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**NOTE BY THE DIRECTOR-GENERAL**

**REPORT ON THE RESULTS OF THE IMPLEMENTATION OF POLICY GUIDELINES  
FOR DETERMINING THE NUMBER OF ARTICLE VI INSPECTIONS**

**Background**

1. The Executive Council (hereinafter “the Council”) at its Sixty-Sixth Session adopted a decision entitled “Policy Guidelines for Determining the Number of Article VI Inspections” (EC-66/DEC.10, dated 7 October 2011). Pursuant to the request from the Council (operative paragraph 2 of EC-66/DEC.10), this Note reports the results of the fourth year of implementation (2015) of these policy guidelines.

**Assessment**

2. The policy guidelines spell out requirements (contained in subparagraphs 1(a) to 1(d) of EC-66/DEC.10) which “should be taken into account in a balanced manner, recognising that the number of Article VI inspections will continue to be determined pursuant to both the requirements of, and the limits set by, the Convention” (operative paragraph 1 of EC-66/DEC.10). The assessment contained in this Note is based on the 241 inspections conducted in 2015.
3. Policy guideline 1(a) states that “based on current projections and subject to declarations from States Parties, the number of Schedule 1 inspections should remain stable; the number of Schedule 2 inspections should remain relatively stable; and the number of initial Schedule 3 inspections should be reduced in a balanced manner, so as to maintain the total number of Schedule 3 inspections at a relatively stable level”. The requirements of this guideline were met in 2015 because:
  - (a) The number of Schedule 1, Schedule 2, and Schedule 3 inspections conducted in 2015 was the same as in 2014 (11, 42, and 19 respectively).
  - (b) As was the case in the year 2014, 10 initial Schedule 3 inspections were conducted in 2015 for the reasons explained in the Note entitled “Updated Assessment of a Methodology for the Selection of Schedule 3 Plant Sites for Inspection” (S/1088/2013, dated 11 April 2013).<sup>1</sup>
4. Guideline 1(b) reads as follows: “[I]nspectable scheduled and unscheduled Article VI facilities which have not yet received inspections, should be given priority in their

<sup>1</sup> See, for example, paragraphs 9 and 10 of S/1088/2013.



related process of site selection”. As during the first three years of implementation of EC-66/DEC.10, this requirement was met because:

- (a) Priority was given in the 2015 inspection plan for the inspection of one newly declared Schedule 1 facility.
  - (b) All Schedule 2 plant sites (eight plant sites) subject to inspection but that had yet to receive initial inspections as at the beginning of 2015 received an initial inspection in 2015, while 20% (34 plant sites) of the 165 Schedule 2 plant sites that had been inspected in previous years received a subsequent inspection in 2015.
  - (c) A total of 8.8% (10 plant sites) of the 114 Schedule 3 plant sites subject to inspection but that had yet to receive initial inspections as at the beginning of 2015 were inspected in 2015, while 3.1% (nine plant sites) of the 285 Schedule 3 plant sites that had been inspected in previous years received a subsequent inspection in 2015.
  - (d) A total of 4.5% (135 plant sites) of the 2,959 other chemical production facility (OCPF) plant sites subject to inspection but not yet inspected at the beginning of 2015 were inspected in 2015, while 2.6% (34 sites<sup>2</sup>) of the 1,267 sites that had been previously inspected received a subsequent inspection in 2015.
5. Guideline 1(c) states that “the length of time between two Article VI inspections in any one State Party should not exceed approximately eight years”, which requirement was not fully met in 2015, as was the case for the first three years of implementation of EC-66/DEC.10. At the end of 2015, four States Parties had not received any inspections for approximately the past eight years. As was the case for the previous years, the number of inspectable OCPFs declared by these States Parties is very low. For three of these States Parties, the latest inspection was carried out in 2006, while the remaining State Party received its most recent inspection in 2005. It should be noted that among these four States Parties, only one was included in the list of the three States Parties for which the guideline 1(c) was not met in 2014.
  6. As reported in the Note EC-79/DG.4 (dated 7 April 2015), several factors have been identified as influencing the achievement of the requirements of policy guideline 1 (c), including the modification of the OCPF site selection methodology and the evolution of the number of OCPF inspections. 2015 is only the second year without any change to either the number of OCPF inspections or the OCPF site selection methodology and its parameters. Since guideline 1(c) covers an eight-year period, it is difficult for the Technical Secretariat (hereinafter “the Secretariat”) to currently draw conclusions or to make recommendations in order to ensure that the requirement will be fully met in the future.
  7. Guideline 1(d) reads as follows: “[A]t least 50%, and if possible 60%, of States Parties that have declared inspectable Article VI facilities should receive at least one Article VI inspection each in any one year”. As in the previous three years, this

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The rate of subsequent inspections for OCPF inspections was 20% in 2015, the same as for 2014; thus, 34 out of 169 OCPF inspections were conducted in a plant site that had already been inspected.

requirement was fully met, because 54% (43 States Parties) of the 79 States Parties that had declared at least one inspectable Article VI facility received at least one Article VI inspection in 2015.

### **Conclusion**

8. In 2015, the fourth year of implementation of the “Policy Guidelines for Determining the Number of Article VI Inspections” (EC-66/DEC.10), the requirements of guidelines 1(a), 1(b), and 1(d) were fully met.
9. The requirements of guideline 1(c) were not fully met. The Secretariat considers that additional time without changes to the OCPF site selection methodology and the number of inspections is needed before concluding whether corrective actions would be needed to meet the requirements of guideline 1(c).
10. Overall, the results in terms of adherence to the guidelines set out in EC-66/DEC.10 have been similar for all four years of implementation of that decision. A difference was observed in 2014 only with regard to the implementation of guideline 1(a) for Schedule 3 inspections following the issuance of Note S/1088/2013, which provided an updated assessment of the site selection methodology.