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对关于《公约》第十条所指援助的第二次协调会议 的情况回顾

1. 引言

- 1.1 关于《公约》第十条所指援助的第二次协调会议于 1998 年 6 月 15 日(星期一)在执行理事会会议厅举行。以下代表团出席了会议：

阿尔及利亚、阿根廷、澳大利亚、比利时、保加利亚、加拿大、智利、古巴、捷克共和国、法国、德国、印度、伊朗（伊斯兰共和国）、日本、大韩民国、科威特、摩洛哥、荷兰、罗马尼亚、俄罗斯联邦、斯洛伐克、南非、西班牙、斯威士兰、瑞典、瑞士、土耳其、大不列颠及北爱尔兰联合王国、美利坚合众国和委内瑞拉。

- 1.2 副总干事约翰·吉宣布会议开幕，并在开幕式上强调执行第十条极为重要，因为它可促进本组织成员国的安全，并鼓励各国放弃任何化学武器选择。他在讲话中称，缔约国向援助一揽子计划提供的捐助发出了一个重大的政治信号，表明国际社会再也不容忍任何使用化学武器的行为，并且充分支持因使用化学武器而造成的任何受害者。然而，他表示他感到失望的是迄今只有约三分之一的缔约国履行了根据第十条作出援助承诺的义务。他表示，如不能在此领域采取足够的行动，那将无疑对禁止化学武器组织的信誉以及国际裁军进程造成不利影响。副总干事的讲话的全文载于本报告附件 1。

- 1.3 会议通过了议程（见本报告附件 2），并审议了议程所载的各个项目。现将引起最多的讨论和兴趣的事项报告如下。

2. 议程项目 3-5

- 2.1 秘书处向会议作了以下通报：自于 1998 年 1 月 26 日举行的关于第十条所指援助的第一次协调会议之后，又收到了五项宣布，其中三项为向自愿援助基金作出的

捐助。菲律宾、波兰和西班牙已经表示随时愿意与禁止化学武器组织缔结关于提供援助的双边协定。一些代表团向会议介绍了它们的承诺，或进一步说明了它们早些时候提出的承诺，具体情况如下：

- (a) 伊朗伊斯兰共和国作出的一项新承诺的内容包括该国愿意接待需接受医治的最多为 100 名的化武致伤人员；派出由医疗专家、普通医师和护理人员组成的五个救援小组；以及为最多为 100 名的化武致伤人员发送药品和必要的医疗设备；
- (b) 意大利宣布它向自愿基金作出的捐助将相当于其禁止化学武器组织年度会费的 5.7%。此外，它还在考虑提出额外的医疗设备承诺；
- (c) 土耳其表示除了向自愿基金作出捐助以外，它还愿意在位于其领土内的五个地点为用于援助目的设备和医疗用品提供储存设施；及
- (d) 加拿大表示除了向自愿基金作出捐助以外，它还与秘书处进行了洽谈，讨论将捐助防护面具和手提式化武检测器的事项。

2.2 使与会代表感到关切的是缺乏对第十条所指援助的足够承诺，而且迄今只满足了这方面需求的 5-10%。与会代表认为，在此种情况下，禁止化学武器组织也许没有能力对援助请求作出足够反应。会议一致同意请执行理事会审议此关切。

2.3 关于议程项目 4，即援助承诺的透明度，秘书处表示在第一次援助协调会议上曾散发了一份概述援助承诺的文件，但该文件并未标明哪些缔约国提供了承诺。那次会议还讨论到假如披露有关缔约国的名字以及援助的详情，是否会因此促进普遍性和透明度。与会代表总的来说一致同意应该采取此种作法，因此，秘书处正在计划向缔约国提供此种资料，其中包括详细列举缔约国迄今作出的援助承诺。在认可此种作法的同时，会议建议应定期补充这方面的最新资料，以便反映出任何新的援助承诺或对现有承诺的任何详细说明。

2.4 关于议程项目 5，秘书处表示援助一揽子计划需要更多的医疗队、解毒药、长期性的医疗服务以及个人防护设备。同时，秘书处建议那些迄今只是作出了一般性援助承诺的缔约国更详细地说明其承诺，以便使秘书处能够更好地了解在哪些方面尚未有承诺，并为承诺的提供作出规划。一些代表团还请秘书处编制一份具体说明这方面的优先领域的文件。

3. 议程项目 6

会上提交了一份由国际合作与援助司编制的关于自愿援助基金的指导准则的背景文件（本文件附件 3）。该文件阐述了基金的目的、其范围、基金的管理、管理权限、开支权限、基金的汇报和评估。与会代表建议应以《禁止化学武器组织财务条例和细则》指导基金的费用支付。对此问题的讨论涉及到了此种指导准则的实质以及执行准则的程序。会议决定建议执行理事会请秘书处召集一个不限成员名额起草委员会，制定指导准则，以提交执行理事会下届常会审议，并提交缔约国大会第三届会议审议和通过。

4. 议程项目 7

- 4.1 会上提交了一份由国际合作与援助司编制的关于进行使用防护设备方面的必要培训的背景文件(本报告附件 4)。该文件认为, 鉴于在确实使用了化学武器的情况下实际上没有时间进行使用防护设备的培训, 提前进行此种培训将是一种明智的作法。一些援助承诺已经包括培训的内容, 而且在这方面现在也有了一些可供选择的培训方案。秘书处认为宜使捐助国把为当地指导人员提供预先培训与提供预先编制的指导性材料结合起来, 这也许是一种较好的做法。
- 4.2 与会代表认为, 在秘书处开始向一要求此种援助的缔约国提供此种培训之前, 秘书处应根据第十条第 4 款获得有关该缔约国的国家方案的资料, 以便能更好地满足其需要。其他代表团提出了一种更灵活的作法。一个代表团指出培训有两种, 即由缔约国提供的培训和由秘书处进行的培训。就后一种情况而言, 需有获核可的预算安排。另一个代表团表示它正在承诺为缔约国的培训人员提供关于使用个人防护设备的培训, 并表示它愿请禁止化学武器组织着手执行此一承诺。

5. 议程项目 8-9

- 5.1 秘书处介绍了关于在援助行动期间为人员和设备进行保险的可行性。这包括对禁止化学武器组织提供的设备以及缔约国提供的设备进行保险, 还包括为可能派出实地提供援助的禁止化学武器组织工作人员以及缔约国工作人员进行保险。秘书处建议它可负责为其设备和工作人员提供保险, 而提供援助或派出人员的缔约国则应为它们的设备和人员进行保险。
- 5.2 会议一致认为缔约国在作出承诺时, 应该考虑这些关切, 并应对它们可能根据第十条提供的任何资源和专家负责。与会代表建议禁止化学武器组织把各国政府应对缔约国为援助行动派出的专家所负的责任通报各国政府。
- 5.3 关于议程项目 9, 秘书处表示需要对援助的提供进行协调, 并探询应由哪方面对此负责。为及时和适宜地提供援助, 有必要在提供援助的缔约国同接受援助的缔约国及秘书处之间进行协调。秘书处希望会议核可以下原则: 此种协调属禁止化学武器组织权限范围之内的工作。一些代表团认为每一种具体情况都有许多变数, 因此也许难以一概而论。然而, 会议一致认为, 鉴于秘书处掌握了关于所有援助承诺的大部分资料, 秘书处应充任援助的协调中心。

6. 议程项目 10-13

- 6.1 秘书处向会议通报称, 为了避免与其它国际组织的工作产生重复, 同时也为借鉴它们的经验, 已与处理类似紧急情况的有关组织建立了联系。今后将继续进行此种联系, 并随时向成员国通报任何结果。与会代表认为, 还应该讨论是否可将禁止化学武器组织的专业知识提供给其他国际组织。
- 6.2 关于议程项目 11, 国际合作与援助司编制了一份关于是否应该为执行第十条第 5 款第二部分而设立一个“防护网络”的背景文件(本报告附件 5), 并提交给会议。为了执行该款, 秘书处建议为应要求提供此种援助而设立一个“防护网络”。

- 6.3 与会代表认为，该款的执行与同一条的第 4 款的执行有关。那些提供了关于其防护方案的资料的缔约国有权根据第 5 款要求获得此种援助。但是，有一些其它代表尽管认为提供此种资料会使情况变得更容易，但并不赞同第十条第 4 款与第 5 款之间有关联的看法，并认为《公约》的各项条款均应以彼此独立的方式履行。
- 6.4 会上提出了是否已有任何缔约国实际援用了第 5 款的问题。对此，秘书处表示，将此问题列入第二次会议议程的原因之一是一缔约国正在等待禁止化学武器组织就执行该款采取行动。一个代表团表示它正在认真考虑援用此款的可能性。各代表团没有就此问题达成一致意见，但同意在今后的一次会议上再次讨论此问题。

7. 会议的建议

会议决定将以下建议作为紧急事项提交执行理事会第十届会议（见 EC-X/TS.1, 1998 年 6 月 16 日）：

- (a) 执理会审议有关缔约国在履行第十条第 7 款下的义务方面只作出了有限反应的情况；
- (b) 执理会请秘书处召集起草小组起草有关自愿援助基金运转的指导原则；并
- (c) 执理会注意秘书处拟定期印发一部援助承诺汇编的打算。

附件（仅以英文提供）

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.