



International Cooperation and
Assistance Division
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**REVIEW OF THE PROCEEDINGS OF THE SECOND MEETING
TO COORDINATE ASSISTANCE UNDER ARTICLE X OF THE CONVENTION**

1. Introduction

- 1.1 The second meeting to coordinate assistance under Article X of the Chemical Weapons Convention was held in the Executive Council Chamber on Monday 15 June 1998. The following delegations were represented at the meeting:

Algeria, Argentina, Australia, Belgium, Bulgaria, Canada, Chile, Cuba, Czech Republic, France, Germany, India, Iran (Islamic Republic of), Japan, Republic of Korea, Kuwait, Morocco, Netherlands, Romania, Russian Federation, Slovakia, South Africa, Spain, Swaziland, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, and Venezuela.

- 1.2 The Deputy Director-General, Mr John Gee, opened the meeting by reiterating the importance of the implementation of Article X in furthering the security of Member States of the Organisation and in encouraging States to renounce any chemical weapons option. He stated that contributions by States Parties to the assistance package give a significant political signal that the international community no longer tolerates any use of chemical weapons and it is fully supportive of any victim of the use of chemical weapons. He expressed disappointment, however, that only approximately one third of the States Parties had so far fulfilled their obligation under Article X to make an offer of assistance. He stated that any failure to perform adequately in this area would undoubtedly have an adverse effect on both the credibility of the OPCW and the process of international disarmament. The text of this statement is contained in annex 1 to this report.
- 1.3 The meeting adopted its agenda (see annex 2 to this report), and deliberated on the various items contained in it. The matters which generated most discussion and interest are reported below.

2. Agenda items 3 - 5

- 2.1 The Secretariat informed the meeting that, since the first meeting to coordinate assistance under Article X, held on 26 January 1998, five additional declarations had been received, three of which were contributions to the voluntary fund for assistance. The Philippines, Poland and Spain had expressed readiness to enter into bilateral agreements with the OPCW on the provision of assistance. Some delegations briefed the meeting on their offers, or elaborated further on their offers made earlier as follows:
- (a) a new offer made by the Islamic Republic of Iran included its readiness to receive up to 100 CW casualties for medical treatment; the dispatching of up to five rescue teams consisting of medical specialists, general practitioners and nurses; and the dispatching of medicines and required medical equipment for up to 100 casualties of chemical weapons;
 - (b) Italy announced that its contribution to the voluntary fund would be equivalent to 5.7 percent of its annual contribution to the OPCW. In addition, it was considering additional offers of medical equipment;
 - (c) Turkey stated that, in addition to a contribution to the voluntary fund, it was ready to provide storage facilities in five locations on its territory for equipment and medical supplies for assistance purposes; and
 - (d) Canada indicated that, in addition to its contribution to the voluntary fund, it was engaged in talks with the Secretariat in anticipation of contributing material in the form of protective masks and hand-held CW detectors.
- 2.2 Concern was expressed about the lack of adequate offers of assistance under Article X, and about the fact that only 5 to 10 percent of needs in this regard had been provided for so far. The view was expressed that, under such circumstances, the OPCW might not be in a position to respond adequately to a request for assistance. The meeting agreed to request the Executive Council to address this concern.
- 2.3 In relation to agenda item 4, on the transparency of offers of assistance, the Secretariat stated that, during the first meeting on the coordination of assistance, a document summarising offers of assistance had been circulated, without any indication of the States Parties which had made the offers. At the same meeting there had been discussion of whether universality and transparency would be enhanced if the names of the States Parties in question were disclosed, as well as the details of the offers. There was general agreement that this should be the case, and the Secretariat is therefore planning to make such information available to States Parties, including a specification of the offers of assistance made so far by States Parties. While endorsing such a move, the meeting recommended that such information should be updated regularly, to reflect any new offers of assistance, or any elaboration of existing offers.
- 2.4 In relation to agenda item 5, the Secretariat stated that more medical teams, antidotes, long-term medical treatment and personal protective equipment were needed for the assistance package. At the same time it was recommended that States Parties which

had so far made only general offers of assistance could elaborate their offers in more detail, in order to enable the Secretariat to better identify gaps and to plan the delivery of assistance. Some delegations also requested the Secretariat to prepare a paper identifying priority areas in this regard.

3. Agenda item 6

A background paper on guidelines for the voluntary fund for assistance prepared by the International Cooperation and Assistance Division (annex 3 to this report) was presented to the meeting. The paper dealt with the objectives of the fund, its scope, the administration of the fund, the administrative authority, spending authority, reporting on and evaluation of the fund. It was suggested that the OPCW Financial Regulations and Rules should govern disbursements from the fund. The discussion of this subject dealt with both the substance of such guidelines and the procedure for their implementation. The meeting decided to recommend that the Executive Council should request the Secretariat to convene an open-ended drafting committee to develop the guidelines to be presented to the Executive Council at its next regular session for review and referral to the Conference of the States Parties at its Third Session for consideration and adoption.

4. Agenda item 7

4.1 A background paper prepared by the International Cooperation and Assistance Division (annex 4 to this report) on the need for training in the use of protective equipment was presented to the meeting. The paper argued that, since there will be virtually no time for training in the use of protective equipment when chemical weapons are actually used, it would consequently be advisable to conduct such training in advance. Some offers of assistance had included training, and to that end a number of training options were available. In the view of the Secretariat, a combination of donor states providing advance training for local instructors with instructional materials produced in advance might be preferable.

4.2 The view was expressed that, before the Secretariat proceeded to provide training to a State Party requesting such assistance, it should, under paragraph 4 of Article X, have obtained information from such a State Party about its national programme, in order to be able to better respond to its needs. Other delegations proposed a more flexible approach. One delegation pointed out that there are two kinds of training - the training offered by States Parties, and training which would be undertaken by the Secretariat. In the latter case, budgetary approval would be required. Another delegation stated that it was offering training in the use of individual protective equipment for trainers in States Parties, and indicated that it would like to request the OPCW to proceed with this offer.

5. Agenda items 8 - 9

5.1 The Secretariat made a presentation on the feasibility of insurance for personnel and equipment during assistance operations. This covered the insurance of equipment provided by the OPCW, as well as of equipment offered by States Parties, and also

included the insurance of personnel of the OPCW and of States Parties which might be dispatched to deliver assistance. The Secretariat suggested that it would be responsible for providing insurance coverage for its own equipment and personnel, while States Parties offering assistance or dispatching personnel to this end should do the same for their equipment and personnel.

- 5.2 The meeting agreed that, when States Parties were making their offers, they should take into account these concerns, and should accept liability for any resources and experts which they might offer under Article X. It was suggested that the OPCW should notify governments of their liability in relation to experts dispatched by States Parties for assistance operations.
- 5.3 In relation to agenda item 9, the Secretariat stated that there was a need to coordinate the provision of assistance, and enquired who should be responsible for this. For the timely and appropriate delivery of assistance, there was a need for coordination between States Parties providing assistance on the one hand, and the receiving State Party and the Secretariat on the other hand. The Secretariat sought the approval of the meeting for the principle that such coordination is within the mandate of the OPCW. Some delegations expressed the view that there are many variable factors in each case, and that it might consequently be difficult to generalise. However, there was agreement that, as the Secretariat has at its disposal the bulk of the information about all offers of assistance, it should serve as the focal point for the coordination of assistance.

6. Agenda items 10 - 13

- 6.1 The Secretariat informed the meeting that, in order to avoid any duplication with other international organisations, and also in order to benefit from their experience, contacts had been established with such organisations dealing with emergency situations of a comparable nature. These contacts would be pursued, and Member States would be kept informed of any outcome. The view was expressed that there should also be discussion of whether the expertise of the OPCW may be made available to other international organisations.
- 6.2 In relation to agenda item 11, a background paper prepared by the International Cooperation and Assistance Division (annex 5 to this report) on the advisability of establishing a “protection network” to implement the second part of paragraph 5 of Article X was presented to the meeting. In order to implement this paragraph, the Secretariat proposed to establish a “protection network” to provide such assistance upon request.
- 6.3 The view was expressed that the implementation of this provision is linked to the implementation of paragraph 4 of the same Article. States Parties which provided information on their protection programmes were entitled to request such assistance under paragraph 5. However, other speakers, while believing that the provision of such information would make the situation easier, did not support a linkage between paragraphs 4 and 5 of Article X, and maintained that all provisions of the Convention should be implemented independently of each other.

- 6.4 The question was raised whether any State Party had actually invoked paragraph 5. In its response, the Secretariat indicated that one of the reasons for including this topic on the agenda of the second meeting was the fact that a State Party was awaiting action from the OPCW on the implementation of this provision. One delegation indicated that it was giving serious consideration to the possibility of invoking this paragraph. The delegations did not reach agreement on this issue, and agreed to return to it at a subsequent meeting.

7. Recommendations of the meeting

The meeting decided to present the following recommendations to the Executive Council at its Tenth Session as a matter of urgency (see EC-X/TS.1, dated 16 June 1998):

- (a) that the Council should review the situation with respect to the limited response from States Parties in relation to their obligations under Article X, paragraph 7;
- (b) that the Council should request the Secretariat to convene a drafting group to draft guidelines for the operation of the voluntary fund for assistance; and
- (c) that the Council should note the intention of the Secretariat to issue, on a regular basis, a compilation of offers of assistance.

Annexes (English only)

Annex 1

SECOND ASSISTANCE COORDINATION MEETING ON 15 JUNE 1998

OPENING STATEMENT BY THE DEPUTY DIRECTOR-GENERAL

Ladies and Gentlemen,

It gives me great pleasure to be here today among you and to open the Second Meeting to Coordinate Assistance under Article X. Article X is indeed an important component of the Chemical Weapons Convention, both to encourage its universality and to diminish any perceived value of the use of chemical weapons in the future.

The full implementation of this Article further enhances the security of states by guaranteeing that the international community will effectively help them in case they are subject to chemical weapons attack. It is a further incentive to encourage them to renounce any chemical weapons option. Contributions by States Parties to the assistance package gives a significant political signal that the international community no longer tolerates any use of chemical weapons and it is fully behind any CW victim.

Militarily, the existence of effective and timely assistance greatly diminishes any possible value or advantage of using chemical weapons and, as a result, any potential user will think twice before resorting to this abhorrent class of weapons of mass destruction.

As nothing of value comes easy in this world, devising a meaningful assistance package requires a lot of perseverance, time, financial resources and also a lot of co-operation from all States Parties. Building the OPCW's capability to respond as required to provide assistance is an enormous task. Adequate levels of assistance can be attained only through the commitment of Member States to the provisions of Article X of the Convention and to proper planning, both of which are prerequisites for the successful implementation of the CWC. It will be through the offers and contributions of the States Parties that the Organisation will develop its capability to respond in a crisis situation. In this regard it disturbing to note not more than one third of the States Parties have fulfilled their obligations under Article X. I use this occasion to call upon others to try to comply with the provisions of the Article.

At present the Voluntary Fund for Assistance is a little over half a million Dutch guilders which can hardly meet logistical requirements of a meaningful assistance delivery. Of course some encouraging communications have been received by the Secretariat recently of further contributions to the Voluntary Fund, some of them substantial indeed, and I hope we will be in a happy position to inform you soon of receipt of these contributions.

As regards to provision of the other forms of assistance as stipulated by para.7 of Article X, the Secretariat has started the process of bringing these offers into a viable and reliable system of assistance to be delivered on time when needed. This task, which requires identifying gaps in offers, making them compatible and integrated into a package, addressing the logistical questions which arise, and formulating a viable operating procedure among other things is indeed a daunting task. If it is to be successfully accomplished, it will require co-operation

from all sides. We have not yet received enough offers and furthermore some of them are ambiguous and too general.

In the coming weeks the Secretariat will contact each State Party on this subject to get further clarification and details of these offers. In this regard allow me to express the appreciation of the Secretariat to those Member States which, in addition to their generous offers, have expressed readiness to provide training for use of their offered equipment. The Secretariat is soon going to make these offers available to States Parties upon request for transparency and promotion of universality of the Convention.

The First Meeting to Co-ordinate Assistance under Article X was held on 26 January 1998 to address these practical questions related to assistance offers. The meeting proved to be useful in which declarations, offers and contributions under paragraph 7 were reviewed; the need for specific and detailed information to facilitate planning was underlined; and time-critical areas of assistance were identified. Advance training in the use of offered equipment or development of instant training modules as well as preparation of general instruction material on assistance and chemical protection were also discussed in detail.

One of the conclusions of the first meeting was the need for further co-ordination and also learning from the experience of other international organisations involved in relief operations. The procedures used by investigation teams dispatched by the United Nations Secretary General to investigate alleged use of chemical weapons have been useful. However, for the OPCW the main goal under Article X is to deliver timely and adequate assistance to victims and this goal makes it different from those investigations in the past.

We are having the Second Co-ordination meeting almost five months after the first one to review the situation and plan for the activities of the next half of the year 1998. The meeting will deal with both general and technical aspects of assistance. We hope that the meeting will give further impetus to the co-ordinated efforts to bring about a viable assistance package.

In conclusion I would like to say that although the CWC and the establishment of the OPCW have served as deterrent to the future use of chemical weapons, their total elimination is still a goal. Despite its impressive membership, the Convention is still not universal, with the result that the threat of chemical warfare will remain for a long time to come. If chemical weapons were to be used, the Organisation and its ability to provide timely and efficient assistance to victims would be scrutinised by both the international community and the world's media. Any failure to perform adequately would undoubtedly have an adverse effect on the Organisation's credibility and its influence on the process of international disarmament. That is why your meeting today is so important and I wish you all success in your deliberations contributing to the world free from chemical weapons.

Annex 2

SECOND ASSISTANCE COORDINATION MEETING ON 15 JUNE 1998:

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Review of additional declarations, offers and contributions made under Article X, paragraph 7 since 26 January 1998
4. Transparency of assistance offers
5. Review of assistance categories to identify gaps, both in terms of equipment and personnel
6. Guidelines for the Voluntary Fund on Assistance
7. Training in the use of personal protective equipment
8. Feasibility of insurance for personnel and equipment taking part/being used in assistance operations
 - (a) equipment (OPCW or States Parties)
 - (b) personnel (OPCW or States Parties)
9. Coordination of assistance operations involving contributions from several States Parties
10. Cooperation with international relief organisations
11. The establishment of a "protection network" to implement Article X, paragraph 5, second part
12. Any other business
13. Closing of the meeting

Annex 3

DRAFT GUIDELINES FOR THE USE OF RESOURCES IN THE VOLUNTARY FUND FOR ASSISTANCE OF THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS (OPCW)

A BACKGROUND PAPER BY THE SECRETARIAT FOR THE SECOND ASSISTANCE COORDINATION MEETING ON 15 JUNE 1998

Objectives

1. The present draft guidelines will try to provide the necessary orientation for the use of resources the Voluntary Fund for Assistance.
2. They have been developed in accordance with the provisions of the Chemical Weapons Convention related to Assistance, Decision 52 of the First Conference of States Parties establishing the Voluntary Fund for Assistance and the pertinent Financial Rules and Regulations of the Organisation for the Prohibition of Chemical Weapons.

The Scope

3. Assistance, as defined in paragraph 1 of Article X of the Chemical Weapons Convention “. . . means the coordination and delivery to States Parties of protection against chemical weapons, including, inter alia, the following: detection equipment and alarm systems, protective equipment, decontamination equipment and decontaminants, medical antidotes and treatments and advice on any of these protective measures.”
4. Article X, paragraph 7 a of the Convention sets forth the Voluntary Fund for Assistance as one of the means available to States Parties to provide assistance as defined in paragraph 1 of the same Article.
5. Decision 52 of the First Conference of States Parties established the Voluntary Fund, in accordance with Article VIII paragraph 21 (j) of the Convention and decided that it shall be administered in accordance with the applicable OPCW Financial Regulations. These Regulations and Rules are also applicable to contributions to the Fund.
6. The moneys of the Voluntary Fund may be used for humanitarian and relief purposes to provide direct humanitarian, emergency or supplementary assistance in cases of use or threat of use of chemical weapons. Such assistance to the recipient countries normally takes the form of experts and associate experts, the financing of individual or group training and the provision of protection equipment and medical supplies.
7. The funds may also be used in support or supplement activities related to the provision of humanitarian, emergency or supplementary assistance.

8. Special care must be exercised to ensure that the operations financed from the V.F.A. resources are consistent with the objectives, policies and procedures of the Organisation. Proposals for the use of the moneys are to be considered within the context of the over-all assistance policy and according to the pertinent guidelines set forth by the Convention and other relevant documents.

Administration of the Fund

9. Administrative authority, the functional responsibilities within the Secretariat, the acceptance of contributions, and the implementation of financial controls, shall all be consistent with the Organisation's Financial rules and regulations and other pertinent OPCW procedures.

Administrative authority

10. In the light of the Director-General's responsibilities under the Financial Rules and consistent with practice in other international organisations, the Voluntary Fund is administered by the Director-General under the supervision of the Executive Council.
11. The Director-General is authorised to delegate the supervision and operation of the Voluntary Fund to other offices within the OPCW under terms and conditions which will ensure proper financial control of the Fund's resources.

Spending authority

12. No commitments, obligations or disbursements against the Fund may be incurred without the written authorisation of the Director General, or his authorised delegate (s). Such authorisations will be issued only after sufficient contributions have been received to meet the requirements of financial obligations. Spending authority will be exercised by certifying officers.
13. It is responsibility of the certifying officer to ensure that expenditures are made in accordance with existing financial and staff regulations, rules and procedures, for the purposes intended and within the limits allotted, and to draw to the attention of the Director-General proposed commitment or expenditure which, in his or her view, is inconsistent therewith.

Reporting and evaluation

14. Use of the resources in the Voluntary Fund will be made in circumstances demanding urgent action on the part of the Organisation and within very short time limits. The Director-General shall keep the Executive Council informed of expenses made according to the scope of the present guidelines.
15. Other reports, as required, shall be made by the Director-General, in the interest of effective management, evaluation and control.

Annex 4

THE NEED FOR TRAINING IN THE USE OF PROTECTIVE EQUIPMENT

A BACKGROUND PAPER BY THE SECRETARIAT FOR THE SECOND ASSISTANCE COORDINATION MEETING ON 15 JUNE 1998

1. An important part of the assistance, which could be provided, upon request, to a State Party after it has been subjected to an attack with chemical weapons, would consist of protective equipment, ranging from personal protective gear to advanced motorised decontamination equipment. Offers by States Parties indicate that, in the case of highly sophisticated equipment, the equipment will be provided together with personnel trained in the operation of the equipment. This is of course a prerequisite for enabling the use of the equipment; given the length of the training required and the severe time constraints for providing meaningful assistance.
2. The situation is different when offers of personal protective equipment are concerned. Most of the offers received so far by the Secretariat do not include provisions for training. Although such equipment normally is easy to use, still some training is required. As an example, the proper fitting of a protective mask or the correct use of a personal decontamination kit would normally not be possible without previous instruction. At the same time, the personal protective equipment is intended for use by persons, who would have no previous experience of such equipment. Experience has shown that if personal protective equipment is distributed without proper training, incorrect use can even lead to fatalities, not because of exposure to chemical weapons but because of the protective equipment itself.
3. As a solution to this problem, a number of options appear possible. The purpose of this background paper is to discuss to which extent some of these options are feasible.
4. **Option 1: The donor State provides instructors.** Instructors from the donor State would travel together with the equipment to the recipient State, where the instructors would provide training of those who were to use the equipment. This option would require the availability of a considerable number of instructors at short notice. Linguistic problems are likely to arise.
5. **Option 2: The donor State trains "local" instructors in advance.** Courses would be arranged by the donor State, possibly in cooperation with the Secretariat, for training personnel from possible recipient States in how to train people in the use of the personal protective equipment. One or a few persons per State would participate, and these would then, upon return to their countries, train additional instructors. This option would incur considerable travel costs for the "instructors-in-training", but would also mean that trained instructors would be locally available, should ever the need arise. Linguistic problems are expected to be minimal.
6. **Option 3: OPCW inspectors function as instructors.** Inspectors from OPCW would travel together with the equipment to the recipient State, where the inspectors would provide training of those who were to use the equipment. This option would

require the availability of a large number of OPCW instructors at short notice, instructors which must in advance have been trained in how to teach the use of personal protective equipment. Linguistic problems are likely to arise.

7. **Option 4: OPCW inspectors train “local” instructors.** OPCW inspectors would travel together with the equipment and would train personnel from the recipient State in how to train people in the use of the personal protective equipment. Persons could then, after having received the training, train additional instructors. This option would require fewer OPCW inspectors than option 3 and linguistic problems are expected to be minimal. However, the option will involve a delay before the “final” instructors have been trained.
8. **Option 5: Advance production of instruction material.** The donor State could in cooperation with the Secretariat in advance produce extensive written instruction material on the use of the personal protective equipment. Such material, which should be available not only in the six Convention languages, could then whenever the need arises, be copied or printed at very short notice. This option would in the preparatory phase mainly involve translation costs, assuming that written instructional material will be available. However, instruction manuals are a poor substitute for training under the supervision of live instructors.
9. A number of other options, ranging from production of instructional videos to “doing nothing”, have been considered and rejected. Some of these options are too costly, others make use of technologies which might in many cases not be available, and the “doing nothing”-option would to an unacceptable extent diminish the usefulness of the personal protective equipment being provided as assistance.
10. The best option, or combination of options, will depend on a number of factors, including the technical complexity of the personal protective equipment, the previous experience of the intended users, the number of intended recipients, and the resources available within the donor State and the Secretariat for training purposes.
11. It appears that in many cases a combination of options 2 and 5 could be optimal, provided that the donor State is prepared to undertake a major part of the work required. This would result in a widespread presence of persons, trained as instructors for instructors, who, at the same time, would have written material at their disposal, which could facilitate their work.

Annex 5

**THE ESTABLISHMENT OF A “PROTECTION NETWORK”
TO IMPLEMENT ARTICLE X, PARAGRAPH 5**

**A BACKGROUND PAPER BY THE SECRETARIAT FOR
THE SECOND ASSISTANCE COORDINATION MEETING ON 15 JUNE 1998**

1. The second part of paragraph 5, Article X states that: “ The Technical Secretariat shall also, within the resources available to it, and at the request of a State Party, provide expert advice and assist the State Party in identifying how its programmes for the development and improvement of protective capacity against chemical weapons could be implemented”.
2. Presently, no resources have been allocated to the above mentioned purpose although it would be the right of a States Party to request, at any given moment, expert advice under this provision of the Convention. Several scenarios could be envisaged in which such a request could be made even in absence of the perception of immediate threat. One of the most obvious examples could be that of a State Party belonging to a region where a number of States are still not States Parties to the Convention.
3. In order to be able to provide such advice, a programme would have to be developed and for that purpose, the Secretariat would require the support of the Member States.
4. Such a programme could be based on Member States making experts on chemical protection available in a way similar to the already established “Declaration Assistance Network”, as well as on the use of protection expertise within the Secretariat.
5. The purpose of this network would be to provide, upon request, and for a limited period of time, on-site expertise to requesting States Parties in identifying ways and means to improve their protective capacity against chemical weapons.
6. A roster of qualified experts would be developed upon the receipt of offers from States Parties willing to send personnel for this purpose for a limited period of time.
7. Terms for the provision of expertise, if any, could be specified by States Parties when making their offers.