



OPCW

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AUSTRALIA

SEQUENTIAL INSPECTIONS

1 Introduction

- 1.1 This paper outlines Australia's experience hosting Article VI sequential inspections by the Organisation for the Prohibition of Chemical Weapons (OPCW). It identifies advantages of sequential inspections, as well as some issues that they may present. This information may be of particular interest to States Parties who are yet to accept sequential inspections.

2 The issues

- 2.1 Sequential inspections were initiated by the Technical Secretariat (hereinafter "the Secretariat") for operational and financial reasons. This practice has now become an accepted part of the verification regime. The Chemical Weapons Convention (hereinafter "the Convention") does not specifically address sequential Article VI inspections; however, it does not preclude them from occurring.
- 2.2 As at 5 October 2007, there were 182 States Parties, 78 with declarable activities under Article VI. Forty-one State Parties (53% of those with declarable activities) have notified the Secretariat that they accept sequential inspections, and of these 33 accept sequential inspections being conducted within different inspected States Parties.
- 2.3 Australia was among a group of more than 10 countries that agreed to trial sequential inspections from 1999 to 2003, with the first one in Australia being conducted at two Schedule 3 facilities in 1999.
- 2.4 Sequential inspections have made a significant contribution to enhancing the numbers of Article VI inspections since their official commencement in 2003 (Table 1 refers) and thereby improving the efficiency of verification. By 2007, 54 inspections out of 200 (27%) were conducted as sequential inspections.



Table 1: Article VI sequential and non-sequential inspections conducted by the OPCW

Year	Total number of Article VI inspections ¹	Number of sequential inspections ²	Numbers of facilities inspected during sequential inspections
2003*	132	1	2
2004	150	16	32
2005	162	23	46
2006	180	26	52
2007	200**	27	54

* Total numbers of inspections prior to 2003 are as follows: 28 (1997), 94 (1998), 80 (1999), 132 (2000), 132 (2001) and 132 (2002).

** The breakdown of inspections in 2007 by type is as follows: 11 Schedule 1 (S1), 42 Schedule 2 (S2), 29 Schedule 3 (S3) and 118 other chemical production facilities.³

- 2.5 Australia supports increasing the number of Article VI inspections at other chemical production facilities (OCPF) because of the large number of these facilities declared with only relatively few having been subject to inspection under the Convention. As at 1 November 2007, only 504 (11%) of the 4581 declared OCPFs (with production levels above the verification threshold) had been inspected. This imbalance increases the risk already posed by OCPFs to the object and purpose of the Convention. Sequential inspections are one means of achieving increased numbers of OCPFs within existing budgetary constraints.

3 Sequential inspections in Australia

- 3.1 In Australia's annual declaration of past activities (ADPA) for 2006, 42 facilities were declared under Article VI of the Convention. Since the entry into force of the Convention, Australia has hosted 24 routine industry inspections by the OPCW. A breakdown of numbers of Australian facilities declared and those already inspected by type is shown in Table 2.

Table 2: Numbers of facilities declared in Australia's ADPA 2006 and inspections received by the OPCW since 1997 as at 31 December 2007.

	S1	S2	S3	OCPF
Declarable facilities	1*	6	3	32
OPCW inspections	6	2	5	11

* protective purpose facility

Of these inspections, five were sequential inspections within Australia (intra-country) and a further two involved an inspection in Australia followed by a second one in another State Party (inter-country) (see Table 3).

- 3.2 In Australia's experience OPCW inspectors take a flexible approach to handing over the inspection mandates during intra-country sequential inspections. Depending on the circumstances, one or both inspection mandates are handed over to the inspected

¹ 2000 – C-V/DEC.18, 2001 – C-V/DEC.18, 2002 – C-VI/DEC.17, 2003 – C-7/DEC.16, 2004 – C-8/DEC.17, 2005 – C-9/DEC.14, 2006 – C-10/DEC.5, 2007 – C-11/DEC.11

² Information provided by the Technical Secretariat.

³ C-11/DEC.11

State Party at the point of entry, and if necessary the second mandate withheld and handed over at another opportunity closer to arrival at the second facility.

Table 3: Breakdown of sequential inspections involving Australia

Year	Type (first – second)	Location (first – second)
1999 [^]	S3 – S3	Western Australia – Queensland
2003	OCPF – X*	New South Wales – another State Party
2004	S1 – S1 [#]	Victoria – Victoria
2004	OCPF – Y*	Western Australia – another State Party
2006	OCPF – OCPF	Victoria – Victoria
2006	S1 – OCPF	Victoria – New South Wales
2007	OCPF – OCPF	Western Australia – Western Australia

[^] This sequential inspection occurred during a trial period.

* Facility type in another State Party not known.

In 2004 Australia decommissioned its existing protective purpose facility and commissioned a new one at another location. The OPCW conducted inspections of both facilities.

4 Advantages of sequential inspections

- 4.1 There are a number of advantages to sequential inspections over singular inspections, and benefits can be realised by both the OPCW and the inspected State Party. In our view, resource savings are the primary benefit and motivator for sequential inspections.
- 4.2 Time savings are realised by adjusting the inspection cycle. The inspection cycle consists of preparation, inspection and reporting. For a sequential inspection, the same cycle is followed but the Secretariat conducts two inspections in essentially the same inspection period. This virtually doubles the efficiency of the Inspectorate. This is where there are substantial savings in sequential inspections.
- 4.3 Cost savings are also realised by the OPCW in conducting sequential inspections within the same country or geographic region, as was previously noted in a national paper by the Republic of Korea presented at the First Review Conference.⁴
- 4.4 For the inspected State Party, time savings can be realised in the facilitation of the inspectors' transit through Customs and Immigration, in making transport and accommodation arrangements and in performing only one pre-inspection of approved equipment upon arrival at the point of entry.
- 4.5 Given the long distances that OPCW inspectors need to travel to reach some regions of the world, sequential inspections give inspectors the time to overcome jetlag. That is, the timing between arrival at the point of entry and the first inspection is identical for both singular and sequential inspections, but for the second inspection the inspectors are more adjusted to the new time-zone.
- 4.6 Australia has found that industry generally feels more relaxed about the inspection process when they are aware that the OPCW is visiting to inspect two facilities rather than just one, provided that any confidentiality concerns are also adequately addressed.

⁴ RC-1/NAT.19, "Enhancing the Efficiency and Effectiveness of Article VI Inspections Focusing on Schedule 3 Chemicals and DOC/PSF Facilities", dated 29 April 2003.

- 4.7 As the initial inspection notification for intra-country sequential inspections identifies both inspected facilities, the second facility has slightly longer to prepare for its inspection than would be the case for a singular inspection. This information is necessary to allow the National Authority to arrange domestic transport between inspected sites where one facility is at a substantial distance from the other.

5 Practical issues with the conduct of sequential inspections

- 5.1 One of the possible disadvantages of sequential inspections is the increased burden it may place on small National Authorities. National Authority representatives will need to be out of the office for a longer continuous period of time, including weekends, than would be required for two singular inspections at different times during the year. However, the total time out of the office is generally less than that required for two singular inspections.
- 5.2 Although the Convention specifies the maximum inspection duration for each type of inspection, for some facilities it is not always possible to pre-determine how long the inspections will last. Uncertainty in date and time of arrival at the second facility can place some stress on the facility as they try to adjust their work plans around the potential arrival of the inspection team. There are a number of ways of addressing this. It may be possible for the Secretariat to schedule the more “time-predictable” inspection first in the sequence to reduce the uncertainty in timings. Further, the inspection team and the inspected State Party can agree (at the point of entry for example) to a time of anticipated arrival at the second facility.
- 5.3 If the arrival time at the second inspected facility is pre-agreed, or if there are long distances to travel between inspected facilities, this may result in wasted time between the two inspections. However, the time consumed in this way is still substantially less than the time savings achieved when compared with the alternative whereby OPCW inspectors would need to travel twice to Australia to achieve the same verification result.

6 Confidentiality

- 6.2 Australia’s experience has been that all of the inspectors who have been involved in sequential inspections have demonstrated a high degree of professionalism and have adequately ensured the confidentiality of information in accordance with standard operating procedures.
- 6.1 A State Party should be able to attach certain conditions to their agreement to receive sequential inspections which could address any confidentiality concerns. For example, the inspection team and National Authority can make sure that no documents, data or samples are taken onto an inspection site other than that to which they relate. The National Authority can assist the inspection team in arranging suitable storage for items from the first inspection site during the conduct of the second inspection.

7 Conclusion

- 7.1 On balance Australia views sequential inspections favourably because of efficiencies realised by both the OPCW inspectorate and National Authorities. In particular, sequential inspections are a resource-saving initiative that enhances the OPCW's ability to conduct verification activities under Article VI within budgetary constraints. Australia's experience has shown that the OPCW has appropriate arrangements in place to safeguard the confidentiality of site-specific information.
- 7.2 States Parties that are considering accepting sequential inspections are encouraged to approach the Secretariat to discuss any concerns they may have, and determine if these constraints can be resolved. The Australian National Authority would also be happy to discuss its experience in more detail with interested States Parties. By placing any necessary conditions on sequential inspections, State Parties can ensure that sequential inspections are not more problematic than singular inspections.

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