



NOTE BY THE DIRECTOR-GENERAL

UPDATE ON THE TECHNICAL SECRETARIAT'S READINESS TO CONDUCT A CHALLENGE INSPECTION OR AN INVESTIGATION OF ALLEGED USE

Introduction

1. The First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the First Review Conference”) requested the Technical Secretariat (hereinafter “the Secretariat”) “to continue maintaining a high standard of readiness to conduct a challenge inspection in accordance with the provisions of the Convention, to keep the Council informed about its readiness, and to report any problems that may arise in relation to maintaining the necessary level of readiness to conduct a challenge inspection” (paragraph 7.91 of RC-1/5, dated 9 May 2003).
2. The Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter “the Second Review Conference”) reiterated this request to the Secretariat (paragraph 9.90 of RC-2/4, dated 18 April 2008).
3. The First Review Conference “stressed the importance of investigations of alleged use or threat of use of chemical weapons. For such situations, the OPCW must have the capacity, and be ready at all times, to investigate the need for follow-on action by the OPCW and by individual Member States” (paragraph 7.100 of RC-1/5). The Second Review Conference reiterated this concern (paragraph 9.105 of RC-2/4), requesting the Secretariat to keep the Executive Council (hereinafter “the Council”) informed about its readiness.
4. The Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention made two requests of the Secretariat with respect to the conduct of a challenge inspection or an investigation of alleged use (paragraph 9.111 of RC-3/3*, dated 19 April 2013). The first was that the Secretariat continue to improve the standard of readiness to conduct a challenge inspection (CI) or an investigation of alleged use (IAU) in accordance with the provisions of the Chemical Weapons Convention (hereinafter “the Convention”). The second was to keep the Council informed about its readiness and to report any problems that may arise in relation to maintaining the necessary level of readiness to conduct a CI or an IAU.



5. The Secretariat has previously submitted to the Council several Notes on its readiness to conduct a CI (EC-36/DG.5/Rev.1, dated 17 February 2004; EC-41/DG.10, dated 2 June 2005; EC-46/DG.6, dated 26 June 2006; EC-49/DG.11, dated 1 June 2007; EC-54/DG.9, dated 25 September 2008; EC-58/DG.8, dated 28 September 2009; EC-62/DG.8, dated 22 September 2010; EC-66/DG.10, dated 8 September 2011; EC-70/DG.12, dated 12 September 2012; and EC-74/DG.15, dated 25 September 2013.
6. This Note concentrates on the activities the Secretariat has undertaken since the last update (EC-74/DG.15) for the period 15 August 2013 to 30 May 2014 and highlights issues that still require further consideration and attention by States Parties and by the Secretariat.

Training of inspectors and operational procedures

7. During the reporting period, due to the staffing pressures of the ongoing contingency operations, neither CI nor IAU exercises were conducted. However, the Secretariat continues to maintain a high standard of readiness to conduct CIs under Article IX of the Convention, if requested by State Parties to do so. Inspectorate training and other readiness activities in regard to contingency operations during the reporting period were conducted in a manner that recognised the many operational commonalities between CIs and IAUs. Consequently, training courses, operational preparations, and verification activities were designed and executed in a manner that focused on the technical skills and knowledge acquired by the Secretariat. In addition to those carried out during the reporting period, the Secretariat had also conducted intensive training for the initial IAU conducted in the spring of 2013, further enhancing the Secretariat's readiness capabilities. All of these are highly relevant in the event of an Article IX request and indeed augment the Secretariat's readiness to react to such requests rapidly.
8. Drawing on lessons learned, and responding to the analysis of the mandates and missions of possible contingency operations to be conducted, the Secretariat embarked on a number of training activities, the value of which was confirmed in subsequent operations. These focused both on maintaining the mandatory qualifications required within the quality management system (QMS) for routine inspection activities and for the preparation of inspectors and inspection team leaders for "non-routine" missions and contingency operations such as CIs and IAUs. A significant factor in these activities was the focus on training for activities in non-permissive and conflict-affected environments. In addition to regular training, such training included:
 - (a) Non-destructive evaluation training;
 - (b) Pre-deployment training;
 - (c) Advanced first aid and casualty management;
 - (d) Report writing;
 - (e) Explosive remnants of war (ERW) awareness training;
 - (f) Ordnance refresher;

- (g) Toxic chemical training (TCT) with live agent;
 - (h) Safe and secure approaches in field environments (SSAFE) training; and
 - (i) Specialised pre-deployment training for verification activities aboard the United States motor vessel Cape Ray.
9. The Secretariat has also implemented the lessons identified in past CI and IAU exercises, and a detailed lessons-learned process was conducted to consolidate and address recommendations from exercises conducted in recent years. A number of recommendations have been implemented and a number of other initiatives have been undertaken with respect to the few remaining recommendations. These measures include the preparation of a new template for final inspection reports, and the updating of the previously issued preliminary findings and preliminary inspection report formats. In addition, the chapter on CIs in the Inspection Manual has been revised based on input from the Office of the Legal Adviser and sent to the concerned home team (knowledge management) for updating in the QMS.
10. The Director-General had also authorised the creation of a team to examine, revise, and coordinate the Secretariat's operational processes and procedures for contingency operations. Consequently, new standard operating procedures (SOPs) for CIs and IAUs have been issued as new QMS documents (QDOCs). A number of the lessons learned from earlier exercises, together with those learned from contingency operations conducted during the reporting period, have been incorporated in these QDOCs. An overarching contingency operations plan for the Secretariat is under development.
11. Additionally, the Roster of Qualified Experts is currently being updated. After identifying the need for additional skills or skill sets that require augmentation related to assistance delivery operations, CIs, and IAUs, a call for nominations for qualified experts was made to the States Parties. A significant number of individuals have been nominated and the administrative procedures for implementing the roster have commenced. This activity is currently being conducted by the Special Adviser on International Cooperation and Assistance and the Assistance and Protection Branch.
12. In response to the "Framework for Elimination of Syrian Chemical Weapons" (EC-M-33/NAT.1, dated 17 September 2013), the Council issued its decision entitled "Destruction of Syrian Chemical Weapons" (EC-M-33/DEC.1, dated 27 September 2013), which directed the Secretariat to initiate inspections of all facilities identified by the Syrian Arab Republic in any information or declaration provided. By 1 October 2013, OPCW experts had arrived in Damascus to assess, plan, and carry out operations to render inoperable chemical weapons production facilities as well as facilities designed for mixing chemical agent and filling it into munitions. This complex and hazardous task was completed by 1 November 2013, notwithstanding the fact that operations were conducted in an active conflict zone. This operation is a prime example of the readiness of the Secretariat to plan, mount and conduct contingency operations in an expeditious and efficient manner. This combination of previous training and tested SOPs is readily transferable to either a CI or an IAU should either be requested.

13. As a further result of the activities during the reporting period the Secretariat has continued to develop and maintain a strong expertise in carrying out the technical activities related to an IAU. The operations permitted the Secretariat to continue to improve on procedural and deployment issues such as command and control, communications, information handling, the management of a large deployed team and the executive risk assessment process. The Director-General has directed that, upon the reduction of the operational tempo and when resources become available, a lessons-learned process will be initiated as part of the redeployment and consolidation phases of the operations in the Syrian Arab Republic.

Equipment

14. Since last year's report, the Secretariat informed States Parties of the procurement of a number of additional items of inspection equipment that conform to the operational requirements and technical specifications approved by the Conference of the States Parties (hereinafter "the Conference"). Amongst these items are new technology-based methods for fast screening, such as the TruDefender[®], the FirstDefender, and the Hapsite[®] ER, to increase and expedite sampling and analysis capabilities. The Secretariat also notified States Parties of the procurement of an intrusive munitions-sampling system, the monica[™] sampling system. This type of system was always part of the theoretical capability of the Secretariat, under "Appendix 3: Analytical equipment", line 4, of C-I/DEC.71*, dated 30 November 2010. However, the Secretariat never had this capability in-house until now. These items have increased the operational readiness and capabilities of the OPCW significantly, especially in cases of possible CIs and IAUs.

Issues requiring further action by the Secretariat

15. The Secretariat will continue to refine its analysis of key elements to evaluate and validate in future exercises on CIs or IAUs. As noted above, the initiatives and activities set out in paragraphs 9, 10, and 11 above are part of the ongoing process to institutionalise and validate recommendations and lessons learned from previous exercises, training, and other activities.
16. Exercises and training continue to be designed and conducted, incorporating and operationalising the lessons learned from previous exercises and operations. Future IAU exercises will feature a broader range of scenarios, reflecting the fact that an investigation can be conducted pursuant to either Article IX or Article X of the Convention, or at the request of the United Nations Secretary-General. Increasing dialogue on contingency operations, such as CIs and IAUs, with other relevant international organisations is ongoing. These include the United Nations Office for Disarmament Affairs (UNODA), the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), the United Nations Mine Action Service (UNMAS), the United Nations Department of Safety and Security (UNDSS), the World Food Programme (WFP), and the WHO. Smaller, more focused regional exercises will provide a good opportunity to ensure broader geographical coverage. In this context, the Secretariat fully appreciates the support of States Parties in providing opportunities for exercises and training and encourages further cooperation in this regard.

United Nations laissez-passer

17. In September 2012, the United Nations Office in Geneva (UNOG) introduced new electronic United Nations laissez-passer (e-UNLPs) that contain biometric information. The biometric information has been introduced to reduce fraud, increase the acceptance of the document worldwide, and facilitate border procedures. These e-UNLPs are valid for a total period of five years, whereas previously the validity of UNLPs was limited to the duration of the contract of the staff member, and OPCW was granted an exceptional validity of five years only for the UNLPs of inspectors. As from December 2012, the scope of staff members eligible for UNLPs has increased substantially, with all inspection assistants mentioned on the consolidated list of inspectors. In urgent cases, UNOG has been able to issue UNLPs within two working days. UNOG has also introduced a new UNLP e-management system, operational in 2014, enabling the applicant organisation to formally track, trace, and prioritise the complete UNLP application. These measures serve to support the readiness of the Secretariat for CIs or IAUs.
18. The Protocol and Visa Branch has administrative systems in place that monitor the validity of UNLPs and of the visas in them, particularly for inspectors and inspection assistants. These allow the Secretariat to ensure the timely application for new UNLPs, renewals, or extensions, thereby supporting the validity of the travel documents required for IAUs and CIs. However, readiness for CIs and IAUs could be compromised if UNLPs are not available for visa applications because the staff member is travelling with the UNLP or the UNLP is at an embassy or consulate for another visa application procedure. The UNLP could also be with UNOG for renewal, which could also in turn necessitate the replacement of the valid visas. The visa procedures take an average of one week, although they can, in some instances, be prioritised.

Issues requiring further action by States Parties

Visas

19. As the OPCW is not able to maintain visas from all States Parties that have visa requirements, new visa applications may be required to launch a CI or an IAU. The time needed to obtain these visas could pose significant delay to these missions, especially if UNLPs are not available due to travel of the staff member, a pending visa application with another embassy or consulate, or a pending UNLP application, as discussed above. The Secretariat had previously suggested that States Parties who have indicated they would not accept a UNLP without an accompanying visa may consider accepting the UNLP without a visa in the event of a CI or an IAU.
20. At the same time, the Secretariat wishes to recall that, pursuant to paragraph 10 of Part II of the Verification Annex to the Convention, States Parties are under an obligation to provide designated OPCW inspectors with multiple-entry visas that are valid for at least two years. This provision is particularly important in the context of the ability of the OPCW to respond promptly to requests for a CI and/or an IAU. At the end of May 2014, 129 States Parties (67.9%) had either issued, or promised to issue, two-year multiple-entry visas, or had no visa requirements for OPCW inspectors travelling on UNLPs; 32 States Parties (16.8%) had issued multiple-entry

visas valid for one year (or less); and 29 States Parties (15.3%) had either not responded or had provided incomplete general visa information that does not apply to OPCW inspectors travelling on UNLPs. Each year, the Secretariat requests States Parties to comply with the relevant provisions and to update it on the status of visa requirements. Moreover, the Secretariat, during sessions of the Conference and other available opportunities, regularly reminds States Parties of the visa obligations.

Standing diplomatic clearance numbers

21. The Secretariat has previously reported (EC-36/DG.5/Rev.1, dated 17 February 2004) that the unavailability of standing diplomatic clearance numbers (SDCNs) would have an impact on its ability to obtain overflight and landing clearances in the event that a charter or a United Nations aircraft is used during a CI or an IAU. Effective 26 May 2014, 92 States Parties have provided SDCNs. Of this number, 62 States Parties have provided the SDCNs themselves, while the remaining 30 have provided information on expediting them in the event a requirement arises. It should be noted that 20 of the SDCNs previously provided above are no longer valid. Accordingly and as of that date, the Secretariat lacked valid SDCNs from 117 States Parties.

Radio frequencies

22. As at 26 May 2014, 87 States Parties have provided frequencies or have given the Secretariat authorisation to use OPCW default frequencies, and/or have provided conditions for their use. An additional four States Parties have provided information on an expedited methodology for obtaining the necessary frequencies. This lack of information could adversely affect the ability of the Secretariat to make preparations and might even prevent an inspection team from using its hand-held radios during a CI or an IAU.

Points of entry

23. As at 26 May 2014, 123 States Parties have provided information regarding points of entry (POEs) that are to be used by mission teams. This is an increase from the 120 reported in 2013. It is anticipated that, in the absence of the required information, the Secretariat would itself select a POE for the purpose of a CI or an IAU, as has been done in the case of some routine missions.

Conclusion

24. The range of exercises, training, and other operational activities to date have augmented the preparedness of the Secretariat to conduct effective challenge inspections, investigations of alleged use, or other contingency operations at short notice. Subject to the availability of resources, future exercises should be conducted in cooperation with a variety of national and relevant international actors with the objective of maintaining and enhancing the Secretariat's responsiveness and capabilities in the event of a challenge inspection or investigation of alleged use. The necessary readiness to conduct a challenge inspection or an investigation of alleged use requires the support of States Parties to these efforts. The Secretariat reiterates its

appreciation of assistance that States Parties have extended thus far, and hopes that this will continue. As in the past, the Secretariat would like to encourage Member States to come forward to jointly organise, participate in, and conduct exercises, training, and other operational activities.

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