



101st Session  
4 – 6 October 2022

EC-101/DEC.5  
5 October 2022  
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### DECISION

#### REHIRING OF INSPECTORS

**The Executive Council,**

**Mindful** of the paramount importance of having within the Technical Secretariat (hereinafter “the Secretariat”) of the Organisation for the Prohibition of Chemical Weapons (OPCW) experienced experts with the requisite skills and expertise to meet OPCW operational requirements and maintaining within the Secretariat chemical weapons-specific expertise;

**Noting** the addendum on the subject of the impact of the decision on the rehiring of inspectors (EC-100/DG.8/Add.1, dated 28 September 2022) to the report by the Director-General on implementation of the tenure policy in 2021 (EC-100/DG.8, dated 2 June 2022);

**Noting also** the assessment provided in EC-100/DG.8/Add.1 that the low number of inspection activities in 2020, 2021, and 2022 owing to the COVID-19 pandemic has led to a substantial reduction in the opportunities available for new inspectors to gain adequate experience that would have enabled them to be promoted in sufficient numbers to meet the prospective operational requirements of the Inspectorate Division;

**Noting further** that the expected phased return to the normal level of Article VI inspection activities, as well as the fact that a large group of Inspection Team Leaders (21 in total) will reach their regular tenure in 2023, will result in a projected deficit of experienced inspectors in the coming years (2023 and 2024);

**Recalling** that the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Third Review Conference”) stressed the importance for the Secretariat to maintain verification expertise relating to chemical weapons and requested the policy-making organs to support this objective;

**Recalling also** that the Third Review Conference underlined the importance of the Secretariat maintaining and further developing technical capabilities, expertise, and the necessary preparedness;

**Recalling further** that, in a decision entitled “OPCW Staff Regulations” (C-IV/DEC.25, dated 2 July 1999), the Conference of the States Parties (hereinafter “the Conference”) at its Fourth Session adopted Staff Regulation 4.4;

**Mindful also** that the OPCW is a non-career organisation and that the total length of service for staff is seven years, except as otherwise specified;



**Noting further** that it has been decided, inter alia, that further discussions on flexibility regarding tenure policy will take place during the upcoming Fifth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, in May 2023;

**Recalling further** the provisions contained in paragraph 44 of Article VIII of the Chemical Weapons Convention (hereinafter “the Convention”), including, inter alia, that “[t]he paramount consideration in employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity”, and that “[d]ue regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible”, and **further recalling** the decision of the Conference at its Twenty-Third Session (C-23/DEC.9, dated 19 November 2018) to adopt an amendment to OPCW Staff Regulation 4.2 “...recognising also the need to take into account considerations of gender balance” in Secretariat recruitment processes;

**Emphasising** that the recruitment and selection process for staff members of the Secretariat should continue to be undertaken in a transparent and accountable fashion, bearing in mind the interrelationship between the tenure policy of the Organisation and the selection process by which staff members are recruited by the Secretariat;

**Recalling further** the decision on the rehiring of inspectors by the Conference at its Nineteenth Session (C-19/DEC.11, dated 4 December 2014), which authorised the Director-General to rehire individuals who have previously been designated as OPCW inspectors and requested that the matter be revisited in 2017, taking into consideration the recommendations of the Advisory Body on Administrative and Financial Matters to the Executive Council (hereinafter “the Council”);

**Recalling further** the decision on the rehiring of inspectors by the Conference at its Twenty-Second Session (C-22/DEC.14, dated 30 November 2017), which authorised the Director-General to continue to rehire individuals who have previously been designated as OPCW inspectors and decided that the matter be reviewed in 2019;

**Recalling further** the decision on the rehiring of inspectors by the Conference at its Twenty-Fourth Session (C-24/DEC.10, dated 28 November 2019), which authorised the Director-General to continue to rehire individuals who have previously been designated as OPCW inspectors and decided that the matter be reviewed in 2021; and

**Considering**, on the basis of the experience acquired through the implementation of the decisions on the rehiring of inspectors (C-19/DEC.11, C-22/DEC.14, and C-24/DEC.10) and the assessment provided in EC-100/DG.8/Add.1, that the rehiring mechanism remains an important component for ensuring the necessary skills and knowledge in the Inspectorate Division, and that it remains a critical operational requirement to ensure continuity under the Inspectorate Division;

**Hereby:**

**Recommends** that the Conference at its Twenty-Seventh Session:

1. decide that the Director-General may continue to rehire individuals who have previously been designated as OPCW inspectors;
2. decide also that the Director-General shall resort to rehiring former inspectors, team leaders and team members, as an exceptional and interim measure, only if no other qualified candidates with relevant experience are available, including through promotions;
3. decide further that a former staff member of the OPCW who has been rehired shall otherwise be subject to the normal terms and conditions of an OPCW staff member; that the term of service of a rehired staff member shall be limited to up to three years and not subject to any further prolongation or recurrence; and that the starting date of an inspector's initial contract, as a rehired inspector, shall be preceded by a break in service from his or her previous contract with the Organisation;
4. decide further that recruitment rules for rehiring will apply in accordance with the Convention and the existing OPCW Staff Regulations. In any case, former inspectors could not be rehired if they were to exceed the retirement age of the Organisation during the period of their initial contract as a rehired inspector;
5. request that the Director-General continue to ensure capacity-building and training activities in the Inspectorate Division, as well as other relevant international cooperation and assistance programmes such as the Associate Programme for, inter alia, potential inspector applicants with the appropriate academic qualifications, including those from States Parties that have little or no declarable chemical industries or activities;
6. request also that the Director-General continue to integrate knowledge management in the work of rehired inspectors, noting the importance of the sharing of experiential knowledge as one of the core assets of the Organisation, and leverage their expertise through a systematic approach to knowledge sharing, including, inter alia, cross-training, knowledge transfer, contribution to technical databases, and tradecraft mentoring;
7. request further that the Director-General continue to pay due consideration to geographical and gender balance in accordance with paragraph 44 of Article VIII of the Convention, and the decision of the Conference at its Twenty-Third Session (C-23/DEC.9) when rehiring inspectors;
8. request further that the Director-General use the rehiring mechanism sparingly, ensuring that no more than 20% of the inspectors in the Secretariat at any given time consist of rehired inspectors, and request that the Director-General present, as far as feasible, a projection of the estimated need for rehired inspectors;
9. request further that the Director-General continue to report to the Council on the implementation and impact of this decision, including an assessment of the transfer of knowledge and experience by the rehired inspectors, as well as on a programme of training to develop future generations of inspectors that would meet the Organisation's needs; and
10. decide further to review the implementation of this decision at its Twenty-Ninth Session, in 2024.