



Fifty-Third Meeting  
26 August 2016

EC-M-53/DG.1  
19 August 2016  
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**NOTE BY THE DIRECTOR-GENERAL****PLAN FOR THE DESTRUCTION OF LIBYA'S REMAINING CATEGORY 2 CHEMICAL WEAPONS OUTSIDE THE TERRITORY OF LIBYA****BACKGROUND AND GENERAL PRINCIPLES GOVERNING THE DESTRUCTION OF LIBYA'S REMAINING CATEGORY 2 CHEMICAL WEAPONS OUTSIDE OF THE TERRITORY OF LIBYA**

1. At its Fifty-Second Meeting, the Executive Council (hereinafter “the Council”) adopted a decision setting forth the detailed requirements for the destruction of Libya’s remaining Category 2 chemical weapons (EC-M-52/DEC.2, dated 27 July 2016).
2. In that decision, the Council, inter alia, considered the reasons why Libya proposed that the destruction of its chemical weapons would need to take place outside its territory, and established the following timelines for their removal from and destruction outside the territory of Libya (operative paragraphs 2 and 3 of EC-M-52/DEC.2):
  - (a) the remaining Category 2 chemical weapons as declared by Libya (phosphorus trichloride, thionyl chloride, tributylamine, and 2-chloroethanol) shall be removed from the territory of Libya not later than 8 September 2016; and
  - (b) destruction outside the territory of Libya shall be completed in the shortest time possible and within 15 months after their arrival at the destruction facility.
3. Pursuant to operative paragraph 9 of EC-M-52/DEC.2, the Council requested the Director-General, “in close consultation with States Parties offering to host a destruction facility or otherwise providing assistance with transport or destruction, to present to the Council for its consideration, not later than 19 August 2016, a plan for the destruction of the remaining Category 2 chemical weapons outside the territory of Libya which includes provisions for ensuring clear responsibility at each stage for the chemicals and takes into account all relevant considerations, including the date specified in paragraph 3 [of decision EC-M-52/DEC.2], requirements for safety and security, and overall costs.”
4. The Technical Secretariat (hereinafter “the Secretariat”) has developed the plan presented below, taking into consideration the following, inter alia:



- (a) the initial declaration of chemical weapons submitted by Libya on 23 March 2004 pursuant to Article III of the Chemical Weapons Convention (hereinafter “the Convention”);
- (b) the general plan for the destruction of chemical weapons submitted by Libya on 26 March 2004 pursuant to paragraph 1 (a) (v) of Article III, of the Convention and paragraph 6 of Part IV (A) of the Verification Annex to the Convention (hereinafter “the Verification Annex”) (EC-36/DG.20, dated 26 March 2004);
- (c) amendments to the initial declaration for Category 2 chemical weapons submitted by Libya on 23 March 2004, 4 May 2009, and 1 July 2016;
- (d) the outline plan for the removal of chemical weapons from Libya for destruction outside its territory developed by the Operational Planning Group;
- (e) the plan developed by Libya for the transportation of chemicals from the storage site to the port of embarkation;
- (f) the outcome of consultations with the States Parties offering to host a destruction facility or otherwise providing assistance with removal or destruction; and
- (g) the availability of required financial, technical, logistical, and other resources as at the date of issuance of this plan.

#### **ACTIVITIES TO BE UNDERTAKEN FOR THE REMOVAL OF THE LIBYAN CHEMICAL WEAPONS**

- 5. Libya conducted packaging activities consistent with procedures related to transportation under the International Maritime Dangerous Goods (IMDG) Code, required for the safe and secure transport of chemicals from the Ruwagha storage facility to the maritime vessel for removal. All activities related to reloading and packing will be verified via remote monitoring. Appropriate resources for the packaging and transport from the chemical storage site to the embarkation point are being provided by Canada and the United States of America.
- 6. Libya has shared with the Secretariat a plan for the transportation of chemicals from the storage site to a temporary holding facility in the northern part of the country near the port of embarkation. Convoys of appropriately packaged chemical materials have been moved along a selected route to the temporary holding area in coordination with Libyan security and hazardous materials response elements. Libya has implemented a comprehensive security and safety plan to ensure the effective monitoring and oversight of the process and the physical security of materials during transit from the storage site to the temporary holding area and further to the entry of the port. Denmark, in coordination with Libya, will provide security during port operations.
- 7. Libyan trucks transporting the chemical materials will arrive at the port of embarkation, where a designated Libyan official will provide required documentation to enable international maritime transportation. Denmark will contract with a local port company for the loading of the chemical material onto a designated vessel, in

accordance with appropriate loading requirements pertaining to the transfer of dangerous goods. Security during loading operations at the port of embarkation is the responsibility of Libya, in coordination with Denmark. Denmark has offered a consequence management response unit within Libyan territorial waters.

8. Denmark will provide a vessel and military escort to transport the Libyan chemical materials to the destruction location. Vessels provided by Italy will ensure that other activities in nearby international waters do not interfere with the loading operations.

#### **ACTIVITIES TO BE UNDERTAKEN FOR THE DESTRUCTION OF LIBYAN CHEMICAL WEAPONS**

9. To enable the destruction of 2-chloroethanol and tributylamine, the Gesellschaft zur Entsorgung von chemischen Kampfstoffen und Rüstungsaltslasten mbH (GEKA mbH) in Munster, Germany will incinerate the 2-chloroethanol using Incineration Plant No. 1 (“Munster-1”) and the tributylamine using the afterburner of the plasma arc system. Details regarding the destruction and appropriate verification measures are contained in EC-M-53/DEC/CRP.2 (dated 19 August 2016).
10. To enable the destruction of phosphorous trichloride and thionyl chloride, GEKA mbH will neutralise the two chemicals using a reactor with a combination of water and caustic soda. Pending the final sample analysis, an approved incineration option may be used and is being kept in readiness for the eventuality that other by-products might require alternative procedures than hydrolysis. Pursuant to operative paragraph 13 of EC-M-52/DEC.2, representatives of Germany and the Secretariat have agreed on a detailed plan for verification and a facility agreement (EC-M-53/DEC/CRP.2) to fulfil the verification objectives defined in paragraph 66 of Part IV(A) of the Verification Annex.

#### **CONSIDERATIONS RELEVANT TO THE REMOVAL AND DESTRUCTION OF THE LIBYAN CHEMICAL WEAPONS**

11. As stated in paragraphs 5 and 6 of EC-M-52/DEC.2, Libya maintains ownership of its chemical weapons until they are destroyed. As long as the chemical weapons are on its territory, Libya also maintains control over them. Thus, Libya will bear the primary responsibility for the conduct of the activities to be undertaken on its territory. Libya also remains responsible for ensuring adequate security during all activities inside Libya contemplated in this plan. Upon removal of the declared chemical weapons from its territory, Libya no longer has possession of these chemical weapons or jurisdiction or control over them.
12. It is recalled that, pursuant to paragraph 10 of Article IV and paragraph 3 of Article VII of the Convention, each State Party, during the implementation of its obligations under the Convention, shall assign the highest priority to ensuring the safety of people and to protecting the environment.
13. The selection of methods for the destruction of Libyan chemical weapons will ensure that destruction meets the requirements of paragraph 12 of Part IV(A) of the Verification Annex, namely, that the chemicals be converted “in an essentially irreversible way to a form unsuitable for production of chemical weapons”, and none of the methods explicitly banned under paragraph 13 of Part IV(A) of the Verification

Annex (“dumping in any body of water, land burial or open-pit burning”) will be employed.

#### **OVERALL COSTS AND STATUS OF THE TRUST FUND**

14. Currently, it is not possible to quantify the overall costs for the destruction of the Libyan chemical weapons outside the territory of Libya. Costs will be met through in-kind contributions and the trust fund established by the OPCW.
15. Through in-kind contributions, Denmark will transport the Libyan Category 2 chemical weapons and Germany will destroy the Category 2 chemical weapons. In accordance with operative paragraph 8 of EC-M-52/DEC.2, the Secretariat has established a special trust fund to provide funding to facilitate the technical activities of the OPCW in support of the verification of the destruction of Libyan chemical weapons and for the financial resources needed for the activities related to complete destruction of the Libyan chemical weapons outside the territory of Libya (S/1400/2016, dated 1 August 2016). The European Union has indicated a desire to provide EUR 3 million for the destruction of the remaining decanted tanks and clean-up operations at Ruwagha. Total contributions to the trust fund as at 16 August 2016 were EUR 40,000 (from the United Kingdom of Great Britain and Northern Ireland). A further three States Parties (Canada, Finland, and the United States of America) have made formal commitments to contribute an additional amount of approximately EUR 1.3 million.

#### **ACTIVITIES UNDERTAKEN AS OF 16 AUGUST 2016 TO ENABLE THE REMOVAL AND DESTRUCTION OF THE LIBYAN CHEMICAL WEAPONS**

16. The Libyan authorities have prepared samples of the remaining Category 2 chemical weapons to comply with transportation, import, and destruction regulations. The Secretariat, in coordination with Libyan authorities, has facilitated the transfer of the chemical samples with the assistance of the Government of Italy and Malta. The United States of America has provided the necessary funding for transport of the chemical samples by air. The samples will be analysed at the OPCW Laboratory and, through an in-kind contribution, at the Defence Science and Technology Laboratory in the United Kingdom.
17. ISO<sup>1</sup> maritime shipping containers have been fitted with Global Positioning System (GPS) locators. These containers, as well as the GPS locators, have been purchased with support from Canada.
18. Loading equipment (forklift trucks and cranes), other loading materials (pallets, compressors and so on), and decontamination equipment are being provided by Libya and Denmark.
19. With funds provided by Canada, selected Libyan personnel attended a three-day packaging and IMDG Code transportation course in The Hague from 5 to 7 April 2016 to facilitate reloading and packaging operations. The Secretariat has developed verification measures to be implemented during packaging, transportation,

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<sup>1</sup> ISO = International Organization for Standardization.

and removal of the Libyan chemical weapons to ensure against tampering and possible diversion.

20. The Secretariat visited the dedicated port of disembarkation as well as the destruction facility in Germany and has developed verification measures to be implemented during unloading, handover/takeover, and destruction operations.

### **CONCLUSION**

21. The Director-General wishes to express his deep appreciation to the States Parties that have agreed to assist in the removal and destruction of the Libyan chemical weapons outside its territory; States Parties that are providing material assistance in this process; and those States Parties making financial contributions to the trust fund. The success of this plan is incumbent upon a collective endeavour and it is the hope of the Director-General that there will be additional contributions, especially to the trust fund.

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