



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 sixth year of implementation (2017) 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 2017.
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 2017 because:
 - (a) The number of Schedule 1, Schedule 2, and Schedule 3 inspections conducted in 2017 was the same as in 2016 (11, 42, and 19 respectively).
 - (b) As was the case in 2016, 10 initial Schedule 3 inspections were conducted in 2017 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).¹
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

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



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

- (a) A total of 16 Schedule 2 plant sites that had yet to receive an initial inspection as at the beginning of 2017 were inspected in 2017, while 26 of the 170 Schedule 2 plant sites that had been inspected in previous years received a subsequent inspection in 2017.
 - (b) A total of 12% (10 plant sites) of the 84 Schedule 3 plant sites subject to inspection but that had yet to receive initial inspections as at the beginning of 2017 were inspected in 2017, while 3.1% (nine plant sites) of the 286 Schedule 3 plant sites that had been inspected in previous years received a subsequent inspection in 2017.
 - (c) A total of 5.2% (135 plant sites) of the 2,599 other chemical production facility (OCPF) plant sites subject to inspection but not yet inspected as at the beginning of 2017 were inspected in 2017, while 2.2% (34 sites)² of the 1,528 sites that had been previously inspected received a subsequent inspection in 2017.
5. Furthermore, in relation to guideline 1(b), the Technical Secretariat (hereinafter “the Secretariat”) observes that all Schedule 1 facilities inspected in 2017 had been inspected in previous years.
 6. 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 2017, as was the case for the first five years of implementation of EC-66/DEC.10. At the end of 2017, seven 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, namely, one or two plant sites. Two of these States Parties had not declared inspectable facilities for a while. The remaining States Parties had not received an inspection since 2010.
 7. As reported in the Note EC-79/DG.4 (dated 7 April 2015), several factors have been identified as influencing the achievement of the objectives of policy guideline 1(c), including the modification of the OCPF site selection methodology and the evolution of the number of OCPF inspections. 2017 is only the fourth 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 Secretariat to currently draw conclusions or to make recommendations in order to ensure that the objectives will be fully met in the future.
 8. 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 five years, this requirement was fully met, because 61% (49 States Parties) of the 81 States Parties

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The rate of subsequent inspections for OCPF inspections was 20% in 2017, the same as for 2016; thus, 34 out of 169 OCPF inspections were conducted in a plant site that had already been inspected.

that had declared at least one inspectable Article VI facility received at least one Article VI inspection in 2017.

Conclusion

9. In 2017, the sixth 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.
10. 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).
11. Overall, the results in terms of adherence to the guidelines set out in EC-66/DEC.10 have been similar for all six 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.

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