REPORT OF THE COMMISSION

1. Introduction

1.1 In accordance with its decision recorded in the Report of the Eighth Session of the Preparatory Commission (PC-VIII/18), the Commission convened its Ninth Session in The Hague, Kingdom of the Netherlands, from 5 - 9 December 1994.

1.2 As of 7 December 1994, 159 States had signed the Convention. The following two States signed the Convention between 25 September and 7 December 1994: Chad, and Lesotho.

1.3 Four new instruments of ratification were deposited during the same period, by Turkmenistan (29 September 1994), Uruguay (10 October 1994), Paraguay (1 December 1994), and Lesotho (7 December 1994). The number of ratifications now stands at 18.

1.4 The following 90 Member States participated in the Ninth Session of the Commission:

Algeria, Argentina, Australia, Austria, Bahrain, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Chad, Chile, China, Columbia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Ecuador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Kuwait, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Seychelles, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, and Venezuela.

2. AGENDA ITEM ONE - Opening of the Session

The Session was opened by the Chairman of the Commission, Ambassador Miguel Marín Bosch of Mexico, at 11:00 on 5 December 1994.
3. **AGENDA ITEM TWO - Adoption of the agenda**

On 5 December 1994 the Commission **adopted** the following agenda for its Ninth Session:

1. Opening of the Session
2. Adoption of the agenda
3. Report of the Chairman of the Commission on improved methods of work
4. Report of the Executive Secretary
5. Consideration of the Report of Working Group A and appropriate action
6. Consideration of the Report of Working Group B and appropriate action
7. Report of the Credentials Committee
8. Report of the Committee on Relations with the Host Country
9. Election of the Chairman and other Officers of the Commission
10. Any other business
11. Date and agenda for the Tenth Session
12. Adoption of the Report and closure of the Session

4. **AGENDA ITEM THREE - Report of the Chairman of the Commission and the Executive Secretary on Improved Methods of Work**

4.1 The Chairman of the Commission, Ambassador Miguel Marín Bosch of Mexico presented the Report of the Chairman of the Commission and the Executive Secretary on Improved Methods of Work of the Commission (PC-IX/8).

4.2 The Commission devoted one meeting to an exchange of views on this Report, during which the following delegations made statements: Cuba, Bulgaria, Ecuador, the Russian Federation, China, and France. At a subsequent meeting Nigeria made a statement on behalf of the African Group on the same subject.

4.3 The Commission **noted** the Report, **decided** to pursue its consideration of this item, and **entrusted** the incoming Chairman of the Commission with the task of taking it further with a view to improving the transparency and efficiency of the work of the Commission.

4.4 The Commission **recognised** that since outstanding substantive issues need to be resolved, wherever possible before Phase II is triggered by the deposit of the 65th instrument of ratification, there is need for more interaction between the working groups and expert groups, and for more consultations between Member States. It was understood that the Commission would seriously consider the possibility of devoting the time necessary in the Plenary to general exchanges of views on substantive issues which affect the work of the Commission in general and of the working groups in particular.

5. **AGENDA ITEM FOUR - Report of the Executive Secretary**

5.1 The Commission **noted** the Report of the Executive Secretary, Mr. Ian R. Kenyon (PC-IX/6). The Report covered the period from 3 October to 2 December 1994.
PC-IX/11
page 3

5.2 Statements were made by the delegations of Greece, Australia, Spain, Argentina, India, Switzerland, Islamic Republic of Iran, and China.

6. AGENDA ITEM FIVE - Report of Working Group A


Finance Group

6.2 The Commission authorised the Executive Secretary to construct a revised salary scale for the general services category which is based on the existing working week of 40 hours; such a revised scale will incorporate a weighted average increase of 3.41%, effective on 1 January 1995, on the understanding that this increase will be absorbed in the approved 1995 Budget.

6.3 The Commission resolved that the present level of dependency allowances for the general services category be maintained pending a final decision at its Tenth Session.

Programme of Work and Budget

6.4 The Commission decided:

(a) that the new item "Reusable Boots" be included in the equipment list contained in the Annex to PC-VIII/A/WP.7 adopted by the Commission at its Eighth Session; and

(b) that the funding required for the procurement of the new item "Reusable Boots" in Part II of the 1995 Budget (Dfl. 22,800) be taken from the amount allocated for the procurement of Occupational Health Equipment (Dfl. 384,180).

Information Systems Branch resources

6.5 The Commission decided to unfreeze all IS Branch personnel appropriations, including both those related to personnel already in place and those related to new posts as established under subparagraph 7.6.3 of the Annex to PC-VIII/A/WP.7.

6.6 The Commission decided to lift the reservations and approve expenditure on the following items in the Information Systems Branch budget for 1995, in addition to those items referred to in subparagraph 6.5 above, in order to enable the Secretariat to perform its essential functions regarding the IMS during the first quarter of 1995:
### Programme of Work: activities (a), (b), (c), and (d)

#### Acquisition of software

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Network monitoring software</td>
<td>10,000</td>
</tr>
<tr>
<td>- to manage the actual and future network installations</td>
<td></td>
</tr>
<tr>
<td>GQL tools for INGRES RDBMS</td>
<td>20,000</td>
</tr>
<tr>
<td>- to support queries for:</td>
<td></td>
</tr>
<tr>
<td>External Relations, Legal and Administration Divisions</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,000</strong></td>
</tr>
</tbody>
</table>

#### Acquisition of hardware

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Network Peripherals</td>
<td></td>
</tr>
<tr>
<td>1 individual laser printer</td>
<td>2,500</td>
</tr>
<tr>
<td>2 optical mass storage units, 1.3 GB</td>
<td>10,000</td>
</tr>
<tr>
<td>- to archive electronic files containing official documents</td>
<td></td>
</tr>
<tr>
<td>2 tape back-up units</td>
<td>6,000</td>
</tr>
<tr>
<td>- to back up all electronic files</td>
<td></td>
</tr>
<tr>
<td>2 CD ROM network drives</td>
<td>6,000</td>
</tr>
<tr>
<td>- to read software and databases only available on CD-ROM</td>
<td></td>
</tr>
<tr>
<td>Communication Devices</td>
<td></td>
</tr>
<tr>
<td>2 modems (14,400 baud)</td>
<td>3,000</td>
</tr>
</tbody>
</table>

| Database for Technical Cooperation and Assistance Division           |       |
| 1 Back-up Device                                                    | 5,000 |
| 1 printer                                                           | 2,500 |
| **Total**                                                            | **35,000**|

#### Services

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internet connection, (subject to renegotiation of the contract)</td>
<td>24,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>24,000</strong></td>
</tr>
</tbody>
</table>

#### Maintenance and upgrades

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNIX hardware installed (15% of hardware value)</td>
<td>35,000</td>
</tr>
<tr>
<td>Software installed (15% of purchased RDBMS)</td>
<td>54,000</td>
</tr>
<tr>
<td>Administrative software package (15% of purchased value)</td>
<td>27,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>116,000</strong></td>
</tr>
</tbody>
</table>

### Programme of Work, activity (e)

Contracts for development of new software applications for Administration Division. To support functionality as described in Attachment 1, PC-VIII/A/ WP.7

<table>
<thead>
<tr>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>25,000</td>
</tr>
</tbody>
</table>

**Total** 25,000

### Programme of Work, activity (i)

Contract for procurement and adaptation of Library system

<table>
<thead>
<tr>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>35,000</td>
</tr>
</tbody>
</table>

**Total** 35,000
Programme of Work, activity (j)
Contract for archival system (Xerox) 40,000

Total 40,000

Programme of Work, activity (k)
Connection to Flight Reservation System 3,000

Total 3,000

TOTAL 308,000

6.7 The Commission further decided that remaining reservations placed on the IS Branch budget for 1995 will be lifted upon a recommendation from the Expert Group on Data Systems by Working Group A during the intersessional period or by the Commission itself, but emphasised that the procedure approved in this subparagraph does not set a precedent for the decision-making process in the Commission.

7. AGENDA ITEM SIX - Report of Working Group B

7.1 On 8 December the Chairman of Working Group B, Mr. Sylwin Gizowski of Poland, introduced the Report of Working Group B (PC-IX/B/4). The Commission took the following action in relation to matters arising out of the Reports of Working Group B:

Chemical Industry Issues

7.2 In accordance with subparagraph 5.2 of PC-VIII/B/5, the Commission adopted the understandings reached by the Expert Group on Chemical Industry Issues concerning recycled Schedule 2 chemicals and the meaning of "production" in the context of Schedule 1 production facilities covered under Article VI.

Inspection Procedures

7.3 The Commission adopted the document "Proficiency Testing Leading to Certification of 'Designated Laboratories'".

Technical Cooperation and Assistance

7.4 The Commission approved the revised curriculum for courses for personnel of National Authorities as contained in the Annex to PC-IX/B/WP.4.

8. AGENDA ITEM SEVEN - Report of the Credentials Committee

8.1 The Commission noted the Report of the Credentials Committee (PC-IX/10), which was presented by Mr. Andrea Perugini of Italy, the Acting Chairman of the Committee. The Acting Chairman orally informed the Commission that, subsequent to the adoption of the Committee's Report, official communications were received regarding the accreditation of the Representatives of Costa Rica, Gabon, Togo, and
Uganda. The Acting Chairman requested that the Commission's Report be adjusted to reflect these changes.

8.2 Accordingly, at the time of the Ninth Session the following 104 Member States had Representatives to the Commission, accredited or provisionally accepted in accordance with Rules 2, 3, and 5 of the Rules of Procedure of the Commission:

Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Kuwait, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uganda, Uruguay, Venezuela, Yemen and Zimbabwe.

9. AGENDA ITEM EIGHT - Report of the Committee on Relations with the Host Country

9.1 The Commission noted the Reports of the Committee on Relations with the Host Country (PC-IX/HC/3, PC-IX/HC/5 and PC-IX/HC/7), which were presented by Mr. Arturo Hernández Basave of Mexico, the Acting Chairman of the Committee.

9.2 The Commission noted the proposal of the Chairman of the Commission (PC-IX/HC/6) that the draft decision on long-term accommodation of the OPCW (PC-IX/HC/8) be taken through a "silence procedure" and:

(a) decided to adopt the Chairman's proposed procedure;

(b) decided that any formal objection of a Member State should be deposited with the Executive Secretary by 6:00 p.m. local time in The Hague on 13 January 1995;

(c) encouraged any Member State having difficulties with the decision to bring these to the Committee on Relations with the Host Country in advance of 13 January 1995 so that attempts may be made to resolve them;

(d) requested the Chairman to inform the Committee on Relations with the Host Country at its meeting on 16 January 1995 whether any objection has been raised or whether the decision has been adopted in accordance with the "silence procedure";
decided that, should the decision not be adopted, the Commission will reconsider the issue of long-term accommodation for the OPCW at its Tenth Session (3 - 7 April 1995); and

emphasised that the “silence procedure” approved in this subparagraph does not set a precedent for the decision-making process in the Commission.

9.3 The Commission, ad referendum:

(a) decided that a tailor-made building should be developed at the Catsheuvel site and that, following the detailed evaluation of the three designs, the proposal of Provastgoed Nederland B.V. (Provast) - architect McKinnell - be pursued;

(b) authorised the Chairman and the Executive Secretary to exchange letters with the Foreign Minister for the Host Country incorporating the Understandings between the Host Country and the Preparatory Commission for the OPCW concerning the implementation of paragraphs 6, 7, 9 and 11 of Annex 3 of the Paris Resolution (Annex 1 to this Report);

(c) authorised the Executive Secretary to prepare a draft preliminary tenancy agreement for consideration and approval by the Committee on Relations with the Host Country (the Committee) at a meeting during the next intersessional period;

(d) requested the Executive Secretary, together with the Chairman of the Committee, to negotiate with the Netherlands Congress Centre (NCC) for suitable arrangements in regard to the adaptation and rental of the Staten Hall and/or the Prins Willem Alexander Hall for meetings of the Conference of the States Parties, and to present the Committee with a proposal for decision concerning the feasibility of these options. The Commission further requested the Committee to consider the proposal and act upon it with the condition that the draft decision be distributed in all official languages to all Member States three weeks in advance;

(e) requested the Executive Secretary, together with the Chairman, to exchange with the NCC letters of intent for the rental of up to 165 car-parking spaces within the NCC, B-garage, once the tailor-made building is occupied by the OPCW;

(f) requested the Executive Secretary to report regularly to the Committee on the progress of the realisation of an OPCW tailor-made building and associated matters; and

(g) noted that the Committee was unable to identify an existing building in The Hague that would be suitable as an alternative to permanent accommodation of the OPCW.
9.4 The Commission noted the current status of negotiations on the preparation of a development agreement for the tailor-made building and a draft preliminary tenancy agreement and further noted that the existing validity period for the offer of Provast had been extended until 1 February 1995.

9.5 The Commission recalled the decision taken at its Eighth Session to establish the OPCW Laboratory and Equipment Store at the site known as Heulweg 28-30, Rijswijk (PC-VIII/18), noted that negotiations were still ongoing with the landlord of the facility, welcomed the possible early and satisfactory conclusion of the negotiations, and requested the Executive Secretary to continue to update the Committee on Relations with the Host Country on progress in this area.

9.6 The Commission requested the Committee on Relations with the Host Country to continue to monitor as required all accommodation-related issues including the OPCW Laboratory and Equipment Store and to report to the Commission at its Tenth Session.

10. AGENDA ITEM NINE - Election of the Chairman and Other Officers of the Commission

Election of the Chairman and Vice-Chairmen

10.1 In accordance with Rules 7 and 8 of the Rules of Procedure, the Commission elected by acclamation Mr. Finn K. Fostervoll of Norway as Chairman for the six-month period commencing on 8 February 1995 as well as Representatives of South Africa, Pakistan, the Czech Republic, Ecuador, and the United States of America as Vice-Chairmen for the same period.

Renewal of appointment of Executive Secretary

10.2 In accordance with the decision adopted by the Commission at its First Plenary Session held from 8 to 12 February 1993, as contained in subparagraph 11(b) of PREPCOM/I/4, the Commission renewed the appointment of Mr. Ian R. Kenyon as Executive Secretary for the 12-month period from 11 February 1995 to 10 February 1996 on the understanding that, should the Convention enter into force before the end of this twelve-month period, the appointment of the Executive Secretary will cease in any event one month after the Director-General takes up post.

11. AGENDA ITEM TEN - Any other business

Plan of Activities and Schedule of Meetings of the Expert Groups under Working Groups A and B and of the Committee on Relations with the Host Country for the Period December 1994 - April 1995

Trust Fund for Regional Seminars

11.2 The Commission noted the Executive Secretary's Report on the Establishment of a Trust Fund for Regional Seminars (PC-IX/2).

Re-assessment of the Governments of the Czech Republic and the Slovak Republic

11.3 The Commission approved the new 1993 rates of assessment for the Capital Advance for the Czech Republic and the Slovak Republic as 0.42 percent and 0.13 percent respectively, and endorsed the corresponding re-assessment as contained in PC-IX/3.

Re-assessment of the Government of Kyrgyzstan

11.4 The Commission approved the new 1994 rate of assessment for the Capital Advance for the Government of Kyrgyzstan as 0.06 percent, and endorsed the corresponding re-assessment as contained in PC-IX/4.

Assessment of new Member States

11.5 In the light of the advent of four new Member States since the Fifth Session of the Commission and of Financial Regulation 5.8, the Commission approved the revised scale of assessment for Parts I and II of the 1994 Budget as contained in Appendices 1 and 2 of PC-IX/5.

12. AGENDA ITEM ELEVEN - Date and Agenda of Tenth Session

The Commission decided to hold its Tenth Session from 3 - 7 April 1995 in The Hague, Kingdom of the Netherlands, and also decided to consider the following provisional agenda for adoption at the opening of its Tenth Session:

1. Opening of the Session
2. Adoption of the Agenda
3. Report of the Chairman of the Commission on improved methods of work
4. Report of the Executive Secretary
5. Consideration of the Report of Working Group A and appropriate action
6. Consideration of the Report of Working Group B and appropriate action
7. Report of the Credentials Committee
8. Report of the Committee on Relations with the Host Country
9. Any other business
10. Date and agenda for the Eleventh Session
11. Adoption of the Report and closure of the Session

13. AGENDA ITEM TWELVE - Adoption of the Report and Closure of the Ninth Session

The Commission adopted its Report, and the Chairman closed the Ninth Session at 17:10 on 8 December 1994.
ANNEX 1

UNDERSTANDINGS BETWEEN THE HOST COUNTRY AND THE PREPARATORY COMMISSION FOR THE OPCW CONCERNING THE IMPLEMENTATION OF PARAGRAPHS 6, 7, 9 AND 11 OF ANNEX 3 OF THE PARIS RESOLUTION

The Preparatory Commission for the Organisation for the Prohibition of Chemical Weapons (hereinafter called the ‘Commission’) and the Government of the Kingdom of the Netherlands and the Municipality of The Hague (hereinafter called the ‘Host Country’), have reached the following understandings which will form the basis for their future actions with regard to the implementation of paragraphs 6, 7, 9 and 11 of Annex 3 of the Paris Resolution.

I

1. The Paris Resolution is the basic legal framework in any negotiations between the Commission and the Host Country concerning the OPCW accommodation as well as any other matters part of the Netherlands Bid. The Host Country will remain responsible for the implementation of Annex 3 of the Paris Resolution.

2. The Commission recognises the financial constraints under which the Host Country must function. The Host Country also recognises the constraints under which the Commission must operate. The Commission and the Host Country are therefore willing to cooperate in keeping expenses related to the implementation of paragraphs 6, 7, 9 and 11 of Annex 3 of the Paris Resolution predictable to the greatest extent possible.

3. The Host Country guarantees that as long as the Commission and the OPCW remain in the tailor-made building on the Catsheuvel site, the Commission and the OPCW will never under any circumstances have to pay any compensation whatsoever to anyone for the use of the site. This guarantee applies regardless of whether the Commission and the OPCW rent, lease or buy the tailor-made building, now or in the future from whatever owner.

II

4. The Host Country, in close consultation with the Commission, will conclude a development agreement with the property developer for the construction of the new purpose built office building. The development agreement shall stipulate that the building will be fully ready for occupancy 30 months after signature of the development agreement, provided that the Commission meets the planning deadlines set out in an addendum to the development agreement. The Commission will enter into a preliminary tenancy agreement with the property developer, to be confirmed by the Conference of the States Parties at its First Session, to rent, lease, or buy the new building.

5. In case that the Host Country is not obliged to rent the office building at Laan van Meerdervoort 51 for the full maximum period of 5 years as mentioned in Annex 3, paragraph 5 of the Paris Resolution, the amount of money which would be needed to pay the rent for the remaining period until the end of this period of maximum 5 years, will be used to contribute to the actual rental cost for interim-accommodation for the Commission and/or the OPCW. This contribution will be paid after the mentioned period of 5 years.

6. The Commission undertakes to formally recommend to the Conference of States Parties at its First Session that the OPCW rent or lease, based upon conditions agreed in the above mentioned preliminary agreement, for 15 years (including the three years to be paid by the Host Country in terms specified in paragraph 7 and 8 hereof) the tailor-made building which will be built on the Catsheuvel site. Alternatively, as specified in paragraph 10, the Commission may also recommend to the Conference of States Parties to purchase the building.

7. The Host Country will reimburse the OPCW for the annual rental costs of the building (110 parking places included) and the annual cost of the depreciation of its fit-up (turn key cost) and maintenance costs for a period of three years beginning on the date when the OPCW rents or leases the building. Such reimbursement will amount to the actual costs incurred by the OPCW, as agreed in the tenancy agreement and the development agreement, which are quoted for by PROVAST at Dfl. 5,249,710 per year, indexed to 1997 price levels. In addition to the annual rental costs, for the same period of three years the Host Country will pay the energy costs (heating, cooling, electricity, water).

8. The Host Country will reimburse, additionally, the OPCW for extra costs during the same three year period which may arise out of decisions taken during the design phase, the development phase or the construction phase of the new building, provided that any such decisions have prior approval from the Host Country. The total extra reimbursement of costs mentioned above in this paragraph will never exceed Dfl. 400,000 per year (indexed as from 1997). Therefore, the total payments of the Host Country specified in paragraphs 7 and 8 hereof shall not exceed the amount of Dfl. 5,700,000 per year (indexed to 1997 price levels).
9. During the balance of 12 years, the cost to the OPCW for the rental of the building will not exceed Dfl. 5,700,000 (indexed to 1997 price levels), provided that any changes in the Programme of Requirements initiated and approved by the Commission (PC-VI/A/4) do not exceed the level specified in paragraph 8 above.

10. Should the Commission or the OPCW decide to purchase the building, the Host Country undertakes to make the same annual financial contribution to the purchase price of the OPCW building as stated in paragraphs 7 and 8 hereof.

11. Security outside the OPCW premises as defined in the OPCW Headquarters Agreement will be provided by the Netherlands at no cost to the OPCW. Internal security within those premises will be the responsibility of the OPCW.

12. The Host Country will provide the OPCW with the conference accommodation and facilities for the First Session of the Conference of the States Parties as well as for the sessions of the Conference of the States Parties during the first two years after entry into force (this does not necessarily imply calendar years).

13. The Host Country will thereafter provide the OPCW with accommodation and facilities for one session of the Conference of the States Parties per year up to 8 February 2001 and for any special sessions when needed during the same period. The accommodation and facilities will be provided to the OPCW for a period requested by the OPCW, with a maximum of 9 days per session as follows:

- 2 days preparation for the session of the Conference of the States Parties;
- 5 days for the actual session;
- 1 day extra;
- 1 day dismantling of the facilities.

14. The conference accommodation and facilities mentioned in paragraphs 12 and 13 will be in the Netherlands Congress Centre in The Hague, and will consist of the following:

- 1 fully equipped meeting room with 7 interpreters' booths and debating installation for approximately 140 delegations consisting of 6 persons;
- Carel Willink Hall and associated rooms as rented by the Commission in June 1993;
- Frans Hals room, Mesdag 1 & 2 rooms and Maris 1 & 2 rooms, or equivalent space as well as partitioning and curtains necessary to create auxiliary rooms as used during the Sessions of the Commission;
- For Special Sessions the conference facilities will be limited to the Carel Willink Hall and the associated rooms as rented by the Commission in June 1993, plus the Frans Hals room, Mesdag 1 & 2 rooms and Maris 1 & 2 rooms or equivalent space as well as partitioning and curtains necessary to create auxiliary rooms as used during the Sessions of the Commission;
- In all cases, additional areas agreed by the OPCW and the Host Country necessary to ensure security.
15. The Host Country will, for a period of three years, reimburse the OPCW for the actual annual cost of the rent or lease of a laboratory and the equipment storage facilities in the Netherlands as well as the turn key cost (carpeting, partitioning) and maintenance costs up to a maximum of Dfl. 250,000 per year (indexed to the prices of the first year of occupation). In addition, during the same period the Host Country will also pay for the energy costs (heating, cooling, electricity, water) with respect to the laboratory and equipment storage facilities. The Commission or the OPCW may itself determine the beginning of the three-year period in question. The Commission or the OPCW can decide to purchase the laboratory and equipment storage facilities in which case the Host Country undertakes to make the same annual financial contribution to the purchase price of the OPCW laboratory and equipment storage facilities.

16. The further implementation of the Netherlands Bid with regard to the supply of office furniture, office equipment, telephones and fax machines will proceed in the same way as at present.

17. The Host Country will pay the actual costs of certified Module 1 training programme for 135 inspectors, on the condition that any such training programmes will take place in the Netherlands, and will be organised by or under the responsibility of the TNO. The Preparatory Commission will reimburse the Host Country for accommodation and meals up to Dfl. 700 per week per student.

18. The above paragraphs represent an agreed interpretation of all aspects of paragraphs 6, 7, 9 and 11, including the costs of discharging the Host Country's undertakings, as at November 1994. If circumstances arise in the future, which could not have been foreseen at the moment of adoption of these understandings and which could affect these interpretation, the Host Country and the Commission will consult to seek solutions in good faith and in the spirit of the Paris Resolution.
ANNEX 2

PART I.

DRAFT PLAN OF ACTIVITIES
OF THE EXPERT GROUPS
UNDER WORKING GROUPS A AND B
FOR THE PERIOD

DECEMBER 1994 - APRIL 1995

TASKS, OBJECTIVES, PRIORITY OF ISSUES and DOCUMENTS

WORKING GROUP A

I. EXPERT GROUP ON
DATA SYSTEMS
(CHAIRMAN: MR. O. CARON - FRANCE)

9 FEBRUARY 1995
6 - 7 MARCH 1995

Tasks:

1. Finalise a recommendation to the Commission on the OPCW IMS security level.

2. Finalise a recommendation to the Commission on the US offer.

3. Prepare a recommendation in relation to unfreezing the IS Branch budget.

Documents:

1. Secretariat evaluation report of US offer


3. Background material on IMS security issues to be developed on the basis of consultations (see also Part III of this Annex)
II. EXPERT GROUP ON
PROGRAMME OF WORK AND BUDGET
(CHAIRMAN: AMB. J. MORALES PEDRAZA - CUBA)

A. FINANCE GROUP
(CHAIRMAN: MR. K. LAL - INDIA)

13 - 17 FEBRUARY 1995

Tasks:
1. Review of the OPCW Budget.

2. Review of the draft OPCW Financial Regulations.

3. Consider the proposed changes to spouse and child dependency allowances and first language allowance for general service staff.

4. Review of the Executive Secretary's report on the findings of his examination of the External Auditor's observations on his audit of the 1993 accounts of the Commission.

5. Review of the report of the Secretariat summarising the best financial management practices as identified by the Joint Inspection Unit of the United Nations.

6. Consider the amendments to the Charter and Administrative Rules of the Provident Fund as approved by the First Annual General Meeting of the Fund.

7. Give consideration to limiting to either a nominal amount or a percentage rate the possibility of the Executive Secretary making transfers of funds within any given fund.

Documents:


2. Note by the Executive Secretary to the Finance Group on proposed changes to dependency and language allowance for general service staff

3. Report by the Executive Secretary on the findings of his examination of the External Auditor's observation on his audit of the 1993 accounts of the Commission

4. Report of the Secretariat on best practices in financial management as contained in JIU reports JIU/REP/94/5 and JIU/REP/93/5

B. EXPERT GROUP ON
PROGRAMME OF WORK AND BUDGET
(CHAIRMAN: AMB. J. MORALES PEDRAZA - CUBA)

9 - 10 MARCH 1995

Tasks:


3. Review of the Chairman's Paper on the Formulation of the OPCW's Budget.


5. Consider the basic parameters for the Budget of the Commission for 1996.

Documents:

1. Report of the Finance Group

2. Chairman's Paper on the Formulation of the OPCW's Budget

3. Chairman's Paper on the basic parameters for the Budget of the Commission for 1996


III. EXPERT GROUP ON
ADMINISTRATIVE, FINANCIAL AND PERSONNEL MATTERS

(CHAIRMAN: MR. S. CHAKRAVARTI - INDIA)

20 - 23 FEBRUARY 1995

Tasks:

1. Consider the draft Staff Regulations of the OPCW, including the draft secrecy agreement.
2. **Consider** the draft Financial Regulations of the OPCW, including adequate provision for the transferral to the OPCW of all remaining financial obligations of the Commission.

**Documents:**

1. Draft Staff Regulations and Rules prepared by the Secretariat
2. Draft Financial Regulations prepared by the Secretariat

**IV. CONSULTATIONS ON MEDIA AND PUBLIC AFFAIRS POLICY**

*(CHAIRMAN: MR. R. DEYANOV - BULGARIA)*

**8 MARCH 1995**

**Tasks:**

1. **Continuation** of consultations on the updated version of the draft Media and Public Affairs Policy, focusing on the outstanding issues (sections on "Observers" and "Inspected State Party"), as well as the indicative list of areas in which general information or other materials may be routinely provided by the OPCW to the news media and the general public.

2. **Consider** modalities for final adoption of the agreed draft policy document through an appropriate formal mechanism.

**Documents:**

1. Report on Consultations on OPCW Media and Public Relations Policy (PC-IX/A/WP.7)
2. Updated version of the draft OPCW Media and Public Affairs Policy, requested by the consultations (second round)
3. Chairman's paper on the updated draft OPCW Media and Public Affairs Policy
4. Chairman's non-paper on formal mechanism for adoption of agreed draft OPCW policy documents
WORKING GROUP B

I. EXPERT GROUP ON INSPECTION PROCEDURES
(CHAIRMAN: MR. S. KISSELEV - RUSSIAN FEDERATION)

12 DECEMBER 1994
30 JANUARY - 2 FEBRUARY 1995

Priority tasks for the meetings:

12 December 1994

1. Consider the report of the Task Force on Inspection Equipment Issues.

30 January - 2 February 1995

1. Review the Report of the Task Force on Inspection Equipment Issues and finalise work on the technical specifications for the items of equipment contained in Attachment 2 of the Task Force report presented to this Expert Group on 20 October 1994, as well as on the operational requirements and technical specifications of the item "reusable boots".

2. Finalise the consideration of the issue of procedures in relation to inspection equipment following inspection activities, including the possible retention of equipment in the inspected State Party.

3. Finalise consideration of the issue of sampling and analytical aspects of the conduct of investigations of alleged use.

4. Clarify the status of "experts" in the context of investigations of alleged use in regard to privileges and immunities.

5. Develop provisions for indicating the specific types of equipment for the particular types of inspections.

6. Develop a common understanding on the term "particular type of inspection" and the possible equipment-related consequences of the application of this term.

7. Consider the list of equipment with a view to developing the draft list of approved equipment mentioned in paragraph 27 of Part II of the Verification Annex.

8. Develop criteria for performance testing of designated laboratories.

9. Consider a recommendation on adopting a single standard geographic reference system to be used by the OPCW.
Other tasks:

1. **Elaborate** administrative procedures for the conduct of inspections, including the issues of non-scheduled aircraft and of communication procedures.

2. **Review** the compilation of recommended procedures for acquiring and preparing samples along with the details on any additional sampling equipment items.

3. **Address** the number, level of training and any pre-qualification of inspector-analysts who would be required to implement the approved sampling and analysis procedures.

4. **Consider** the Secretariat's recommendations defining further the global requirements and full scope of activities to be encompassed by the quality assurance (QA) programme and quality control (QC) system that will be implemented by the Organisation and an estimate of the financial implications for the Organisation of implementing a QA programme that includes QA as well as QC objectives.

5. **Develop** sampling procedures and procedures for on-site and off-site analysis, including sampling and analysis for Schedule 1 chemicals.

6. **Review** the Secretariat's updated background paper on equipment procurement.

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**II. EXPERT GROUP ON CONFIDENTIALITY**  
*CHAIRMAN: MR. A. TAUBMAN - AUSTRALIA*

14 - 15 December 1994  
6 - 8 February 1995

Priority tasks for the meetings:

14 - 15 December 1994

1. **Conclude** general principles for handling and protection of confidential information.

6 - 8 February 1995

1. **Develop** recommendations for the composition and operating procedures of the Confidentiality Commission.

2. **Discuss** the issue of the responsibility of States Parties in the event of breaches of confidentiality with a view to identifying possible avenues for its resolution.

Other task:
1. **Complete** the OPCW Policy on Confidentiality.

### III. EXPERT GROUP ON CHEMICAL INDUSTRY ISSUES

*(CHAIRMAN: MR. A. NOBLE - UNITED KINGDOM)*

9 - 12 JANUARY 1995

**Priority task for the meeting:**

1. **Continue work** on the model facility agreements for Schedule 1 facilities, Schedule 2 facilities and Schedule 3 facilities covered under Article VI of the Convention.

**Other tasks:**

1. **Resolve** the issue of whether or not the term "production by synthesis" used in Part IX includes biochemical and biologically mediated processes.

2. **Resolve** the issue of low concentration of Schedule 2 and Schedule 3 chemicals, including products containing scheduled chemicals and the further processing and use of formulations containing Schedule 2 chemicals.

3. **Agree** on the method of reporting aggregate national data for Schedule 2 and 3 chemicals.

4. **Develop** solutions for the issue of castor bean processing plants.

5. **Consider** the Declaration forms and Handbook drafted by the Secretariat.

6. **Complete** discussions on the tentative understandings in regard to discrete organic chemicals including PSF chemicals, "production" as defined in subparagraph 12(a) of Article II, and biochemical and biologically mediated processes in relation to scheduled chemicals.

7. **Complete** consideration of the issue of past production of Schedule 1 chemicals at facilities having a capacity above 1 tonne, for purposes not prohibited under the Convention on the basis of the understanding as reflected in subparagraphs 2.4 and 4.5 of PC-VIII/B/WP.10.

8. **Resolve** the issue of the meaning of the term "a State Party" in subparagraph 8(a)(i)(2) of Article II (cf. subparagraphs 5.4 - 5.6 of PC-VIII/B/WP.10).
IV. EXPERT GROUP ON OLD AND ABANDONED CHEMICAL WEAPONS
(CHAIRMAN: MR. P. KREJSA - AUSTRIA)

17 - 20 JANUARY 1995

Priority tasks for the meeting:

1. **Develop** criteria for determining "usability" with respect to chemical weapons produced between 1925 and 1946, and resolve the issue of verification and destruction requirements for old chemical weapons produced between 1925 and 1946.

2. **Develop** destruction and verification requirements for abandoned chemical weapons.

Other tasks:

1. **Resolve** the issue of the cost of the verification of old chemical weapons and their destruction as referred to in paragraph 8 of the Annex to the Second Report of the Expert Group (PC-VI/B/WP.5).

2. **Address** all aspects of the issue of abandoned chemical weapons buried on the territory of a State Party after 1976 or dumped in its waters after 1984, including a possible challenge inspection, and its implications for the Technical Secretariat's responsibilities and other Expert Groups' tasks in this regard.

V. EXPERT GROUP ON CHALLENGE INSPECTIONS
(CHAIRMAN: MR. A. PERUGINI - ITALY)

23 - 26 JANUARY 1995

Tasks:

1. **Review** illustrative examples of the type of information which might be included under "appropriate information on the basis of which the concern (of possible non-compliance) has arisen", in the context of Format 1.

2. **Consider** whether further operational requirements for inspection equipment for challenge inspection are needed, bearing in mind their technical, legal, budgetary and confidentiality aspects.

3. **Develop** any objective criteria for addressing the question of whether the right to request a challenge inspection has been abused and cost aspects in case of abuse.

4. **Develop** the inspection mandate format for challenge inspection.

5. **Resolve** the issues of the timing of the notification of challenge inspections.
6. **Review** illustrative lists of activities in challenge inspection and illustrative elements of the document on the preliminary factual findings, as well as of the preliminary, draft and final inspection reports.

**VI. EXPERT GROUP ON SAFETY PROCEDURES**  
*(CHAIRMAN: MR. R. FATZ - USA)*  

**13 - 16 FEBRUARY 1995**

**Priority task for the meeting:**

1. **Consider and approve** draft OPCW Health and Safety Regulations.

**Other task:**

1. **Consider** the requirements for medical treatment of persons exposed to chemical agents.

**Document:**

1. Draft OPCW Health and Safety Regulations, prepared by the Secretariat

**VII. EXPERT GROUP ON TRAINING**  
*(CHAIRMAN: MR. B. BEIROOZ - ISLAMIC REPUBLIC OF IRAN)*  

**28 FEBRUARY - 1 MARCH 1995**

**Priority tasks for the meeting:**

1. **Review** the Secretariat's cost effectiveness analysis of the current General Training Scheme (GTS), with a view to achieving all essential GTS objectives within the 1995 Budget allocation for training. This analysis will be completed by mid-February 1995 and will be based on the latest assessment of training offers by Member States. The Group will forward the cost analysis directly to the Expert Group on Programme of Work and Budget for consideration at its next scheduled meeting.

2. **Consider** the Secretariat's preliminary findings regarding the cost and value of alternative and complementary options to provide M2 or M3 training against shortages in the GTS Plan that were not filled by national training offers.

3. **Consider** the content of contractual arrangements with training centres.
Other tasks:

1. **Review** the content of the proposed student performance evaluation criteria developed by the Secretariat.

2. **Consider** the progress made by the Secretariat in certifying M1 and M2 training course offers.

3. **Consider** potential inspection equipment shortages in relation to M2 and M3 training.

4. **Consider** the Secretariat's assessment of the practical and educational effects of various cost-effective measures.

5. **Consider** the Secretariat's assessment of inspector/inspection assistant applicants' qualifications, with a view to making possible adjustments to the length or content of GTS modules/sub-modules.

**VIII. EXPERT GROUP ON TECHNICAL COOPERATION AND ASSISTANCE (CHAIRMAN: MR. S. CHAKRAVARTI - INDIA)**

13 - 15 AND 16 (A.M. ONLY) MARCH 1995

**Priority tasks for the meeting:**

1. Review the study on the contents of a database and resolve outstanding questions under Article XI.

2. Resolve outstanding questions under Article X, including the question of information on national programmes related to chemical protection.

**Documents:**

1. Chairman's (draft) paper on Article X and XI issues

2. Study by the Secretariat on possible main categories of information to be included in a database to facilitate the exchange of information relating to economic and technological development in the field of chemicals, taking into account the availability and cost of existing databases for relevant purposes
IX. EXPERT GROUP ON CHEMICAL WEAPONS ISSUES  
(CHAIRMAN: MR. S. GIZOWSKI - POLAND)  

20 - 23 MARCH 1995

Priority tasks for the meeting:

1. **Address** the issue of costs of verification in relation to paragraph 16 of Article IV, paragraph 19 of Article V and paragraph 26 of Part II of the Verification Annex of the Convention with a view to its resolution.

2. **Resolve** the issue of conversion of CWPFs for non-prohibited purposes including the issues of standard buildings, specialised buildings and special features of buildings and the issues of standard equipment and specialised equipment.

3. **Review** draft model facility agreement for CWDFs to include transitional arrangements, prepared by the Secretariat.

4. **Elaborate** a clear understanding of what is considered a chemical weapon in particular in relation to Article II, subparagraph 1(b) and 1(c) (To be undertaken when illustrative examples have been provided by any Member State (PC-VI/B/WP.14) or comments to the section D of the draft declaration handbook have been received).

5. **Develop** guidelines for determining the frequency of systematic on-site inspections of chemical weapons production facilities.

Other tasks:

A. **Chemical weapons production facilities**

1. **Finalise** inspection activities at CWPFs.

2. **Resolve** the issue of production capacity.

3. **Resolve** the issue of levelling out.

4. **Discuss** declaration requirements.

5. **Review** draft model facility agreement, prepared by the Secretariat.

B. **Chemical weapons storage facilities**

1. **Review** inspection report formats developed by the Secretariat.

2. **Determine** how States Parties report chemical weapons on their own territory that are owned by another State.
3. **Finalise** the draft model facility agreement for a CWSF.

C. **Chemical weapons destruction facilities**

1. **Discuss** destruction requirements.

2. **Resolve** the issue of a numerical value for the quantitative assessment of the completeness of destruction.

3. **Develop** methods to verify the quantity of agent being destroyed and complete the list of activities for verifying the completeness of destruction and for quantifying destroyed chemical weapons.

4. **Develop** guidance on the issue of the destruction of chemical weapons resulting in the formation of Schedule 2 chemicals.

5. **Review** formats for declarations and for initial, routine and final inspection reports, prepared by the Secretariat.

6. **Develop** procedures to cover the installation, use, inspection and maintenance of equipment installed by the inspected State Party and/or the inspection team.

7. **Discuss** the need to develop inspection procedures for facilities at which chemical weapons destruction operations are not continuous, including procedures for a pilot plant to test chemical weapons destruction technologies.

8. **Develop** provisions regarding "simulation equipment".

D **Chemical weapons development facilities**

1. Elaborate a clear understanding of how the term "primarily for development of chemical weapons" should be understood in preparing declarations under paragraph 1(d) of Article III. (To be undertaken when a proposal has been provided by any Member State).
PART II.

COMMITTEE ON RELATIONS WITH HOST COUNTRY

23 DECEMBER 1994 (IF REQUIRED)

13 JANUARY 1995 (P.M ONLY)
16 JANUARY 1995 (A.M. ONLY)

17 FEBRUARY 1995 (A.M. ONLY, IF REQUIRED)
16 MARCH 1995 (P.M. ONLY, IF REQUIRED)

Tasks:

1. **Resolve** any questions raised by Member States concerning the draft Decision on Long-Term Accommodation for the OPCW proposed by the Chairman (PC-IX/HC/6 and PC-IX/HC/7).

2. **Review** the final version of the draft development agreement before its signature by the developer and OPCW Foundation (PC-IX/HC/7).

3. **Consider and adopt** draft tenancy agreement for the OPCW building (PC-IX/HC/7).

4. **Decide** on the feasibility of the facilities within the Netherlands Congress Centre to be used for the first and subsequent sessions of the Conference of the States Parties (PC-IX/HC/7).

5. **Finalise** consideration of the options for the rental, lease or purchase of the building with a view to presenting a recommendation to the Commission at its Tenth Session (PC-IX/HC/5 and PC-IX/HC/8).

6. **Continue** to monitor as required all accommodation-related issues, including the OPCW Laboratory and Equipment Store.

7. **Continue** to monitor the availability of suitable accommodation for use as interim accommodation.

8. **Continue** to consider and make recommendations on all issues pertaining to the Host Country Bid/Annex 3 to the Paris Resolution (PC-V/12).
PART III.

ISSUES TO BE PURSUED ON AN INFORMAL BASIS DURING THE INTERSESSIONAL PERIOD

WORKING GROUP A

EXPERT GROUP ON DATA SYSTEMS
(CHAIRMAN: MR. O. CARON - FRANCE)

Informal consultations (framework to be specified after discussions in Working Group A during the Ninth Session of the Commission).

EXPERT GROUP ON PROGRAMME OF WORK AND BUDGET
(CHAIRMAN: AMB. J. MORALES PEDRAZA - CUBA)

Informal consultations on the formulation of the OPCW Budget and the basic parameters of the Commission Budget for 1996.

Informal consultations on the programme of activities of the Finance Group and the Expert Group on Programme of Work and Budget.
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