
Fourth session
(27 September - 1 October 1993)

REPORT OF THE PREPARATORY COMMISSION

1. Introduction

- 1.1 In accordance with its decision recorded in the Report of the Third Session of the Preparatory Commission (PC-III/11, para.10.1, dated 2 July 1993), the Commission convened its Fourth Session at The Hague, Kingdom of the Netherlands, from 27 September to 1 October 1993.
- 1.2 As of 23 September 1993, 150 States had signed the Convention. The following four states signed the Convention between 2 July and 24 September 1993: Liechtenstein, Dominica, Saint Vincent and the Grenadines, and Swaziland.
- 1.3 No new instruments of ratification were deposited during the last intersessional period. The number of ratifications remains at four.
- 1.4 The following 82 Member States participated in the Fourth session of the Commission:

Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Cape Verde, Chile, China, Columbia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Fiji, Finland, France, Germany, Greece, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Malaysia, Malta, Mauritania, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovak Republic, 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, Yemen, Zimbabwe.

2 Opening of the session - Agenda Item 1

2.1 The session was opened by the new Chairman, Ambassador Sirous Nasserri of the Islamic Republic of Iran, at 11:00 a.m. on 27 September 1993.

2.2 The Chairman made a brief introductory statement, and outlined his perception of the future priorities of the Commission. A summary of this statement follows:

"The Convention for Prohibition of Chemical Weapons is the result of over two decades of relentless efforts by the international community to remove these barbarous weapons from our planet.

Substantial progress has been registered, so far, in the area of verification. We can, therefore, warm to the idea that there will soon be a single, reliable, global verification system accepted by the entire international community. This places the international community in full charge and provides the necessary means of determining where, when, and by whom a violation has occurred, and what needs to be done to redress it.

The verification mechanism provided by the Chemical Weapons Convention may be considered intrusive by some when compared with any preceding global agreement. But one should realise that through removal of ambiguities and doubts this global system can establish strong confidence among States Parties.

Any complementary measure, be it at a global or regional level, which enhances confidence will undoubtedly contribute to the genuine implementation of the Convention, and must be welcomed. On the other hand, actions which may undermine confidence, particularly at these crucial initial stages, need to be discouraged.

During the course of negotiations for the Convention, it was consistently emphasised that through its implementation industrial and technological co-operation among the States Parties will be enhanced and peaceful use of chemical industries will be promoted and enhanced. This important fact should be borne in mind in all phases of preparations for implementation of this Treaty.

Now that the foundations are mostly in place and we have made a good beginning, the time has come to expedite our work and achieve results. Here, the active participation of all signatory states is of paramount importance. Not only will it contribute to better preparation for the implementation of the Convention at a global level, it will also place each individual state in a favourable position when ratification is under consideration. "

3 Adoption of the Agenda - Agenda Item 2

3.1 On 27 September the Commission adopted the following agenda for 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 for next session
9. Adoption of the Report and Closure of the session."

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-IV/10, dated 27 September 1993). The Report covered the period from 2 July through 24 September 1993. The Report briefly reviewed the status of the infrastructure, personnel and conference service support of the Secretariat. It also reported on the current financial status of the Secretariat and outlined the pressing staffing needs of the Secretariat during the last three months of 1993. The Report described the work of the Expert Groups under Working Group A and B and cited the reports produced by these Expert Groups. The Report also described the external relations activities of the Secretariat during the period.

5. Report of Working Group A - Agenda Item 4

5.1 The Chairman of the Commission announced that Ambassador Villamizar of Colombia, the Chairman of Working Group A, had, due to circumstances beyond his control, been constrained to stand aside as Chairman for this session. It was also announced that, under these special circumstances, Mr Dojas of Argentina had agreed to act as Chairman of Working Group A for the session of the Commission.

5.2 On 30 September 1993, the acting Chairman of Working Group A, Mr Dojas, of Argentina introduced the Report of Working Group A (PC-IV/A/2, dated 30 September 1993).

5.3 The Commission took the following actions in relation to matters arising out of the Report of Working Group A:

5.4 OPCW Building

5.4.1 The Commission authorised the Executive Secretary formally to express to the OPCW Foundation concerns about the suitability of the Koningin Julianaplein site for the OPCW Building and to request the appropriate authorities to consider the possibility of offering alternative sites. The Executive Secretary should explain that these concerns spring from the very restricted nature of the proposed site, the tunnel that runs underneath it and the close proximity to areas used by large numbers of the public. All these factors have serious implications for the security of representatives of Member States, staff, visitors and information stored in a building on this site and another site might provide the OPCW with more adequate arrangements.

5.4.2 The Commission expects the Group of Experts on the OPCW Building to submit for decision at the Fifth session of the Commission specific recommendations on the following issues:

- a. the suitability of the location of the alternative site or sites which might be offered by the Host Government;
- b. the detailed requirements for the OPCW Building; and
- c. the options available for interim accommodation before completion of the OPCW Building.

5.5 Information Management Systems (IMS)

5.5.1 The Commission adopted the OPCW IMS System Design specified in paragraphs 1 to 3.3 of Annex 1 of document PC-IV/A/WP.3.

5.6 Financial Regulations and Rules

5.6.1 The Commission considered and adopted the draft Financial Regulations of the Commission as contained in the Annex to the Third Report of the Expert Group on Staff and Financial Regulations regarding Financial Regulations for the Commission (PC-IV/A/WP.4, dated 16 August 1993 and, for the English translation, PC-IV/A/WP.4/Corr.1, dated 19 August 1993). The first of October 1993 was set as the date on which the Regulations will come into force. The effective date for budgeting, accounting, assessing, and paying of contributions in Dutch Guilders was set at 1 January 1994.

5.6.2 The Commission considered the matter of setting up a Finance Group and decided that the operation of Regulation 14.1 and related references to the Finance Group should be suspended until the end of the Fifth Session of the Commission, to provide more time for the Expert Group to reach agreement on the size and

composition of the Finance Group and its situation within the structure of the Commission, and to present a recommendation to the Commission.

- 5.6.3 The Commission approved the Scale of Assessments of Member States (150) and Apportionment of the Capital Advance of Df1.1,000,000, as in the Annex to this document. Two delegations reiterated their Governments' reservations with regard to the present United Nations Scale of Assessments.

5.7 Staff Regulations and Rules

- 5.7.1 The Commission adopted the draft Staff Regulations contained in the Third Report of the Group of Experts on Staff and Financial Regulations regarding draft Staff Regulations (PC-IV/A/WP.5, dated 16 August 1993), as corrected by Working Group A.
- 5.7.2 The Commission authorised the Secretariat to investigate current market rates of pay and local conditions and produce its own scale for the General Service and manual worker categories taking into account the guidelines proposed by the Group of Experts on Staff and Financial Regulations in paragraph 8 of PC/IV/A/WP.5, dated 16 August 1993. The Commission took note of the information supplied by the Executive Secretary on the estimated cost and budgetary implications of undertaking such a survey (PC-IV/14, dated 27 September 1993). The Commission also noted that surveys are readily available which could usefully be consulted. The Commission also noted with appreciation the offer by the Host Government to assist in this matter.
- 5.7.3 The Commission notes the current representation of staff in the Secretariat, as well as views expressed at the Third Plenary session of the Commission with respect to Draft Staff Regulation 4.2, and draws the attention of the Executive Secretary to the fact that, in executing the Secretariat's personnel policy, due regard should be paid to the importance of properly applying Regulation 4.2 concerning the requirement to recruit staff on as wide a geographical basis as possible.
- 5.7.4 The Commission notes the information provided by the Executive Secretary concerning patterns of staffing in professional posts, and welcomes the stated intention of the Executive Secretary to keep the Commission informed on this issue at following sessions.
- 5.7.5 The Commission authorises the Executive Secretary, as an interim measure, to provide allowances for the tertiary education of dependants of staff in accordance with the following provisions: "The amount of the grant for each of up to two children per scholastic year up to the end of the equivalent of four years of tertiary education shall be provided only to members of the Provisional Technical Secretariat professional staff and shall be 37.5 percent of the first Df1.27,000,

subject to expenses, up to a maximum grant of Dfl.10,125, subject to adjustments approved by the Commission to reflect changes in costs."

5.8 Privileges and Immunities

5.8.1 The Commission authorised the Executive Secretary to sign on behalf of the Commission the draft "Agreement Between the Kingdom of the Netherlands and the Preparatory Commission for the Organisation for the Prohibition of Chemical Weapons concerning the Headquarters of the Commission" (Headquarters Agreement) as contained in the Annex to the Third Report on Privileges and Immunities of the Combined Expert Groups on the Rules of Procedure and Privileges and Immunities (PC-IV/A/WP.6, dated 26 August 1993), as amended by Working Group A .

5.8.2 The Commission authorised the Executive Secretary to notify the Host Government in writing, following the signature of the Headquarters Agreement, that the requirements for entry into force have been complied with.

5.8.3 The Commission authorised the Executive Secretary to reach a satisfactory resolution, at the earliest convenience, with the Host Government concerning the subsidiary arrangements with respect to the disposal of goods acquired or imported with the exemption of taxes (Article 9(5) of the Headquarters Agreement) and to report back to the Commission at the Fifth session.

5.9 1994 Programme of Work and Budget

5.9.1 The Commission accepted the following recommendations regarding the 1994 Programme of Work and Budget. These recommendations were accepted on the understanding that the Programme of Work will be developed in such a way that the Commission will be able to finalise its tasks in accordance with its mandate laid down by the Paris Resolution establishing the Commission, including paragraph 17 of that Resolution:

5.9.2 In preparing the 1994 Programme of Work the Secretariat should take into account suggestions and recommendations of the Group of Experts approved by the Commission. The draft Budget should be closely linked to the Programme of Work;

5.9.3 The 1994 Programme of Work for the Commission should be divided into the two phases defined in paragraph 13 of the Report of the Group of Experts, and the 1994 Budget should comprise two separate parts, in accordance with paragraph 14 of the Programme of Work;

5.9.4 The Commission should follow developments affecting the validity of the basic assumptions set out in the Programme of Work, particularly the status of relevant

agreements, and the number of instruments of ratification deposited with a view to making any necessary adjustments to Phase II of the Programme of Work and Part II of the Budget for 1994. The Commission requested the Russian Federation and the United States of America to keep the Commission informed regarding the process of implementation of their bilateral agreements;

- 5.9.5 The revised draft Budget should be presented in a manner that facilitates comparison with the 1993 Budget and clearly demonstrates where changes, cuts, or increases have been made in comparison to the original draft 1994 Budget. The presentation of the draft Budget should include a current financial statement showing amounts appropriated, collected, spent, and outstanding;
- 5.9.6 The Secretariat should review the draft Budget for 1994 taking into account the views expressed in the Report on the grade levels for proposed posts and in particular the views expressed by several delegations that the overall average grade levels of the proposed posts could be reduced;
- 5.9.7 In preparing the draft Programme of Work for 1994 the Secretariat should ensure that each task or activity included is clearly defined to ensure proper division of labour among the relevant divisions of the Secretariat;
- 5.9.8 The Secretariat should prepare the personnel requirements for 1994 for the two phases into which the Programme of Work has been divided and an estimate of the cost of each phase. This information should be set out in a way which facilitates easy comparison not only of the two phases, but also between those two phases and the levels of the different categories of personnel currently under contract to the Secretariat;
- 5.9.9 The Secretariat should, in order to facilitate the work of the Group of Experts at its next meeting, circulate the draft Budget and supporting documents at least two weeks in advance of the meeting to ensure that Member States of the Commission have sufficient time for preparation. The revised draft Budget should be prepared in consultation with interested Member States;
- 5.9.10 For Budget planning purposes it should be assumed that up to four plenary sessions of the Commission will be held during 1994;
- 5.9.11 As a number of unresolved issues in the areas of training and inspection equipment require resolution prior to the next meeting of the Group of Experts on The 1994 Programme of Work and Budget, the Illustrative Weekly Schedule of Groups of Experts meetings for the fourth intersessional period (PC-IV/5) has been adjusted to enable the Groups of Experts on Training and on Equipment to meet in the week of 18-22 October 1993, thereby ensuring that they will be held prior to the next meeting of the Group of Experts on the 1994 Programme of

Work and Budget scheduled to take place over the period 25 October - 5 November 1993 (PC-IV/5, dated 16 September 1993);

- 5.9.12 The Commission recognised the general concerns expressed by the Secretariat about the practical and legal difficulties it may face in the recruitment and training of technical personnel and support staff whose services will be required by the OPCW immediately following entry into force, as provided for in paragraph 10 of the Paris Resolution. It also noted the concerns expressed by delegations about legal constraints on establishing a hiring authority in the Secretariat for OPCW staffing. The Commission also took note of the Notes from the Executive Secretary (PC-IV/6, dated 21 September 1993 and PC-IV/11, dated 27 September 1993) defining the specific problems he has identified as well as his preferred solution. The Chairmen of both Working Groups A and B should, in the intersessional periods, continue the necessary consultations about these issues with Groups of Experts, delegations of Member States and the Secretariat;
- 5.9.13 The Group of Experts on Training should review the assumptions related to training as contained in the attachments to the Report of the Group of Experts on Training (PC-IV/B/WP.8, dated 13 August 1993) and produce a set of recommendations as to what costs associated with training will be covered by Member States and what costs have to be covered by the Commission and these recommendations, after consideration by the Group of Experts on 1994 Programme of Work and Budget, should be submitted to the Commission at its Fifth session in December 1993 for consideration and adoption;
- 5.9.14 The Group of Experts on Equipment should review the assumption on the cost of procuring inspection equipment contained in the attachment to the Report of the Group of Experts on Equipment (PC-IV/B/WP.7, dated 13 August 1993) and should forward its comments to the Group of Experts on the 1994 Programme of Work and Budget at its next meeting for their consideration;
- 5.9.15 The assumptions that complementary verification and monitoring by the OPCW of CW storage facilities, CW production facilities and their destruction may comprise much of the verification activity soon after entry into force of the Convention could have implications for the various sections of the Budget and should be suitably taken into account by the Secretariat in preparation of its draft proposal for 1994, especially in the light of provisions contained in Article IV, para.16 and Article V, para.19 of the Convention;
- 5.9.16 Further reflection on the budgetary implications of the assumed number of facilities to be declared after entry into force and the projected maximum sizes of inspection teams is needed;

5.9.17 The Commission recognised the pressing need expressed by the Executive Secretary for additional staff in 1993, and authorised him to initiate immediately the selection process for all the posts identified in Annex E to the Working Group Report, with a view to filling all of them at the beginning of 1994. Up to nine of these posts (marked with an asterisk in the table in Annex E) may be filled in 1993 if suitable candidates are found in time and provided that funds are available in the Personnel subheading of the 1993 Budget approved by the Commission during its Second session.

5.9.18 The Argentine delegation made the following statement on behalf of the Latin American group:

The Latin American Group wishes to express its concern at the under-representation of the region. Major countries in the region have submitted a number of candidates and the Latin American Group fully supports them.

We urge the Executive Secretary, when making further appointments, to take due account, on the one hand, of these candidates and, on the other, of the importance of the adequate representation of Latin America.

5.9.19 The Group of Experts on the 1994 Programme of Work and Budget should, inter alia, take up the following items at its next meeting scheduled for 25 October to 5 November 1993:

- a. finalising the Commission's 1994 Programme of Work; and
- b. compilation of the draft Budget for the Commission for calendar year 1994.

5.9.20 The documents specified in 5.9.18 above must then be submitted for final approval at the Fifth session of the Commission in December 1993.

5.9.21 The Working Group recommends that the Commission provisionally assign to the Group of Experts on 1994 Programme of Work and Budget the task of studying in depth the present working procedures of the Groups of Experts in order to identify whether changes should be made to those procedures to improve them, and to submit its recommendations to the Commission at its Fifth session.

5.9.22 The delegation of the Russian Federation made the following statement in the Russian language:

"The delegation of the Russian Federation expresses its concern at the fact that it did not prove possible, in the meetings of Working Group A, to reach consensus on the point that the 1994 Programme of Work and Budget should be prepared on the understanding that the Preparatory Commission would be ready, before the

entry into force of the Convention, to complete work on the essential documents and procedures affecting the practical implementation of the Convention.

On the assumption that, by 16 June 1994, 65 States will have deposited their instruments of ratification, thus ensuring the entry into force of the Convention on 13 January 1995, it is essential to work out the 1994 Programme of Work in such a way that, no later than the assumed date of entry into force of the Convention, there is full agreement on the essential documents and procedures.

A decision on the application of such documents and procedures must be taken by the first conference of States Parties which will be held 30 days after the entry into force of the Convention. However, during that period the States Parties will have to take measures to implement the Convention and, in particular, to submit a number of declarations. The absence of previously agreed formats for such declarations will give rise to certain complications in ensuring compliance with the obligations relating to the initial period of implementation of the Convention.

A number of other procedures and documents will be of great importance for the practical implementation of the Convention, in particular: procedures for challenge inspections; the list of inspection equipment for approval by States Parties and of procedures for its verification; model agreements on facilities; guidelines for verifying chemical weapons destruction facilities in the transitional period; guidelines for evaluating the level of risk of the corresponding chemicals, the characteristics of the facilities and the nature of the activity being carried out at them, and so forth.

The existence of agreed documents and procedures, and thus of a common understanding of the mechanisms for giving effect to a number of provisions of the Convention, might be conducive to the more expeditious ratification of the Convention and to greater effectiveness in preparing States Parties for the unconditional and comprehensive implementation of the provisions of the Convention.

On the basis of these considerations, the delegation of the Russian Federation considers it important to prepare, at the same time as the 1994 draft Work Programme, a list of specific documents and procedures affecting the practical implementation of the Convention which should be worked out by the Preparatory Commission before the Convention enters into force.

Such a list might be examined by the Group of Experts on the Programme of Work and Budget and approved by the Fifth session of the Preparatory Commission."

- 6.1 On 30 September 1993, the Chairman of Working Group B, Mr Gizowski of Poland introduced the Report of Working Group B (PC-IV/B/12, dated 30 September 1993).
- 6.1.2 The Commission took the following actions in relation to matters arising out of the Report of Working Group B:
- 6.2 Programme of Work for 1993
- 6.2.1 The Commission took note of the meetings of Expert Groups under the purview of Working Group B included in the revised Illustrative Weekly Schedule of Meetings of Expert Groups for the period of October to December 1993 (Annex A to PC-IV/A/2, dated 30 September 1993).
- 6.2.2 The Working Group also drew the attention of the Commission to the Indicative Listing of Tasks for Meetings of Experts Groups under its purview (Annex B to PC-IV/A/2, dated 30 September 1993).
- 6.3 Chemical Weapons Storage Facilities
- 6.3.1 The Commission approved the understanding reached by Working Group B that the references to munitions in the Verification Annex, Part IV (A), Section A, paragraphs 1 (c) (iii) and 1 (c) (iv) apply to both filled and unfilled munitions.
- 6.3.2 The Commission considered and approved the recommendation of Working Group B that the precision of the declarations of national aggregate quantities of toxic chemicals and their precursors defined as chemical weapons should be rounded up to the nearest one tonne and that the individual munitions and container items should be declared by nominal weight in kilograms.
- 6.3.3 The Commission confirmed the understanding of Working Group B that simulant filled munitions intended for testing chemical weapons destruction procedures should be incorporated into national declarations.
- 6.4 Single Small-Scale Facilities and Other Schedule 1 Production Facilities
- 6.4.1 The Commission took note of the Report of the Experts Group on Single Small-Scale Facilities and other Schedule 1 Production facilities.
- 6.5 Chemical Industry Facilities
- 6.5.1 The Commission considered and approved the recommendation that the Chairman's Paper and the Report of the Combined Group of Experts on Industrial

Declarations (PC-III/B/WP.8) and the Report of the Experts' Group on Industrial Facilities and the Chairman's Paper annexed to it (PC-IV/B/WP.5) be made available to participants of the meeting with representatives of chemical industry scheduled to take place from 6 to 7 October 1993.

6.5.2 The Commission considered and approved the recommendation of Working Group B that it should approve the draft agenda of the planned meeting between the Experts Group on Chemical Industry Facilities and representatives of the chemical industry.

6.5.3 The Commission considered and approved the following two suggestions of Working Group B:

- a. that representatives from the United Nations and its multilateral bodies such as UNIDO, UNITAR, UN Regional Economic Commissions, other international organisations and international chemical industry associations may be invited upon their request to attend the meeting with industry;
- b. that representatives of national chemical industry associations be invited by their respective Governments to participate in the meeting, if they so wish, as representatives of their associations instead of as part of national delegations.

6.6 Technical Co-operation and Assistance

6.6.1 The Commission considered and approved the request of Working Group B to the Executive Secretary to prepare a draft model agreement for use between the Organisation and States Parties on the procurement and provision of emergency, humanitarian and supplementary assistance.

6.7 Training

6.7.1 The Commission approved the request of Working Group B that the Executive Secretary:

- (a) contact Member States prior to the next meeting of the Experts Group on Training (scheduled for 18-22 October 1993) to determine the nature of any training courses they may be able to provide. The objective would be to refine the comprehensive list of courses proposed by Member States and to identify gaps between necessary training and available resources as soon as possible as regards to Module 1: Basic Courses and Module 2: Specialist Courses; and
- (b) request Member States to provide facilities for on-site Module 3 Inspection Training.

6.7.2 The Commission approved the request of Working Group B that the Executive Secretary examine how to assist Member States that request help in organising training courses for National Authorities personnel.

6.7.3 The Commission approved the request of Working Group B for the Executive Secretary promptly to establish criteria and procedures for the certification of national training programmes and to communicate them to Member States.

6.8 Chemical Weapons Production Facilities

6.8.1 The Commission took note of the Report of the Chemical Weapons Production Facilities Experts Group.

6.9 Statement by the Mexican Delegation

The Mexican delegation made the following statement in the Spanish language:

With reference to the report of Working Group B contained in document PC-IV/B/12 dated 30 September 1993 which we have just approved, the delegation of Mexico wishes to make the following declaration and requests that it be reproduced in the final report of the fourth session:

"The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction is a highly important and innovative instrument. On the one hand, it is the first multilateral disarmament treaty to prohibit totally an entire category of weapons of mass destruction and, on the other hand, it is the first instrument which establishes a strict verification system. The possibility of making challenge inspections at any time, in any place and without the right of refusal is unprecedented in international relations.

The importance of the Chemical Weapons Convention in strengthening international security is therefore clear. Even more important, however, will be the mechanisms that we are now setting up to put into effect the verification system in the Convention. It follows that the transparency with which the Organisation for the Prohibition of Chemical Weapons carries out its functions will have a decisive role in giving credibility and legitimacy to the Organisation and, ultimately, to the Convention itself.

The degree of transparency we achieve will also have a bearing on the speed with which the Convention attains universality and on the success of the enterprise on which we are jointly engaged. This explains the concern of Mexico with regard to questions related to equitable representation in the Provisional Technical Secretariat and in the Technical Secretariat of the future Organisation. During the

current session the delegation of Mexico proposed in Working Group B that the inspectorate of the Organisation should be composed on the basis of the principle of equitable geographical distribution.

Mexico is convinced that if the inspectorate is composed on the basis of the above-mentioned principle there will be sufficient options, at the time when the teams of inspectors are formed, to ensure that the composition of those inspection teams reflects the greatest possible representativity.

My delegation is confident that at our next plenary meeting we will be able to approve by consensus the proposal by Mexico given in paragraph 13.1 of the report of Working Group B."

7 Report of the Credentials Committee - Agenda Item 6

7.1 The Report of the Credentials Committee (PC-IV/19, dated 30 September 1993) was presented by Professor Natalino Ronzitti of Italy, who is Chairman of the Committee. The Commission took note of the Report.

8 Any Other Business - Agenda Item 7

8.1 Statement by the Executive Secretary on Personnel Policy

The Commission approved the recommendation of the Executive Secretary that Dr. John Makhubalo of Zimbabwe be appointed to the vacant D-1 post in the Secretariat as Head of the Division of Technical Co-operation and Assistance.

The Executive Secretary also announced that the Secretariat was at present under very intense pressure, and stated that it was unreasonable to ask staff to sustain this level throughout. He said that he would be seeking an expansion through the 1994 Budget and in the short term through a modest increase in posts. He would use the increase in staff not only to spread the workload, but also to improve the geographic balance by extending the range of nationalities in the Secretariat. He stated that the Secretariat would prepare a full set of job descriptions and required qualifications for circulation to Member States. Member States would be allowed at least four weeks to respond to such requests.

8.2 The delegation from the Kingdom of Morocco made the following statement in the French language:

"Thank you Mr. Chairman,

My delegation would like first of all, to associate itself with the other delegations in conveying to you its congratulations on your appointment to the chairmanship of the Preparatory Commission.

Mr. Chairman, my delegation might have refrained from making any comment on the decision of the Executive Secretary assigning the Division of Technical Co-operation and Assistance to Zimbabwe but the circumstances surrounding that appointment are unacceptable to us on account of their ambiguity and they call for some clarification.

A detailed report on the Moroccan position was to be submitted to you and to the Executive Secretary. As the Executive Secretary emphasised and acknowledged, the choice of the candidate was very difficult to make. However, the Executive Secretary might have further prolonged the process of consultation in order to reach a compromise.

My delegation would have wished the Executive Secretary to take into account the observations made by the African Group through its co-ordinator concerning the inequitable treatment given to the Moroccan candidature and to undertake the preliminary steps necessary to restore the balance requested by the African Group.

While regretting these shortcomings which marred the appointment process, my delegation would like to recall that our Organisation is called on to assume a heavy responsibility in the sensitive field of combating the proliferation of chemical weapons and that it is therefore incumbent on it to set up a clearly defined mode of recruitment strictly based on the criteria of technical and professional competence, since my delegation considers that the choice of persons for responsible and decision-making posts is of paramount importance in carrying out the noble task undertaken by our Organisation."

8.3 Statement by the Executive Secretary on the Working of Expert Groups

The Executive Secretary welcomed the view expressed in the Working Groups that suitable candidates for chairing Expert Groups should be identified in advance. The intention of such a measure was to maximise the amount of work which the Secretariat could do in advance to assist an Expert Group in fulfilling its mandate. Where required the Secretariat will utilise the expertise of outside consultants for the preparation of papers, and will try to get these papers to the Expert Group in advance of its meetings.

8.4 Languages

- 8.4.1 The Executive Secretary reported that, following the procedure on interpretation for Expert Groups agreed upon at the Third session, he had received and acted upon four requests for interpretation, using fifty per cent of the money set aside for this purpose. He intended to proceed on the same basis for specific requests for one more intersessional period, and appealed to delegations to exercise self-

discipline in making requests for these services. In 1994 only those interpretation services for which budgetary provision has been specifically made will be offered.

- 8.4.2 The representative of Japan, on behalf of the Asian Group, made the following statement in the English language:

"The Asian Group was taken by surprise at the Report of the Executive Secretary when he explained the cost which was necessitated to cover the four different requests of language services. It amounted to over 100,000 Dutch Guilders. The Asian Group is deeply preoccupied by this result and makes its position once again clear that the Expert meetings should be conducted in English. In this regard, due efforts are requested to be made by the delegations. However, in case other languages are also authorised against the strong wish of the Asian Group, Arabic and Chinese must be treated on an equal basis."

- 8.4.3 The representative of France made the following statement in the French language:

"With respect to the language services provided for the Groups of Experts, the French delegation considers that the formulation adopted at the Second and Third sessions of the Preparatory Commission meets the concerns expressed by many delegations since the start of the Commission's work.

The French delegation expresses its gratitude to the Executive Secretary for the efforts he has made to fulfil the agreed commitments. It considers that the latter constitute an appropriate basis for the further activities of the Groups of Experts and that they should also be included in the Budget for 1994.

The French delegation notes with satisfaction the proposals made by the Executive Secretary at the meeting of the Group of Experts on the 1994 Programme of Work and Budget concerning translation and interpretation and considers that they are based on correct assumptions concerning the work of the Preparatory Commission and of the future OPCW."

8.5 Non Signatory States

The Commission decided to encourage all States that have not yet become Signatory States to the Convention to do so at an early date. The Commission requested the Executive Secretary to communicate this decision to appropriate representatives of all such States and to include this decision in a Report to the First Committee of the 48th session of the United Nations General Assembly.

8.6 The Correction of Errors in the Certified Copies of the CWC

The Commission considered the Note of the Executive Secretary concerning the errors discovered in the certified copies of the Convention distributed by the Secretary-General of the United Nations, and recognised the implications such errors could have in the interpretation of the Convention, or its eventual implementation. Consequently, the Commission authorised the Executive Secretary to undertake a scrutiny of the certified copy of the Convention in each official language in order to establish a list of the clerical errors which have to be corrected in each official version of the Convention.

The Executive Secretary was requested to submit a Report, including such possible lists, for the consideration of the Commission at its Fifth session.

8.7 Hungarian Offer of Integrated Information Management Software System

The delegation of Hungary made the following statement in the English language:

The Hungarian delegation announced that on the basis of the positive reactions it has received on its demonstration of an integrated information management software system (IDOM CDS) to assist National Authorities, Hungary is prepared to provide the basic version of the software system to interested Member States gratis. The details of the offer will be specified in the next plenary session, when a full demonstration of the software system will take place.

9 **Date and Agenda of the Fifth session - Agenda Item 8**

9.1 The Commission adopted the following decision:

"The Preparatory Commission:

Decides to hold its Fifth Plenary session from 13 to 17 December 1993 at The Hague, Kingdom of the Netherlands;

Decides to consider the following Provisional Agenda for adoption at the opening of its Fifth 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 including Adoption of the 1994 Programme of Work and Budget
5. Consideration of the Report of Working Group B and appropriate Action
6. Report of the Credentials Committee
7. Any other Business
8. Date and Agenda for next session

9. Adoption of the Report and Closure of the session."
- 10 **Adoption of the Report and Closure of the Fourth session - Agenda Item 9**
- 10.1 The Commission adopted its Report, and the Chairman closed the Fourth session at 12:30 p.m.. on 1 October 1993.

ANNEX

**SCALE OF ASSESSMENTS OF MEMBER STATES (150)
AND APPORTIONMENT OF THE CAPITAL ADVANCE OF
DFL 1,000,000**

	Member States	United Nations Scale per cent Dfl	Commission Scale per cent	Apportionment
1	Afghanistan	0.01	0.01002	100
2	Albania	0.01	0.01002	100
3	Algeria	0.16	0.16029	1603
4	Argentina	0.57	0.57103	5710
5	Armenia	0.13	0.13023	1302
6	Australia	1.51	1.51272	15127
7	Austria	0.75	0.75135	7514
8	Azerbaijan	0.22	0.22040	2204
9	Bahrain	0.03	0.03005	301
10	Bangladesh	0.01	0.01002	100
11	Belarus	0.48	0.48087	4809
12	Belgium	1.06	1.06191	10619
13	Benin	0.01	0.01002	100
14	Bolivia	0.01	0.01002	100
15	Brazil	1.59	1.59287	15929
16	Brunei Darussalam	0.03	0.03005	301
17	Bulgaria	0.13	0.13023	1302
18	Burkina Faso	0.01	0.01002	100
19	Burundi	0.01	0.01002	100
20	Cambodia	0.01	0.01002	100
21	Cameroon	0.01	0.01002	100
22	Canada	3.11	3.11561	31156
23	Cape Verde	0.01	0.01002	100
24	Central African Republic	0.01	0.01002	100
25	Chile	0.08	0.08014	801
26	China	0.77	0.77139	7714
27	Colombia	0.13	0.13023	1302
28	Comoros	0.01	0.01002	100
29	Congo	0.01	0.01002	100
30	Cook Islands	0.01	0.01002	100
31	Costa Rica	0.01	0.01002	100
32	Cote d'Ivoire	0.02	0.02004	200
33	Croatia	0.13	0.13023	1302

34	Cuba	0.09	0.09016	902
35	Cyprus	0.02	0.02004	200
36	Czech Republic	0.37	0.37067	3707
37	Denmark	0.65	0.65117	6512
38	Dominica	0.01	0.01002	100
39	Dominican Republic	0.02	0.02004	200
40	Ecuador	0.03	0.03005	301
41	El Salvador	0.01	0.01002	100
42	Equatorial Guinea	0.01	0.01002	100
43	Estonia	0.07	0.07013	701
44	Ethiopia	0.01	0.01002	100
45	Fiji	0.01	0.01002	100
46	Finland	0.57	0.57103	5710
47	France	6.00	6.01082	60108
48	Gabon	0.02	0.02004	200
49	Gambia	0.01	0.01002	100
50	Georgia	0.21	0.21038	2104
51	Germany	8.93	8.94610	89461
52	Ghana	0.01	0.01002	100
53	Greece	0.35	0.35063	3506
54	Guatemala	0.02	0.02004	200
55	Guinea	0.01	0.01002	100
56	Guinea-Bissau	0.01	0.01002	100
57	Haiti	0.01	0.01002	100
58	Holy See	0.01	0.01002	100
59	Honduras	0.01	0.01002	100
60	Hungary	0.18	0.18032	1803
61	Iceland	0.03	0.03005	301
62	India	0.36	0.36065	3606
63	Indonesia	0.16	0.16029	1603
64	Iran (Islamic Republic of)	0.77	0.77139	7714
65	Ireland	0.18	0.18032	1803
66	Israel	0.23	0.23041	2304
67	Italy	4.29	4.29774	42977
68	Japan	12.45	12.47245	124725
69	Kazakhstan	0.35	0.35063	3506
70	Kenya	0.01	0.01002	100
71	Kuwait	0.25	0.25045	2505
72	Kyrgyzstan	0.01	0.01002	100
73	Lao People's Democratic Republic	0.01	0.01002	100
74	Latvia	0.13	0.13023	1302
75	Liberia	0.01	0.01002	100
76	Liechtenstein	0.01	0.01002	100
77	Lithuania	0.15	0.15027	1503
78	Luxembourg	0.06	0.06011	601

79	Madagascar	0.01	0.01002	100
80	Malawi	0.01	0.01002	100
81	Malaysia	0.12	0.12022	1202
82	Mali	0.01	0.01002	100
83	Malta	0.01	0.01002	100
84	Marshall Islands	0.01	0.01002	100
85	Mauritania	0.01	0.01002	100
86	Mauritius	0.01	0.01002	100
87	Mexico	0.88	0.88159	8816
88	Micronesia (Fed. States of)	0.01	0.01002	100
89	Monaco	0.01	0.01002	100
90	Mongolia	0.01	0.01002	100
91	Morocco	0.03	0.03005	301
92	Myanmar	0.01	0.01002	100
93	Namibia	0.01	0.01002	100
94	Nauru	0.01	0.01002	100
95	Nepal	0.01	0.01002	100
96	Netherlands	1.50	1.50270	15027
97	New Zealand	0.24	0.24043	2404
98	Nicaragua	0.01	0.01002	100
99	Niger	0.01	0.01002	100
100	Nigeria	0.20	0.20036	2004
101	Norway	0.55	0.55099	5510
102	Oman	0.03	0.03005	301
103	Pakistan	0.06	0.06011	601
104	Panama	0.02	0.02004	200
105	Papua New Guinea	0.01	0.01002	100
106	Paraguay	0.02	0.02004	200
107	Peru	0.06	0.06011	601
108	Philippines	0.07	0.07013	701
109	Poland	0.47	0.47085	4708
110	Portugal	0.20	0.20036	2004
111	Qatar	0.05	0.05009	501
112	Republic of Korea	0.69	0.69124	6912
113	Republic of Moldova	0.15	0.15027	1503
114	Romania	0.17	0.17031	1703
115	Russian Federation	6.71	6.7221	67221
116	Rwanda	0.01	0.01002	100
117	Saint Lucia	0.01	0.01002	100
118	Saint Vincent and the Grenadines	0.01	0.01002	100
119	Samoa	0.01	0.01002	100
120	San Marino	0.01	0.01002	100
121	Saudi Arabia	0.96	0.96173	9617
122	Senegal	0.01	0.01002	100
123	Seychelles	0.01	0.01002	100

124	Sierra Leone	0.01	0.01002	100
125	Singapore	0.12	0.12022	1202
126	Slovak Republic	0.18	0.18032	1803
127	Slovenia	0.09	0.09016	902
128	South Africa	0.41	0.41074	4107
129	Spain	1.98	1.98357	19836
130	Sri Lanka	0.01	0.01002	100
131	Swaziland	0.01	0.01002	100
132	Sweden	1.11	1.11200	11120
133	Switzerland	1.16	1.16209	11621
134	Tajikistan	0.05	0.05009	501
135	Thailand	0.11	0.11020	1102
136	Togo	0.01	0.01002	100
137	Tunisia	0.03	0.03005	301
138	Turkey	0.27	0.27049	2705
139	Uganda	0.01	0.01002	100
140	Ukraine	1.87	1.87337	18734
141	United Arab Emirates	0.21	0.21038	2104
142	United Kingdom	5.02	5.02905	50291
143	United States	25.00	25.04508	250463
144	Uruguay	0.04	0.04007	401
145	Venezuela	0.49	0.49088	4909
146	Viet Nam	0.01	0.01002	100
147	Yemen	0.01	0.01002	100
148	Zaire	0.01	0.01002	100
149	Zambia	0.01	0.01002	100
150	Zimbabwe	0.01	0.01002	100
		99.82	100.00000	1000000

The assessment is based on the percentage of the Scale of Assessments of the United Nations adjusted for the fact that the total of such percentages relating to those States which have so far signed the Convention amounts to 99.82 per cent. Hence the formula used for arriving at the assessed amount for a given Member State is as follows:

Assessment of Member State Y equal to UN percentage of State Y **multiplied by** the total amount of the Capital Advance **divided by** 99.82."