

Article VIII

The Organization

A. General Provisions

1. There is hereby established the International Organization for the Prohibition of Chemical Weapons.
2. All States Parties shall ipso facto be members of the Organization.
3. The seat of the Organization shall be ...

Comment: All States Parties to the Convention should be members of the Organization. Thus, no provisions governing application for membership, admittance or expulsion would be necessary.

4. There are hereby established as the main organs of the Organization the General Conference, the Executive Council and the Technical Secretariat.

Comment: At this stage, it appears necessary to decide on the names of the organs. Judged by the tasks to be entrusted to the principal organ to be set up under the Convention, the name "Consultative Committee" does not seem to be appropriate. Besides its function as a forum for consultation among States Parties, the organ should address the most important problems to be solved in connection with the implementation of the Convention. The large membership this organ is bound to have does hardly warrant the term "committee". In contrast to the text contained in WP.167, it seems to be preferable to establish ipso jure the other two main organs at the time the Convention enters into force. Growing out of the Preparatory Commission, the Technical Secretariat should, for example, be able to function in an orderly manner from the first day on.

B. The General Conference

- (a) Composition, procedure and decision-making

Comment: Apart from the need to reflect the outstanding consensus on the decision-making procedure and on how the blank can be filled concerning the number of members necessary to convene an extraordinary session, the existing text of Article VIII. B. does not seem to require major changes. A provision on the first session, a provision corresponding to Article VIII. A. 3., would have to be included in that text.

- (b) Powers and functions

1. The Conference shall be the principal organ of the Organization. The other main organs shall be accountable to the Conference, as specifically provided for in the Convention.
2. The Conference shall oversee the implementation of the Convention, consider any questions or matters relevant to the Convention or the powers and functions of any subsidiary organs, foster consultation and co-operation among States Parties for the advancement of chemical industry for peaceful purposes, and promote the verification of compliance with this Convention.