

**NOTE BY THE DIRECTOR-GENERAL****REPORT ON THE RESULTS OF THE IMPLEMENTATION OF POLICY GUIDELINES
FOR DETERMINING THE NUMBER OF ARTICLE VI INSPECTIONS****Background**

1. The Executive Council (hereinafter “the Council”) at its Sixty-Sixth Session adopted a decision entitled “Policy Guidelines for Determining the Number of Article VI Inspections” (EC-66/DEC.10, dated 7 October 2011). Pursuant to the request from the Council (operative paragraph 2 of EC-66/DEC.10), this Note reports the results of the seventh year of implementation (2018) of these policy guidelines.

Assessment

2. The policy guidelines spell out requirements (contained in subparagraphs (a) to (d) of operative paragraph 1 of EC-66/DEC.10) which “should be taken into account in a balanced manner, recognising that the number of Article VI inspections will continue to be determined pursuant to both the requirements of, and the limits set by, the Convention” (operative paragraph 1 of EC-66/DEC.10). The assessment contained in this Note is based on the 241 inspections conducted in 2018.
3. Policy guideline 1(a) states that “based on current projections and subject to declarations from States Parties, the number of Schedule 1 inspections should remain stable; the number of Schedule 2 inspections should remain relatively stable; and the number of initial Schedule 3 inspections should be reduced in a balanced manner, so as to maintain the total number of Schedule 3 inspections at a relatively stable level”. The requirements of this guideline were met in 2018 because:
 - (a) The number of Schedule 1, Schedule 2, and Schedule 3 inspections conducted in 2018 was the same as in 2017 (11, 42, and 19 respectively).
 - (b) As was the case in 2017, 10 initial Schedule 3 inspections were conducted in 2018 for the reasons explained in the Note entitled “Updated Assessment of a Methodology for the Selection of Schedule 3 Plant Sites for Inspection” (S/1088/2013, dated 11 April 2013).¹

¹ See, for example, paragraphs 9 and 10 of S/1088/2013.



4. Policy guideline 1(b) states that “inspectable scheduled and unscheduled Article VI facilities which have not yet received inspections, should be given priority in their related process of site selection”. As was the case in the first six years of implementation of EC-66/DEC.10, this requirement was met, as is reflected in the table below.

	Schedule 2	Schedule 3	OCPF ²
Initial inspections	13	10	135
As a percentage of possible initial inspections	100	12.20	5.44
Subsequent inspections	29	9	34
As a percentage of inspectable plant sites	13.88	2.48	0.82
Inspectable plant sites ³	209	363	4126
Inspectable plant sites yet to receive inspection ³	13	82	2481
Previously inspected plant sites	196	281	1645

5. Furthermore, in relation to policy guideline 1(b), the Technical Secretariat (hereinafter “the Secretariat”) observes that all Schedule 1 facilities inspected in 2018 had been inspected in previous years.
6. Policy guideline 1(c) states that “the length of time between two Article VI inspections in any one State Party should not exceed approximately eight years”, a requirement that was not fully met in 2018, as was the case for the first six years of implementation of EC-66/DEC.10. At the end of 2018, eight States Parties had not received any inspections for approximately the past eight years. As was the case in the previous years, the number of inspectable OCPFs declared by these States Parties is very low, with just one or two plant sites. Two of these States Parties had not declared inspectable facilities for some time.
7. Regarding the lack of adherence to policy guideline 1(c), the number of States Parties not receiving any inspections for approximately the past eight years has increased each year since the number of OCPF inspections and the OCPF site selection methodology and its parameters have been kept stable – that is, three States Parties in 2014, four in 2015, five in 2016, seven in 2017, and eight in 2018. Given this trend, it

² OCPF = other chemical production facility.

³ Regarding inspectable Schedule 2 plant sites, this data is based on the annual declarations of past activities for 2015, 2016, and 2017, and on the annual declaration of anticipated activities for 2018. For Schedule 3 and OCPF plant sites, this data is based on the inspectable plant sites at the time of the plant site selection for the 2018 inspections.

is difficult at present for the Secretariat to predict that the requirements of this policy guideline would ever be fully met in the future.

8. Policy guideline 1(d) states that “at least 50%, and if possible 60%, of States Parties that have declared inspectable Article VI facilities should receive at least one Article VI inspection each in any one year”. As in the previous six years, this requirement was fully met, because 43 (54%) of the 80 States Parties that had declared at least one inspectable Article VI facility received at least one Article VI inspection in 2018.

Conclusion

9. In 2018, the seventh year of implementation of the “Policy Guidelines for Determining the Number of Article VI Inspections” (EC-66/DEC.10), the requirements of policy guidelines 1(a), 1(b), and 1(d) were fully met.
10. The requirements of guideline 1(c) were not fully met. Given that the number of States Parties not receiving any inspections for approximately the past eight years has increased each year, the Secretariat considers that it is unlikely that the requirements of policy guideline 1(c) will be met in the future.
11. Overall, the results in terms of adherence to the guidelines set out in EC-66/DEC.10 have been similar for all seven years of implementation of that decision. A difference was observed in 2014, only with regard to the implementation of guideline 1(a) for Schedule 3 inspections, following the issuance of Note S/1088/2013, which provided an updated assessment of the site selection methodology.