (paragraph 8 of C-14/DEC.12, dated 4 December 2009) is presenting them in two concurrent reports—this one addressing the initial measures taken by States Parties in accordance with Article VII and the second listing additional measures (EC-104/DG.10 C-28/DG.9, dated 6 September 2023).

LEGISLATIVE AND ADMINISTRATIVE IMPLEMENTATION

4. This document provides an update on the status of and progress in adopting the initial measures that are necessary for all States Parties to implement in order to achieve the objectives set forth in the Convention.

1 Review Conference = Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.



5. The information is based on the responses received from States Parties to the note verbale sent by the Secretariat on 15 March 2023 requesting them to provide updates on the status of implementation of Article VII and to fill in the matrices attached to the note verbale. As at the cut-off date of the current report (31 July 2023), 128 States Parties had replied to the note verbale (Table 1).

TABLE 1: STATES PARTIES THAT SUBMITTED RESPONSES TO THE SECRETARIAT

1.	Afghanistan	33.	Djibouti	65.	Malaysia	97.	Saudi Arabia
2.	Algeria	34.	Dominican Republic	66.	Maldives	98.	Serbia
3.	Andorra	35.	Ecuador	67.	Mali	99.	Seychelles
4.	Angola	36.	El Salvador	68.	Mauritania	100.	Singapore
5.	Antigua and Barbuda	37.	Estonia	69.	Mauritius	101.	Slovakia
6.	Argentina	38.	Ethiopia	70.	Mexico	102.	Slovenia
7.	Armenia	39.	Finland	71.	Monaco	103.	South Africa
8.	Australia	40.	France	72.	Mongolia	104.	Spain
9.	Austria	41.	Gambia	73.	Montenegro	105.	Sri Lanka
10.	Bangladesh	42.	Georgia	74.	Morocco	106.	State of Palestine
11.	Belarus	43.	Germany	75.	Mozambique	107.	Sudan
12.	Belgium	44.	Greece	76.	Myanmar	108.	Suriname
13.	Bhutan	45.	Holy See	77.	Nepal	109.	Sweden
14.	Bolivia (Plurinational State of)	46.	Hungary	78.	Netherlands	110.	Switzerland
15.	Bosnia and Herzegovina	47.	India	79.	New Zealand	111.	Tajikistan
16.	Botswana	48.	Iran (Islamic Republic of)	80.	Nicaragua	112.	Thailand
17.	Brazil	49.	Iraq	81.	Niger	113.	Togo
18.	Bulgaria	50.	Ireland	82.	Nigeria	114.	Trinidad and Tobago
19.	Burkina Faso	51.	Italy	83.	Norway	115.	Tunisia
20.	Cambodia	52.	Jamaica	84.	Pakistan	116.	Türkiye
21.	Canada	53.	Japan	85.	Panama	117.	Turkmenistan
22.	Chile	54.	Jordan	86.	Paraguay	118.	Uganda
23.	China	55.	Kenya	87.	Peru	119.	United Arab Emirates
24.	Colombia	56.	Kuwait	88.	Philippines	120.	United Kingdom of Great Britain and Northern Ireland
25.	Costa Rica	57.	Kyrgyzstan	89.	Poland	121.	United States of America
26.	Côte d'Ivoire	58.	Lao People's Democratic Republic	90.	Portugal	122.	Uruguay
27.	Croatia	59.	Latvia	91.	Republic of Korea	123.	Uzbekistan
28.	Cuba	60.	Liechtenstein	92.	Romania	124.	Venezuela (Bolivarian Republic of)
29.	Cyprus	61.	Lithuania	93.	Russian Federation	125.	Viet Nam
30.	Czech Republic	62.	Luxembourg	94.	Saint Kitts and Nevis	126.	Yemen
31.	Democratic Republic of the Congo	63.	Madagascar	95.	San Marino	127.	Zambia
32.	Denmark	64.	Malawi	96.	Sao Tome and Principe	128.	Zimbabwe

6. The global status of the relevant elements of legislative and administrative implementation, as at 31 July 2023, is reflected in the tables below.

TABLE 2: OVERVIEW OF THE LEGISLATIVE IMPLEMENTATION OF THE CONVENTION

Article VII(5) submission received	179 (93%)
Legislation covers all initial measures	128 (66%)
Legislation covers some initial measures	33 (17%)
No legislation	32 (17%)
Legislation covers one or more additional measures	119
Text of adopted measures provided	157 (81%)

TABLE 3: STATUS OF ELEMENTS OF LEGISLATIVE AND ADMINISTRATIVE IMPLEMENTATION UNDER THE PURVIEW OF THE PRESENT REPORT (AS AT 31 JULY 2023)

Indicators		Number and Percentage of States Parties Having Implemented the Measure
Definitions		
Chemical Weapons		143 (74%) in full 6 (3%) in part
Toxic Chemical		138 (72%) in full 8 (4%) in part
Precursor		135 (70%) in full 7 (4%) in part
Purposes Not Prohibited		135 (70%) in full 6 (3%) in part
Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	133 (69%) in full 8 (4%) in part
	Schedule 2	130 (67%) in full 11 (6%) in part
	Schedule 3	131 (68%) in full 10 (5%) in part
Prohibitions and Penalties		
Prohibitions	Chemical Weapons	150 (78%) in full 6 (3%) in part
	Scheduled Chemicals	136 (70%) in full 11 (6%) in part
Penalties	Chemical Weapons	148 (77%) in full 6 (3%) in part
	Scheduled Chemicals	135 (70%) in full 11 (6%) in part
Other Initial Measures		
Extraterritoriality		130 (67%) in full 8 (4%) in part
Legal basis for regulations		136 (70%) in full 10 (5%) in part
Establishment/Designation of National Authority		192 (99%)

**TABLE 4: EXPLANATION OF COLUMN HEADINGS IN THE TABLES
CONTAINED IN THE ANNEX TO THIS REPORT**

Column Heading		Explanation
Definitions		
Chemical Weapons		Indicates that the legislation of the State Party in question contains a definition of chemical weapons that fully reflects the meaning of <i>chemical weapons</i> as defined by paragraph 1 of Article II of the Convention.
Toxic Chemical		Indicates that the legislation of the State Party in question contains a definition of toxic chemical that fully reflects the meaning of <i>toxic chemical</i> as defined by paragraph 2 of Article II of the Convention.
Precursor		Indicates that the legislation of the State Party in question contains a definition of precursor that fully reflects the meaning of <i>precursor</i> as defined by paragraph 3 of Article II of the Convention.
Purposes Not Prohibited		Indicates that the legislation of the State Party in question contains a definition of purposes not prohibited that fully reflects the meaning of <i>purposes not prohibited</i> under the Convention as defined by paragraph 9 of Article II of the Convention.
Scheduled Chemicals Regime		
Reporting on Transfers	Schedule 1	“X” indicates that the national legislation ensures that the State Party is in a position to fulfil the prior reporting requirements concerning transfers of Schedule 1 chemicals (see paragraphs 5 and 5bis. of Part VI of the Verification Annex to the Convention (hereinafter “the Verification Annex”)) and to provide all information that is to be included in the declaration required by paragraph 6 of Part VI of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 2	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in annual declarations required by paragraph 1 and 2 of Part VII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.
	Schedule 3	“X” indicates that the national legislation ensures that the State Party is in a position to provide all transfer-related information that is to be included in declarations pursuant to paragraph 1 of Part VIII of the Verification Annex and that a sanction is applicable in the event of non-compliance by natural and legal persons.

Column Heading	Explanation	
Prohibitions and Penalties		
	Chemical Weapons	Scheduled Chemicals
Prohibition	“X” indicates that the activities prohibited to States Parties under paragraph 1 of Article I of the Convention are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.	“X” indicates that the activities prohibited to States Parties under: (a) paragraphs 1, 2, 3, and 4 of Part VI of the Verification Annex (Schedule 1-related); (b) paragraph 31 of Part VII of the Verification Annex (related to Schedule 2); ² and (c) paragraph 26 of Part VIII of the Verification Annex (i.e., the export of Schedule 3 chemicals to States not Party without appropriate assurance that they will only be used for purposes not prohibited under the Convention); ³ are prohibited by that State Party to natural and legal persons in accordance with subparagraph 1(a) of Article VII.
Penalties	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.	“X” indicates that penal sanctions are applicable in the event of violation of the above prohibitions.
Other Initial Measures		
Extraterritoriality	“X” indicates that the State Party has extended its penal legislation enacted to implement the prohibitions of the Convention to any activity undertaken anywhere by natural persons possessing its nationality.	
Legal Basis for Regulations	“X” indicates that legislation of the State Party contains provisions that enable the relevant ministries/governmental departments to issue measures to regulate the production, processing, and consumption of scheduled chemicals, and measures detailing the verification and confidentiality regimes.	
Establishment/Designation of National Authority	“X” indicates that a National Authority has been designated or established. It should be noted that some National Authorities have been designated on a purely interim basis.	

Note: “(X)”, that is, X in brackets, for any of the above indicators means that the measure has been partially implemented.

Please note that the prohibition of certain activities can also be imposed by legal measures other than direct prohibitions. For example, when a licensing regime in a State Party ensures that no natural or legal person will be permitted to carry out an activity that is prohibited to States Parties under the Convention, then the column for the prohibition will be checked with the indication “X”.

Annex (English only):

Status of Implementation of Article VII – Initial Measures, by State Party as at 31 July 2023

2 For exceptions, please refer to C-V/DEC.16 (dated 17 May 2000).

3 For exceptions, please refer to C-VI/DEC.10 (dated 17 May 2001).

Annex

STATUS OF IMPLEMENTATION OF ARTICLE VII – INITIAL MEASURES, BY STATE PARTY AS AT 31 JULY 2023

[illegible]

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/Designation of National Authority
18.	Belize	X	X	X	X	X	X	X	X	X	X	X	X	X	X
19.	Benin														X
20.	Bhutan	X	X	X	X										X
21.	Bolivia (Plurinational State of)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	X	(X)	(X)	(X)	(X)	(X)	X
22.	Bosnia and Herzegovina	X	X	X	X	X	X	X	X	X	X	X		X	X
23.	Botswana	X	X	X	X	X	X	X	X	X	X	X	X	X	X
24.	Brazil	X	X	X	X	X	X	X	X	X	X	X	X	X	X
25.	Brunei Darussalam					X	X	X	X	X	X	X			X
26.	Bulgaria	X	X	X	X	X	X	X	X	X	X	X	X	X	X
27.	Burkina Faso	X	X	X	X	X	X	X	X	X	X	X	X	X	X
28.	Burundi	X	X	X	X	X	X	X	X	X	X	X	X	X	X
29.	Cabo Verde	X	X	X	X	X	X	X	X	X	X	X		X	X
30.	Cambodia	X	X	X	(X)	(X)	(X)	(X)	X	(X)	X	(X)	X	(X)	X
31.	Cameroon	X	X	X	X	X	X	X	X	X	X	X	X	X	X
32.	Canada	X	X	X	X	X	X	X	X	X	X	X	X	X	X
33.	Central African Republic	X	X	X	X	X	X	X	X	X	X	X	X	X	X
34.	Chad														X
35.	Chile	X	X	X	X	X	X	X	X	X	X	X	X	X	X
36.	China	X	X	X	X	X	X	X	X	X	X	X	X	X	X
37.	Colombia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
38.	Comoros	X	X	X	X	(X)	(X)	(X)	X	X	X	X	X	X	X

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/Designation of National Authority
39.	Congo	X	X	X	X			X	X	X	X		X	(X)	(X)
40.	Cook Islands	X	X	X	X	X	X	X	X		X	X		X	X
41.	Costa Rica	X	X	X	X	X	X	X	X		X	X	X	X	X
42.	Côte d'Ivoire	X	X	X	X	X	X	X	X		X	X	X	X	X
43.	Croatia	X	X	X	X	X	X	X	X		X	X	X	X	X
44.	Cuba	X	X	X	X	X	X	X	X		X	X	X	X	X
45.	Cyprus	X	X	X	X	X	X	X	X		X	X	X	X	X
46.	Czech Republic	X	X	X	X	X	X	X	X		X	X	X	X	X
47.	Democratic Republic of the Congo					(X)	(X)								X
48.	Denmark	X	X	X	X	X	X	X	X		X	X	X	X	X
49.	Djibouti	X	X	X	X	X	X	X	X		X	X	X	X	X
50.	Dominica		X	X								X		X	X
51.	Dominican Republic								(X)		(X)				X
52.	Ecuador	(X)	X	(X)	(X)	(X)	(X)	(X)	X		X	(X)		X	X
53.	El Salvador								X		X		X		X
54.	Equatorial Guinea														X
55.	Eritrea														X
56.	Estonia	X	X	X	X	X	X	X	X		X	X	X	X	X
57.	Eswatini														X
58.	Ethiopia	X	X	X	X	X	X	X	X		X	X	X	X	X
59.	Fiji	X	X	X	X	X	X	X	X		X	X	X	X	X

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	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties				Other Initial Measures		
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations	Establishment/Designation of National Authority
102.	Malawi	X	X	X	X	X	X	X	X	X	X	X	X	X	X
103.	Malaysia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
104.	Maldives	X	X	X	X	X	X	X	X	X	X	X	X	X	X
105.	Mali	X	X	X	X	X	X	X	X	X	X	X	X	X	X
106.	Malta	X	X	X	X	X	X	X	X	X	X	X	X	X	X
107.	Marshall Islands														X
108.	Mauritania								X	X	X	X	X	X	X
109.	Mauritius	X	X	X	X	X	X	X	X	X	X	X	X	X	X
110.	Mexico	X	X	X	X	X	X	X	X	X	X	X	X	X	X
111.	Micronesia (Federated States of)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
112.	Monaco	X	X	X	X	X	X	X	X	X	X	X	X	X	X
113.	Mongolia		X			X	X	X	X	X	X	X		X	X
114.	Montenegro	X	X	X	X	X	X	X	X	X	X	X	X	X	X
115.	Morocco	X	X	X	X	X	X	X	X	X	X	X	X	X	X
116.	Mozambique														X
117.	Myanmar	X	X	X					X	(X)	X	(X)		(X)	X
118.	Namibia														X
119.	Nauru														X
120.	Nepal	(X)	(X)	(X)	(X)				X		X		(X)	(X)	X
121.	Netherlands	X	X	X	X	X	X	X	X		X		X	X	X
122.	New Zealand	X	X	X	X	X	X	X	X		X		X	X	X

State Party

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties			Other Initial Measures			
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals	Chemical Weapons				Scheduled Chemicals
144.	Rwanda	X							X	(X)		(X)			X
145.	Saint Kitts and Nevis	X	X	X	X	X	X	X	X	X	X	X	X	X	X
146.	Saint Lucia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
147.	Saint Vincent and the Grenadines	X	X	X	X	X	X	X	X	X	X	X	X	X	X
148.	Samoa	X	X	X	X				X	(X)	X	(X)	X	(X)	X
149.	San Marino								X		X				X
150.	Sao Tome and Principe														X
151.	Saudi Arabia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
152.	Senegal	X	X		X	X	X	X	X	X	X	X	X	X	X
153.	Serbia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
154.	Seychelles														X
155.	Sierra Leone														X
156.	Singapore	X	X	X	X	X	X	X	X	X	X	X	X	X	X
157.	Slovakia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
158.	Slovenia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
159.	Solomon Islands														X
160.	Somalia														
161.	South Africa	X	X	X	X	X	X	X	X	X	X	X	X	X	X
162.	Spain	X	X	X	X	X	X	X	X	X	X	X	X	X	X
163.	Sri Lanka	X	X	X	X	X	X	X	X	X	X	X	X	X	X
164.	State of Palestine	X	X	X	X				X		X		X	(X)	X

State Party

	State Party	Definitions				Scheduled Chemicals Regime			Prohibitions and Penalties			Other Initial Measures			
		Chemical Weapons	Toxic Chemical	Precursor	Purposes Not Prohibited	Reporting on Transfers			Prohibitions		Penalties				
						Schedule 1	Schedule 2	Schedule 3	Chemical Weapons	Scheduled Chemicals		Chemical Weapons	Scheduled Chemicals	Extraterritoriality	Legal Basis for Regulations
184.	United Republic of Tanzania	X	X	X	X	X	X	X	X	(X)	(X)	(X)	(X)	(X)	(X)
185.	United States of America	X	X	X	X	X	X	X	X	X	X	X	X	X	X
186.	Uruguay	X	X	X	X	X	X	X	X	X	X	X	X	X	X
187.	Uzbekistan	X	X	X	X	X	X	X	X		X				X
188.	Vanuatu	X	X	X	X	X	X	X	X	X	X	X	X	X	X
189.	Venezuela (Bolivarian Republic of)	X	(X)	(X)	X	(X)	(X)	(X)	X	X	X	X		X	X
190.	Viet Nam	X	X	X	X	X	X	X	X	X	X	X	X	X	X
191.	Yemen	X	X	X	X	X	X	X	X	X	X	X	X	X	X
192.	Zambia	X	X	X	X	X	X	X	X	X	X	X	X	X	X
193.	Zimbabwe	X				X	X	X	X	X	X	X			X

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