

**NOTE BY THE DIRECTOR-GENERAL**

1. On 22 July 1997 the Director-General became aware of a situation in the Secretariat which, in his view, was so serious that immediate action was required. As the Director-General stated in his acceptance speech to the Conference of the States Parties at its First Session, he intends to carry out his mandate with perseverance, transparency and open-mindedness. The Director-General therefore, on 23 July 1997, at very short notice, called together the members of the Executive Council, to ensure that they would learn of the present situation at first hand, and would be informed of the actions which he had taken in relation to the serious and urgent problems which had come to his attention.
2. On 22 July 1997, the Director-General became aware that some members of staff employed by the Organisation had not yet signed their employment contracts with the OPCW. Moreover, further investigation of this matter revealed a far more serious problem: whilst the great majority of staff had signed their contracts, a significant number of staff (approximately 80) had not yet signed the secrecy agreement with the Organisation. It was clear to the Director-General that this was in flagrant violation of the requirements of the Confidentiality Annex to the Convention, and was therefore totally unacceptable.
3. The Director-General therefore launched an immediate investigation into the situation. This investigation revealed that, despite specific instructions to ensure that all members of staff had signed the secrecy agreement, the staff who were responsible for ensuring that this was done had failed to carry out their mandate. Unfortunately, it is not yet possible for the Director-General to be aware of everything that takes place within the Secretariat. However, as Director-General, he is prepared to take full responsibility for this deficiency in the performance of the Secretariat. The Director-General also informed members of the Council that he had taken immediate steps to rectify the situation.
4. Since taking up his appointment, the Director-General has been gradually reviewing the performance of each area of work of the Secretariat. It had already become apparent to him that some staff in particular were not performing to the standards required of a professional body such as the Secretariat. In view of this and of the incidents reported above, the Director-General decided, on 22 July 1997, to relieve, with immediate effect, the personnel directly responsible for these incidents of their functions and, where appropriate, to initiate formal proceedings to terminate their contracts with the Secretariat.

5. On 22 July 1997 the Director-General also gave instructions that all staff present in the Secretariat who had not done so were to sign the secrecy agreement before leaving the office. Instructions were also given to the Head of Security that staff who had not signed the agreement must not under any circumstances be permitted to enter OPCW buildings until they had signed the secrecy agreement. As of 23 July 1997, one day after the above-mentioned instructions were issued, only 14 staff, all of whom are either on leave or sick, have yet to sign the secrecy agreement.
6. The Director-General is able to note that there is one positive dimension to this incident. In addition to adopting the above-mentioned measures, he specifically enquired into the situation of staff engaged in verification-related functions, and was able to ascertain that all inspectors who have participated in inspections had signed the secrecy agreement prior to leaving The Hague. The same can be said of those staff members who have had to directly handle confidential information contained in declarations submitted by States Parties.
7. Delegations will have already received a Secretariat paper announcing that the Director of Administration had decided to retire, and had tendered his resignation (S/3/97\*). The Director-General is of the view that, in the light of the above-mentioned developments, it is imperative to fill this key post in the Secretariat as soon as possible. The Director-General wishes to inform Member States that he has identified, as a replacement for the outgoing Director of Administration, an extremely able candidate with many years' experience of work in international organisations. A note verbale on this subject, with an attached copy of the curriculum vitae of the candidate in question, was sent to all delegations on 23 July 1997 (TS/422/97). In view of the gravity of the situation, the Director-General intends to offer this candidate a contract as soon as possible, for which he counts on the understanding of Member States.
8. In the meantime the Director-General has requested the Deputy Legal Adviser to assume the functions of the Head of the Human Resources Branch on a provisional basis until a permanent replacement has been recruited. Pending the arrival of the replacement for the Director of Administration, the Director-General has requested the Deputy Director-General to assume responsibility for the day-to-day functioning of the Administration Division.
9. Member States will recall that, during the concluding stage of the First Session of the Conference of the States Parties, the Director-General asked for their understanding and indulgence as he assumed control of the new Organisation. The Director-General now finds that there is much more work to be done in this area, and asks for the patience and understanding of Member States as he continues to make the necessary changes in the months ahead. The Director-General will stay in close contact with Member States in this regard.