

**NOTE BY THE TECHNICAL SECRETARIAT****AMENDMENTS AND MODIFICATIONS TO THE ARRANGEMENT WITH THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND GOVERNING ON-SITE INSPECTIONS AT THE ELLESMERE PORT HIGH TEMPERATURE INCINERATOR AND MARCHWOOD MILITARY PORT UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

1. At its Seventy-Fifth Session, the Executive Council (hereinafter “the Council”) approved the negotiated text of the “Arrangement between the Organisation for the Prohibition of Chemical Weapons and the Government of the United Kingdom of Great Britain and Northern Ireland Governing On-Site Inspections at the Ellesmere Port High Temperature Incinerator and Marchwood Military Port, United Kingdom of Great Britain and Northern Ireland” (EC-75/DEC.3, dated 5 March 2014) (hereinafter “the Arrangement”).
2. Due to the delayed removal from the territory of the Syrian Arab Republic of remaining hydrogen fluoride (HF) and hydrochloric acid (HCl), these chemicals could not be transported by the Norwegian vessel Taiko to Veolia ES Technical Solutions, L.L.C., Port Arthur, Texas, in the United States of America—the commercial facility contracted, on 14 February 2014, to destroy the aforementioned Priority 2 chemicals. These chemicals are currently packed within nine containers on board of the Danish vessel, Ark Futura.
3. The Government of the United Kingdom of Great Britain and Northern Ireland was asked whether companies in the United Kingdom of Great Britain and Northern Ireland had the technical capability to destroy the above-named additional chemicals, given the change of circumstances. The United Kingdom of Great Britain and Northern Ireland has therefore offered, through an in-kind contribution, to directly sponsor the facilities, Veolia Environmental Services (UK) and Mexichem UK Limited, both located in the United Kingdom of Great Britain and Northern Ireland, to destroy the aforementioned remaining HCl and HF, respectively. This offer was formalised in an exchange of letters between the Director-General and the Government of United Kingdom of Great Britain and Northern Ireland, dated 8 July 2014. It is noted that this in-kind contribution is made in addition to the earlier in-kind contribution by the United Kingdom of Great Britain and Northern Ireland to directly sponsor Veolia Environmental Services (UK) to undertake the treatment and disposal of the so-called “B” precursors.
4. As a result, certain amendments and modifications to the Arrangement are required to cover the inclusion of the two aforementioned chemicals among those to be destroyed



in the United Kingdom of Great Britain and Northern Ireland and of the particulars of another facility, namely Mexichem UK Limited, to undertake destruction of the HF, as well as the disposal process used by the latter for such destruction and the verification thereof.

5. Furthermore, since the exact name of the “B” precursors is wrongly reflected in the preamble to the Arrangement, an amendment is required with the aim of rectifying any mistakes related thereto by way of inclusion of the correct name of these precursors as “diisopropyl aminoethyl chloride hydrochloride” and “diethyl aminoethyl chloride hydrochloride”.
6. In accordance with paragraph 1 of Section 9 and Section 11 of the Arrangement, amendments to the sections of this Arrangement may be proposed by either party to the Arrangement and will be jointly decided upon and take effect upon approval by the Council and signature by the parties. Accordingly, the aforementioned amendments have been agreed upon by the United Kingdom of Great Britain and Northern Ireland and the OPCW, and a draft decision on this matter has been submitted to the Council for consideration and approval at its Seventy-Sixth Session (EC-76/DEC/CRP.6, dated 9 July 2014).
7. The Technical Secretariat (hereinafter “the Secretariat”) notes that no specific procedure is stipulated in the Arrangement for making these amendments to the title and preamble of the Arrangement. The Secretariat considers that changes to the title and in the preamble concerning the exact name of the chemical substances to be destroyed, the inclusion of additional chemical substances to be destroyed, and the particulars of a company to undertake destruction activities are, however, of a fundamental nature, and constitute an amendment to the Arrangement that is subject to the procedure set out under paragraph 1 of Section 9 of the Arrangement, described in paragraph 6 above.
8. In accordance with paragraph 2 of Section 9, modifications to the Attachments of the Arrangement may be jointly decided upon at any time by the representative of the OPCW and the representative of the United Kingdom of Great Britain and Northern Ireland, provided that both are specifically authorised to do so. The Director-General hereby informs the Council of modifications agreed by the parties to the Arrangement.
9. The above-mentioned amendments and modifications to the Arrangement are reflected (in red-lining, for ease of reference) in the revised version of the Arrangement (EC-76/DEC/CRP.6).