
Third session
(28 June-2 July 1993)

REPORT OF THE PREPARATORY COMMISSION

1. Introduction

1.1 In accordance with its decision recorded in the Report of the Second Session of the Preparatory Commission (PREPCOM/II/9, para. 28, 22 April 1993), the Commission convened its Third Session at the Hague, Kingdom of the Netherlands, from 28 June to 2 July 1993

1.2 As of 30 June 1993, 146 States had signed the Convention. The following four States signed the Convention between 22 April and 30 June 1993: Lao People's Democratic Republic, Latvia, Panama, and Rwanda.

1.3 During this period Sweden deposited its instrument of ratification on 17 June 1993, thereby bringing the number of ratifications to four.

1.4 The following 80 Member States participated in the Third Session of the Commission:

Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Ecuador, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Kuwait, Luxembourg, Malaysia, Malta, Mexico, Monaco, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zimbabwe.

2. Opening of the session - Agenda Item 1

2.1 The Session was opened by the Chairman, Ambassador E. A. Azikiwe of Nigeria, at 3:00 p.m. on 28 June 1993.

3. Adoption of the Agenda - Agenda Item 2

3.1 On 28 June the Commission adopted the following agenda for its Third Session:

- "1. Opening of the Session
2. Adoption of the Agenda
3. Report of the Executive Secretary
4. Consideration of the Report of Working Group A and appropriate action thereon
5. Consideration of the Report of Working Group B and appropriate action thereon
6. Report of the Credentials Committee
7. Election of the Chairman and Vice Chairmen of the Commission for the next six month term
8. Any other business
9. Date and Agenda of its next session
10. Closure of the session, including adoption of the report."

4. Report of the Executive Secretary - Agenda Item 3

4.1 The Commission received the Report of the Executive Secretary, Mr Ian R. Kenyon (PC-III/5, 25 June 1993). The Report covered the period from 22 April through 25 June 1993. The Report briefly reviewed the status of the infrastructure, personnel, and conference service support of the Secretariat. The Report recommended that the Fourth Session of the Commission begin on 27 September rather than on 20 September. The Report then described the work of the four Groups of Experts under Working Group A and the eight under Working Group B and cited the reports produced by these Groups of Experts. The Report also described the external relations activities of the Secretariat during the period. The Executive Secretary reported that he had notified the Secretary General of the United Nations that an error had been found in five of the six language editions of the text of the Convention and requested that this be corrected.

5. Report of Working Group A - Agenda Item 4

5.1 On 1 July 1993, the Chairman of Working Group A, Ambassador Alberto Villamizar of Colombia, introduced the Report of Working Group A (PC-III/A/2, 30 June 1993). The Commission took action in respect to sections of the Report as set forth in paragraphs 5.2 through 5.6 below.

5.2 Programme of Work

5.2.1 The Commission approved the change in the time of its Fourth Session, which will take place 27 September-1 October 1993. It also took note of the changes in the illustrative weekly schedule of meetings of groups of experts for the third intersessional period of July to September (PC-III/9, 30 June 1993). It also took note of the proposed weekly schedule of meetings of groups of experts during the fourth intersessional period of October to December (PC-III/10, 30 June 1993). These

documents include schedules of meetings by groups of experts under both Working Groups A and B.

5.3 Staff Regulations and Rules

5.3.1 The Commission mandated the Executive Secretary to conduct an investigation with the purpose of reporting to it at an appropriate time the implications of a decision on OPCW's joining the UN Joint Staff Pension Fund. (Reference: PC-III/A/2, para. 3.4)

5.3.2 The delegation of Mexico made the following statement in the Spanish language:

"The Government of Mexico expresses its deep concern at the fact that the recruitment of the staff of the Provisional Technical Secretariat has not yet achieved equitable geographical distribution among the five political regional groups represented in the Preparatory Commission. More than 50% of the 25 most senior posts have been offered to candidates from only one of these groups. Mexico regrets this situation since, as is well known, all regional groups submitted very highly qualified candidates in due time. It seems to us that the transparency which should govern the activities of the Organisation for the Prohibition of Chemical Weapons in carrying out the delicate tasks for which it will be responsible makes it incumbent on us to observe scrupulously the principle of equitable geographical distribution in the recruitment of all the staff of the future Organisation, the structure of which we are now designing. In this context, the delegation of Mexico wishes to point out that the drafting of the staff rules of the Provisional Technical Secretariat of the Preparatory Commission and, subsequently, that of the staff rules of the Technical Secretariat of the future organisation should unequivocally reflect the necessity of rigorously applying the principle of equitable geographical distribution among the five regional groups."

5.4 Privileges and Immunities

5.4.1 The Commission mandated the Executive Secretary to continue negotiations on its behalf with the Host Government on the few outstanding issues in order to facilitate the early completion of the Headquarters Agreement with the Host Government. (Reference: PC-III/A/2, para 4.2)

5.5 Information Management System

5.5.1 The Commission adopted the following decision:

"The Preparatory Commission :

Decides to adopt the following requirements for the Information Management System(IMS) for the Organisation for the Prohibition of Chemical Weapons:

1. Functional

The primary functional areas identified by the experts groups for the OPCW IMS are presented in the five categories below:

1.1 Administration, Documentation, and Communication

The IMS must support the data management aspects of personnel management, financial management, general ledger and accounting, payroll and other administrative activities.

The IMS must also have the ability to store in an easily retrievable fashion all types of reports, documents and communications generated by the OPCW or provided to it by States Parties. The data forms may be text, graphics, voice, and video, etc. Additionally, the IMS must enable the exchange of information between the OPCW, States Parties and other organisations.

1.2 Verification

The IMS must support the verification activities of the organisation by providing the means to store, access, and analyse data that is either provided by States Parties in initial and annual declarations or gathered through inspection activities or by other means. The IMS must support the conduct of inspections by assisting planners to manage and schedule Inspectorate resources such as personnel and equipment. The IMS must have the ability to assist in the inspection process by providing access to relevant documentation, preparing data collection forms, and performing data analysis.

1.3 Scientific Analytical Database

The IMS must provide access to scientific data and analytical tools for the purposes of implementing the verification provisions of the Convention.

1.4 Co-operative Technical Assistance

The IMS must support the database on assistance from which the OPCW may respond to requests by States Parties for information or assistance in the areas of protection against chemical weapons.

1.5 National Implementation Measures

The IMS must be able to maintain information on the States Parties' national implementation measures (National Authority, legal and administrative measures etc.).

2. System Requirements

2.1 Security

The IMS must be able to control and restrict access to all data and provide the capability to track and report every instance of entry into the database. At all points where data is entered into the IMS, the system must provide both for quality control and for an audit trail of data inputs. The system must also check each transaction to ensure the accuracy of the data. The system must utilise automatic backups and system redundancy to allow for the recovery of lost or corrupted data files, and for the resumption of system operation.

2.2 Flexibility

The system must be able to accept data from different sources, including electronic file transfer, facsimile and paper input. Once the data is stored in the system, the OPCW must

be able to access and manipulate the data in a variety of ways including text search, database query, graphical presentation, and data analysis and reduction.

2.3 Capability to expand

The IMS must have the capability to expand as the OPCW grows in size and as its data storage and processing needs change. By adopting a modular design, the functions of the IMS may be enhanced without affecting the operations of the system as a whole. The IMS must be able to evolve as data system technology advances (over the life of the Convention).

2.4 Usability

The IMS must be usable by appropriate OPCW staff without requiring an excessive training burden. The system must operate in such a way that it enhances the efficiency of the supported users." (Reference: PC-III/A/2, para 6.4)

5.6 OPCW Building

5.6.1 The Commission authorised the Executive Secretary to consult the appropriate authorities in The Netherlands concerning the possible need for interim accommodation for the OPCW between the entry into force of the Convention and the availability of a permanent OPCW Building. (Reference: PC-III/A/2, para. 7.2)

6. **Report of Working Group B - Agenda Item 5**

6.1 On 1 July 1993, the Chairman of Working Group, Mr. Sylwin Gizowski of Poland, introduced the Report of Working Group B (PC-III/B/2, 30 June 1993). The Commission took note of the Report and took action in respect to sections of the Report as set forth in paragraphs 6.2 through 6.4 below.

6.2 Combined Group of Experts: Safety Procedures

6.2.1 The Commission approved and adopted the Report of the Combined Group of Experts: Safety Procedures and the recommendations contained therein.

6.3 Combined Group of Experts: Inspection Team Composition

6.3.1 In relation to the Report of the Combined Group of Experts: Inspection Team Composition, the question of certain items within the Report was raised by a number of delegations. The Commission requested Working Group B to address these issues at its next session.

6.4 Meeting with Industry

6.4.1 In the context of the proposed meeting between the Experts Group on Chemical Industry Facilities and industry representatives in the week 4 to 8 October 1993, the Commission approved the recommendation that the Secretariat be authorised to approach chemical industry representatives to apprise them of the proposal, to invite

their participation in the proposed meeting and to draw up a provisional agenda for consideration and approval by the Commission at its Fourth Session.

7. Report of the Credentials Committee - Agenda Item 6

7.1 The Report of the Credentials Committee (PREPCOM/I/3/Add.2, 1 July 1993) was presented on behalf of the chairman by Mr. Andrea Perugini of Italy. The Commission took note of the Report.

8. Election of the Chairman and Vice-Chairmen - Agenda Item 7

8.1 In accordance with Rule 8 of the Rules of Procedure, the Commission elected by acclamation Ambassador Sirous Nasseri of the Islamic Republic of Iran as Chairman for the next six months. The Commission also elected, in accordance with Rule 8, the Representatives of the following States as Vice-Chairmen for the same term: Chile, Japan, Romania, Tunisia, and the United States of America.

9. Any Other Business - Agenda Item 8

9.1 Statement of the Executive Secretary on Language Services

9.1.1 The Executive Secretary made the following statement:

"At the second session of the Commission, in the context of the decision on the budget for 1993, I made a statement about the problems associated with the provision of language services to delegates to Expert Groups. I undertook to study the problem and to support individual experts on a case by case basis, from within available resources.

I have recorded in my report on language services (PC-III/6, 28 June 1993) the experiments we conducted and the problems experienced by certain delegations. Following the debate on the language question in Working Group A, the long-term solution to the problem has been deferred for consideration in the context of the budgets for 1994 and for 1995.

Meanwhile, figures now available to me suggest that my available resources include a modest surplus in the conference services budget which will enable me to conduct additional experiments involving the limited use of contract personnel.

During the next intersessional period, therefore, I will respond to requests for interpreter support in cases where I am assured that this is the only solution which will permit a particular expert to participate fully in a given Expert Group. I shall require at least three weeks notice to provide such service. I have been assured in private consultations that delegations are prepared to commit themselves to self restraint and that the service will only be requested when the lack of such support would prevent the expert from providing a positive input to the work of the Group.

I shall report on the outcome of the experiment to the next session of the Commission.

As indicated in my report on language services, I have already instituted a more liberal translation policy. In future, documents which have reached a certain stage of maturity without yet requiring reference to the Commission for decision will be translated at the end of the particular Expert Group period in which they are produced.

I will make sure that no decision is brought to a Working Group or to the Commission less than three weeks after the appropriate documents have been issued in all six languages. (In the future and without prejudice to any language, it may be necessary for the Commission to take the decision to shorten the requirement of three weeks advance issuance of a document, for practical reasons as the date for coming into force of the Convention comes closer.)

In order to inform the Commission's consideration of long term options I propose to initiate a study of the language service requirements of the Organisation for the Prohibition of Chemical Weapons once the treaty has come into force."

9.1.2 The Co-ordinator of the Latin American Group made the following statement in the Spanish language:

The Latin American Group has been carefully studying the subject of languages in the subsidiary organs of the Commission, which is a matter of the greatest importance for the effective and equitable participation of all Members in its work.

In that context, it wishes to convey its appreciation to the Executive Secretary for the efforts he has been making to improve the interpretation and translation services, as proposed in the report contained in document PC-III/6.

The view of this delegation is that the document provides a basis for achieving overall and permanent solutions to the problem. As was mentioned in the statement by the Group made at the close of the Second Session of this Preparatory Commission last April, services offered on a case-by-case basis may, in the long term, turn out to be less efficient and more costly.

While taking note with satisfaction of the stated intention of the Executive Secretary to seek for permanent solutions, it wishes to urge all delegations to consider the subject in an open and flexible manner when the time comes to adopt the budget for next year, with a view to arriving at a definitive and permanent solution when the Convention enters into force.

9.1.3 The delegation from Cameroon made the following statement in the French language:

My delegation is concerned about the efficiency of our work, and wishes, with your permission, to express its view on two problems which deserve to be seriously considered by the Commission: I am referring the problem of documentation and to that of the frequency of meetings of the PREPCOM.

As far as documents are concerned, the view of my delegation is that their intelligibility and ease of utilisation are as important as their content. What I mean to say is that the working languages are the tools or means that we have at our disposal for purposes of communication and to enable us to derive the maximum benefit from the documents we adopt.

The budgetary arguments generally put forward on this matter are no doubt valid but they must not prevent the Executive Secretary from doing his utmost, as he promised yesterday, to produce the documents in all the working languages since the experts and negotiators work infinitely faster in the language they have at their command and they thereby avoid the misunderstandings which often prolong our meetings to no purpose.

The pretext of making savings must not involve sacrificing what is essential and throwing out the baby with the bath-water. Instead of restricting the funds set aside for language services it would be preferable to rationalise our work so as to avoid loss of time, which is more costly than our actual hours of work.

However, that may be, we consider the matter to be so sensitive that it would not be in the interest of any delegation to seek to gain a political victory in this area.

The second problem concerns the frequency of meetings of the PREPCOM. My delegation expresses its appreciation to the Executive Secretary and to all the groups of experts who take such trouble to produce excellent working documents for us between sessions.

It seems to us, however, that the sessions of the PREPCOM are so close together that we allow them insufficient time to complete their work.

During the session which is drawing to a close we have noted that, on very many of the issues considered, the Commission has merely authorised groups of experts to carry on with their work or has requested the Executive Secretary to continue his consultations on one matter or another.

As everyone is aware, the financial situation of many countries is far from healthy. This applies especially to the developing countries, including my own. These countries have great difficulty in meeting the cost of repeated travel by their delegations and it is clear that they would gratefully accept any formula which would tend to restrict the frequency of such journeys.

Consequently, my delegation proposes that the dates we have chosen for the sessions of the PREPCOM should be regarded as merely indicative and that our Executive Secretary should be invited to issue a confirmation one or two weeks in advance of the due date when he is certain that the groups of experts are sufficiently well advanced with their work and that the Preparatory Commission can usefully meet to take decisions on matters of substance rather than merely authorising expert groups to continue their work.

Mr. Chairman, our delegation notes that there are only 85 days between the third and fourth sessions of the PREPCOM, in other words less than three months, and that there are only 72 days between the fourth and fifth sessions, for meetings lasting five days each.

My delegation suggests that these two sessions should be reduced to a single session of ten days.

Lastly, Mr. Chairman, I should not wish to conclude my statement without conveying to you the heartfelt congratulations and pride of my delegation at the masterly way in which you have guided our work during the first three sessions of our Commission."

9.2 Statement of the Executive Secretary on Personnel Appointments

9.2.1 The Executive Secretary stated that he had hoped to be able to announce his recommendation for appointment as Head of the Division of Technical Co-operation and Assistance. He explained, however, that the necessary consultations were not yet complete, and that he would return to the question at the next session of the Commission.

10. **Date and Agenda of the Fourth Session - Agenda Item 9**

10.1 The Commission adopted the following decision:

"The Preparatory Commission:

Decides to hold its Fourth Plenary Session from 27 September 1993 to 1 October 1993 at the Hague, Kingdom of the Netherlands;

Decides to consider the following Provisional Agenda for adoption at the opening of its Fourth Session:

1. Opening of the Session
2. Adoption of the Agenda
3. Report of the Executive Secretary
4. Consideration of the Report of Working Group A and appropriate action thereon
5. Consideration of the Report of Working Group B and appropriate action thereon
6. Report of the Credentials Committee
7. Any other business
8. Date and Agenda of its next session
9. Adoption of the Report and Closure of the Session."

11. **Adoption of the Report and Closure of the Third Session - Agenda Item 10**

11.1 The Commission adopted its Report, and the Chairman closed the Third Session at 13:05 on 2 July 1993.