



OPCW

Conference of the States Parties

Twenty-Eighth Session
27 November – 1 December 2023

C-28/DEC.10
30 November 2023
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DECISION

AMENDMENT OF THE OPCW TENURE POLICY

The Conference of the States Parties,

Mindful of the paramount importance of having within the Technical Secretariat of the OPCW (the Secretariat) experienced staff with the requisite skills and expertise to meet OPCW requirements related to the implementation of the Chemical Weapons Convention (the Convention);

Recalling that the Third Review Conference¹ stressed the commitment that the OPCW remain the global repository of knowledge and expertise on the implementation of the Convention, and underlined the importance of the Secretariat maintaining and further developing the necessary capabilities, expertise, and preparedness;

Reaffirming that the OPCW is a non-career organisation and **noting** that the maximum total length of service of Secretariat staff is seven years, unless otherwise specified in accordance with OPCW Staff Regulation 4.4(b);

Mindful that the current challenges posed by the tenure policy may pose limitations on the Secretariat's ability to optimally deliver on its mandate;

Recalling the productive discussions in the lead-up to and during the Fifth Review Conference, where States Parties attached great importance to progressing a number of organisational issues to ensure that the Secretariat and the OPCW as a whole remain effective and fit for purpose;

Recalling also that at its 103rd Session the Executive Council (the Council) established a facilitation on tenure policy with the aim of preparing a recommendation to the Twenty-Eighth Session of the Conference of the States Parties (the Conference);

Recalling further the provisions contained in paragraph 44 of Article VIII of the Convention, including, inter alia, that the "paramount consideration in the 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";

¹ Review Conference = Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention.



Recalling further the decision of the Conference at its Twenty-Third Session (C-23/DEC.9, dated 19 November 2018) adopting 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;

Reaffirming the need to achieve greater geographical representation and gender balance within the staff of the Secretariat and **recognising** the ongoing efforts of the Secretariat and States Parties in this important endeavour, including the establishment of a Working Group on Geographical Representation by the Council at its 103rd Session and the finalisation and implementation of a road map by the Secretariat for gender equality covering the period 2024 to 2026;

Reiterating the importance of the Organisation continuing to strengthen the implementation of its knowledge management policies and practices to leverage the full potential of staff skills, expertise, and knowledge sharing, and **calling on** the Secretariat to continue its efforts in this regard, including through capacity building on knowledge transfer methodology, knowledge transfer sessions for staff, and mentoring programmes;

Noting that other non-career international organisations with mandates comparable to the OPCW have developed regulations that enable them to apply a tenure policy in a more flexible manner in order to effectively meet their organisational and programmatic needs while retaining their non-career nature;

Noting also that to meet some operational requirements of the Secretariat the Conference has adopted exemptions to the tenure rule limited to specific categories of staff, in accordance with OPCW Staff Regulation 4.4(b); and

Noting further the annual reports of the Director-General on the implementation of the tenure policy, and the ongoing need to evaluate the efficiency and effectiveness of the policy;

Hereby:

1. **Decides**, with reference to Staff Regulation 4.4(b)(iii), as an extraordinary measure, to grant the Director-General the authority to issue one-year contract extensions, for a period of no more than three years beyond the seven-year total length of service otherwise provided for in Staff Regulations 4.4(b) and 4.4(d), in exceptional circumstances, as needed in a very limited number of cases, taking into account the need to secure the highest standards of efficiency, competence and integrity as well as the importance of recruiting the staff on as wide a geographical basis as possible and of promoting gender balance. Any such extensions shall be subject to the need for continuity in specific functions or projects, taking into account the best interests of the OPCW, and shall also require that the staff member demonstrate the highest degree of excellence in conduct, performance, and knowledge management, based on evaluations;

2. **Considers** that the total number of staff extensions shall not exceed 10 fixed-term positions at any given time;
3. **Requests** that the Director-General inform the Council about the implementation of this decision through the annual reports to the Council on the implementation of the tenure policy;
4. **Requests also** that the Director-General report to both the Council and the Conference annually on the impact of the increased flexibility on the overall performance of the Secretariat. The updates should include the exceptional circumstances for which extensions were deemed necessary; continued improvements to knowledge management processes; and the impact of the measures taken with regard to tenure on progress to continue to recruit staff on as wide a geographical basis as possible and to promote gender balance; and
5. **Decides** that the implementation of this decision shall be subject to a review period of three years. The Council shall evaluate the functioning of the tenure policy as amended and, after the initial implementation period of three years, make appropriate recommendations to the Conference on the extension, modification, or non-renewal of this decision.