REPORT OF THE COMMISSION

1. Introduction

1.1 In accordance with its decision recorded in the Report of the Ninth Session of the Preparatory Commission (PC-IX/11), the Commission convened its Tenth Session in The Hague, Kingdom of the Netherlands, from 3 - 7 April 1995.

1.2 No States signed the Convention during the period under review.

1.3 Nine new instruments of ratification were deposited during the last intersessional period, by Greece (22 December 1994), Tajikistan (11 January 1995), Mongolia (17 January 1995), Armenia (27 January 1995), Finland (7 February 1995), Oman (8 February 1995), Romania (15 February 1995), France (2 March 1995), and Switzerland (10 March 1995). The number of ratifications now stands at 27.

1.4 The following 88 Member States participated in the Tenth Session of the Commission:

Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Czech Republic, Denmark, Ecuador, Ethiopia, Finland, France, Gabon, Gambia, Germany, Greece, Holy See, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Kuwait, Lesotho, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mexico, Monaco, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, 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 and Venezuela.
2. **AGENDA ITEM ONE - Opening of the Session**

The Session was opened by the Chairman of the Commission, Ambassador Finn K. Fostervoll of Norway, at 11:00 on 3 April 1995.

3. **AGENDA ITEM TWO - Adoption of the Agenda**

On 3 April 1995 the Commission adopted the following agenda for 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 of the Eleventh Session
11. Adoption of the Report and closure of the Session

4. **AGENDA ITEM THREE - Report of the Chairman of the Commission**

4.1 The Chairman of the Commission, Ambassador Finn K. Fostervoll of Norway presented his Report, which also contained comments on the improved methods of work of the Commission (PC-X/11).

4.2 The delegation of the Islamic Republic of Iran made a statement.

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-X/10 and Corr.1). The Report covered the period from 3 December 1994 to 31 March 1995.

5.2 Statements were made by the delegations of the United States of America; Austria; Bulgaria; Japan; Belarus; China; the Russian Federation; the Republic of Korea; Algeria; Romania; France on behalf of the WEOG; Slovenia; and Croatia.

5.3 The following delegations made statements which were subsequently issued as official documents: Nigeria on behalf of the African Group (PC-X/14); Mexico on behalf of the Latin American and Caribbean Group and in its national capacity (PC-X/15); Pakistan on behalf of the Asian Group (PC-X/18); Poland on behalf of the Eastern European Group (PC-X/20); and South Africa (PC-X/22).
6. AGENDA ITEM FIVE - Report of Working Group A


Data Systems

6.2 The Commission **accepted** the US offer as a component for the trusted part of the IMS for the OPCW, as specified in subparagraph 2.6(h) of PC-X/A/WP.1.

6.3 The Commission **approved** the proposed reallocation of funds within the IS Branch budget for 1995 as contained in Attachment 1 to PC-X/A/WP.6.

6.4 In the light of its own overall assumptions with regard to EIF, the Commission **noted** the concern expressed that the achievement of a fully functional information management system would not be possible until April 1996, and that Working Groups A and B had requested that all possible measures be taken to prevent further delays. The Commission also **noted** the conclusion contained in subparagraph 3.3 of PC-X/A/WP.6 concerning the need to identify a possible intermediate state of readiness for theIMS in the event of EIF occurring earlier than April 1996.

Programme of Work and Budget

6.5 The Commission **authorised** the Executive Secretary to adopt the following allowances:

- Dfl. 3,096 for staff receiving a child dependency allowance prior to 1 April 1994; and Dfl. 3,072 per annum per child for staff receiving this allowance after 1 April 1994; and

- Dfl. 2,136 per annum as a dependant spouse allowance, to be implemented with retroactive effect from 1 April 1994.

6.6 The Commission **approved** the suspension of the provisions of Financial Rule 4.1.01, on an exceptional basis only, for the obligation of Dfl. 700,000 relating to the fitting-up costs for the Laboratory and Equipment Store on the understanding that this shall not set any precedent for the future.

6.7 The Commission **requested** the Executive Secretary to consider and implement the Finance Group's recommendations as contained in subparagraphs 7.2, 7.3, 7.6 and 7.7 of PC-X/A/WP.2 in relation to the Executive Secretary's report on the findings of his examination of the External Auditor's observations on his audit of the 1993 financial statements of the Commission.
6.8 The Commission invited the Executive Secretary to note the Finance Group's suggested amendments to the Provident Fund Charter as contained in subparagraph 9.1 of PC-X/A/WP.2.


Consultations on Media and Public Affairs Policy

6.11 The Commission provisionally approved the agreed Draft OPCW Media and Public Affairs Policy (Attachment to PC-X/A/WP.5), as amended by Working Group A (subparagraph 6.4 of PC-X/A/3), including the "Indicative List of Areas Where Information may be Routinely Provided by the OPCW to the News Media and the General Public" (Annex to the Attachment to PC-X/A/WP.5), pending the adoption of other relevant documents including the Draft OPCW Policy on Confidentiality.

6.12 The Commission decided to implement the relevant provisions of the amended Draft OPCW Media and Public Affairs Policy mutatis mutandis for the Commission.

7. AGENDA ITEM SIX - Report of Working Group B

7.1 On 6 April 1995 the Chairman of Working Group B, Mr. Sylwin Gizowski of Poland, introduced the Report of Working Group B (PC-X/B/5). The Commission took the following action in relation to matters arising out of the Report of Working Group B:

Inspection Procedures

7.2 The Commission adopted the additional specific operational requirements for the sample collection kit for munitions as contained in paragraph 1 of the Annex to PC-X/B/WP.1.

7.3 The Commission adopted the document entitled "Measures in Relation to Approved Equipment Following Inspection Activities" (Annex 1 to PC-X/B/WP.9) as amended by Working Group B (subparagraph 3.6 of PC-X/B/5).

7.4 The Commission noted subparagraph 5.2 of PC-X/B/WP.9.

Training

7.5 The Commission approved a final deadline of 6 May 1995 for the submission of formal offers of M2 and M3 training, to include the submission to the Secretariat of the complete certification information packages and details on reimbursement costs, if any.
7.6 The Commission **authorised** the Secretariat to approach the World Customs Organisation (WCO) with the formal request to consider amendments to the harmonised commodity description and coding system (HS) codes to facilitate the tracking of exports/imports of scheduled chemicals through existing national customs controls.

**Statements**

7.7 The delegation of Chile made a statement, and the delegation of Switzerland introduced PC-X/B/WP.18.

**AGENDA ITEM SEVEN - Report of the Credentials Committee**

8.1 The Commission **noted** the Report of the Credentials Committee (PC-X/17), which was presented by Mr. Gerardo Girardo Crocini of Italy, the newly-elected Chairman of the Committee, replacing Professor Natalino Ronzitti of Italy.

8.2 Accordingly, at the time of the Tenth Session the following 107 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:

- Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Kuwait, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, 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, Uruguay, Venezuela and Yemen.

**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-X/HC/6 and PC-X/HC/8), which were presented by Mr. K. Paus of Norway, the Acting Chairman of the Committee.

9.2 The Commission **noted** that as no objection had been deposited with the Executive Secretary, in accordance with subparagraph 9.2(b) of PC-IX/11 concerning the...
decision ad referendum on long-term accommodation for the OPCW, the decision that
a tailor-made building should be developed by Provastgoed Nederland B.V. (Provast)
at the Catsheuvel site had been adopted in accordance with the silence procedure as
proposed by the Chairman of the Commission (PC-IX/HC/6).

9.3 The Commission noted that the exchange of letters between the Chairman and the
Executive Secretary and the Foreign Minister of the Host Country referred to in
subparagraph 9.3(b) of PC-IX/11 had taken place.

9.4 The Commission welcomed the conclusion of the negotiations with the landlord of
the building at Heulweg 28-30, Rijswijk, and noted that the building was now in the
process of being prepared for use as the OPCW Laboratory and Equipment Store, in
line with the decision taken at the Eighth Session of the Commission (PC-VIII/18).

9.5 The Commission requested the Committee to continue to monitor accommodation
suitable for use as interim accommodation and to provide the Commission at its
Eleventh Session with all relevant information pertaining to all accommodation
issues.

9.6 The Commission also:

(a) authorised the Committee to interpret paragraph 7 of 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 to mean that the three-year period when the rent for the new
purpose-built office building will be paid by the Host Country shall commence
on the date of delivery of that building (currently expected to be July 1997)
provided that this interpretation leads to a Preliminary Tenancy Agreement,
acceptable to all parties to that Agreement, which does not require any
payment of rent or any other financial liability by the Commission;

(b) requested the Chairman of the Committee and the Executive Secretary to
conclude negotiations on the Preliminary Tenancy Agreement in an
expeditious manner based on the financial offer approved by the Commission
at its Ninth Session (PC-IX/11, subparagraph 9.4);

(c) requested the Committee to formally consider and approve that Agreement on
behalf of the Commission; and

(d) requested the Committee also to review the Development Agreement, once
agreement is reached between the OPCW Foundation and the developer.

9.7 The Host Country delegation, whilst not standing in the way of the adoption of the
recommendation in subparagraph 9.6 above, expressed the view that the last phrase in
subparagraph 9.6(a) - "which does not require any payment of rent or any other
financial liability by the Commission" - was not a necessary condition for further
negotiations and could cause further delay.
9.8 Other delegations expressed concern that the position of the Host Country delegation (subparagraph 9.7 above), together with the position of the OPCW Foundation (subparagraph 2.4 of PC-X/HC/8) could actually mean another delay in the final decision on the Preliminary Tenancy Agreement.

9.9 The Commission noted the determination of the Committee to avoid any such delay.
10. AGENDA ITEM NINE - Any other business

10.1 The Commission considered the issues of appointment of senior members of staff of the Secretariat and renewal of the letters of appointment of senior members of staff of the Secretariat. The Commission did not reach consensus on these matters and agreed to return to senior personnel matters at its Eleventh Plenary Session. The Commission **authorised** the Executive Secretary to take appropriate steps to cover the intersessional period and the Eleventh Plenary Session, while maintaining the current balance and within the framework of the existing Regulations governing the Secretariat, to ensure the continued effective functioning of the Provisional Technical Secretariat.

10.2 The delegation of Mexico made the following statement in the Spanish language on behalf of the Latin American and Caribbean Group:

"In view of the situation which has arisen with regard to subparagraph 10.1 of the Report of the Commission, the Latin American and Caribbean Group finds it necessary to express its deep concern to this Plenary Session of the Commission.

If the current situation were to continue, it would result in an unacceptable precedent insofar as, in our view, it jeopardises two essential principles of this multilateral negotiation forum: on the one hand, differences which arise within one Regional Group can paralyse progress in the work of the Commission; and on the other hand, one delegation can single-handedly obstruct the approval of the Report of the Commission, thus hindering the adoption of its important recommendations.

In the context of its unanimous condemnation of the attack which took place in Tokyo, the Commission must transmit to the international community a positive political message, based on concrete progress achieved in its work."

10.3 The delegation of the Russian Federation made a statement on the question. The delegation of South Africa also made a statement (PC-X/21).

**Appointment of the Chairman of Working Group A**

10.4 On 6 April 1995, the Commission **appointed** Ambassador Carlos Enrique Nones Sucre of Venezuela as Chairman of Working Group A.

**Plan of Activities and Schedule of Meetings for the Period April - July 1995**

10.5 The Commission **approved** the "Plan of Activities of the Expert Groups and Task Forces under Working Groups A and B and of the Committee on Relations with the Host Country, as well as the Schedule of Meetings for the Period April 1995 - July 1995" as contained in the Annex to this Report.
Trust Fund for Courses for Personnel of National Authorities

10.6 The Commission took cognisance of the Executive Secretary's Note on the Establishment of a Trust Fund for Courses for Personnel of National Authorities (PC-X/7*).

Assessment of new Member State

10.7 In the light of Financial Regulation 5.8 and of the advent of the new Member State of Lesotho, the Commission approved the prorated assessment as contained in PC-X/8.

Trust Fund for Regional Seminars

10.8 The Commission took cognisance of the Executive Secretary's Note recording contributions made and pledged to the Trust Fund on Regional Seminars since the Ninth Session of the Commission (PC-X/19).

11. AGENDA ITEM TEN - Date and Agenda of Eleventh Session

The Commission decided to hold its Eleventh Session from 24 - 28 July 1995 in The Hague, Kingdom of the Netherlands, and also decided to consider the following provisional agenda for adoption at the opening of its Eleventh Session:

1. Opening of the Session
2. Adoption of the Agenda
3. Report of the Executive Secretary
4. General discussion on major outstanding issues
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 of the Twelfth Session
12. Adoption of the Report and closure of the Session

12. AGENDA ITEM ELEVEN - Adoption of the Report and Closure of the Tenth Session

The Commission adopted its Report, and the Chairman closed the Tenth Session at 21:15 on 7 April 1995.
PART 1

PLAN OF ACTIVITIES
OF THE EXPERT GROUPS AND TASK FORCES
UNDER WORKING GROUPS A AND B
FOR THE PERIOD
APRIL 1995 - JULY 1995

A. TASKS, OBJECTIVES, PRIORITY OF ISSUES and DOCUMENTS OF EXPERT GROUPS

WORKING GROUP A

I. EXPERT GROUP ON
PROGRAMME OF WORK AND BUDGET
(CHAIRMAN: ______________________)

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

15 - 19 MAY 1995

Tasks:


2. **Review** of the outline assumptions and preliminary estimates for the draft OPCW Budget.

3. **Review** of the best financial management practices as identified by the Joint Inspection Unit of the United Nations.


5. **Clarification** of the Commission's Financial Regulations regarding the allocation of the Cash Surplus.

6. **Consideration** of the implementation of the 1995 Budget.
7. **Consider** the financial mechanisms for funding the transition from Commission to Organisation at EIF.

8. **Consider** adequate provisions for the transferral to the OPCW of all remaining financial obligations of the Commission.

**Documents:**

1. Commission's Draft 1996 Budget
3. Discussion Paper prepared by the Secretariat on the Clarification of the Commission's Financial Regulations regarding the allocation of the Cash Surplus
4. Note by the Executive Secretary on the Implementation of the 1995 Budget
5. Note by the Executive Secretary on Transitional Questions

**B. EXPERT GROUP ON PROGRAMME OF WORK AND BUDGET**

(CHAIRMAN: __________________)

29 MAY - 1 JUNE 1995
6 - 7 JUNE 1995 (IF REQUIRED)
16 JUNE 1995 (A.M.) (IF REQUIRED)

**Tasks:**

3. **Consideration** of the methodology for the formulation of the OPCW's Budget.
5. **Review** of programme of activities of the Finance Group and the Expert Group on Programme of Work and Budget regarding the preparation of the OPCW Budget.

**Documents:**
1. Report of the Finance Group
2. Paper on the Formulation of the OPCW's Budget
3. Draft Programme of Work and Budget of the Commission for 1996
4. Paper on the programme of activities of the Finance Group and the Expert Group on Programme of Work and Budget regarding the preparation of the OPCW Budget
5. Revised paper by the Executive Secretary on proposed adjustments to staffing in 1995

II. EXPERT GROUP ON
ADMINISTRATIVE, FINANCIAL AND PERSONNEL MATTERS

(CHAIRMAN: MR. S. CHAKRAVARTI - INDIA)

12 - 15 JUNE 1995

Tasks:

1. Consider the next draft of the OPCW Staff Regulations, including the draft secrecy agreement.
2. Consider the options identified by the Secretariat for achieving greater cost-efficiency and the analysis of the practical consequences thereof.
4. Consider the first draft outline of the Financial Regulations of the OPCW.
5. Consider the Guidelines for the Elaboration of the Regulations of the Voluntary Fund for Assistance and prepare any draft Regulations and Rules required for the administration and supervision of the voluntary fund for assistance.
6. Consider the structure of the OPCW.

Documents:

1. Draft Staff Regulations and Rules prepared by the Secretariat
2. Report to be prepared by the Secretariat on options for achieving greater cost-efficiency and analysis of the practical consequences thereof
3. Draft letter of Appointment for Inspector Trainees as revised by the Expert Group on Training
4. Draft Secrecy Agreement referred to this Expert Group by the Expert Group on Confidentiality and issued as EG on Adm., Fin. & Pers. Matters Paper No. 4

5. Draft Financial Regulations prepared by the Secretariat

6. Report of the Fifth Meeting of the Finance Group (paragraph 4, subparagraphs 10.4 - 10.10, subparagraphs 10.14 - 10.15, subparagraph 11.1 (a) - (p) [PC-X/A/WP.2])

7. Report of Tenth Meeting of the Expert Group on Programme of Work and Budget (subparagraphs 2.2 - 2.4, 2.6 - 2.7 and subparagraph 7.2 (a) - (b) [PC-X/A/WP.4])

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

29 JUNE 1995 (P.M.)

Tasks:

1. **Review** the development of the IMS for the OPCW from a functional and Security Policy related point of view.

2. **Formulate** guidance on the implementation of the 1995 IS Branch budget in the light of the conclusions of the security study and of the Task Force report.

Documents:

1. Security study done by the consultant(s)

2. Comments formulated by the Task Force
WORKING GROUP B

I. EXPERT GROUP ON CHEMICAL INDUSTRY ISSUES
(CHAIRMAN: MR. A. NOBLE - UNITED KINGDOM)

24 - 27 APRIL 1995
26 - 28 JUNE 1995
29 JUNE 1995 (A.M.)

(a) Tasks identified in the Paris Resolution:

1. Develop guidelines on detailed procedures for verification and for the conduct of inspections, in accordance with, inter alia, Part II, paragraph 42, of the Verification Annex. (for Schedule 1 facilities) (paragraph 12 (a) of the Paris Resolution).

2. Develop models for facility agreements in accordance with Part III, paragraph 8, of the Verification Annex. (for Schedule 1 facilities) (paragraph 12 (i) of the Paris Resolution).

3. Finalise guidelines to assess the risk to the object and purpose of the Convention posed by the quantities of chemicals produced, the characteristics of the facility and the nature of the activities carried out there, in accordance with Part VI, paragraph 30, of the Verification Annex (for "other" Schedule 1 facilities) (paragraph 12 (s) of the Paris Resolution).

4. Finalise guidelines for provisions regarding scheduled chemicals in low concentrations, including in mixtures, in accordance with Part VII, paragraph 5, and Part VIII, paragraph 5, of the Verification Annex (paragraph 12 (t) of the Paris Resolution).

5. Develop models for facility agreements covering detailed inspection procedures, in accordance with Part VI, paragraph 27 of the Verification Annex. (in regard to SSSFs) (paragraph 12 (r) of the Paris Resolution).

(b) Other priority tasks:

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

2. Hold a combined meeting with the representatives of chemical industry.

3. Resolve the issue of whether or not the term "production by synthesis" used in Part IX includes biochemical and biologically mediated processes.
4. **Agree** on the method of reporting aggregate national data for Schedule 2 and 3 chemicals.

5. **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.

(c) **Other tasks:**

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

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

3. **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.

4. **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).

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**II. EXPERT GROUP ON INSPECTION PROCEDURES**

*(CHAIRMAN: MR. S. KISSELEV - RUSSIAN FEDERATION)*

2 - 4 MAY 1995

5 MAY 1995 (A.M.)

19 - 21 JUNE 1995

(a) **Tasks identified in the Paris Resolution:**

1. **Develop** a list of approved equipment in accordance with Part II, paragraph 27, of the Verification Annex (paragraph 12 (e) of the Paris Resolution).

2. **Develop** procedures for inclusion in the inspection manual concerning the security, integrity and preservation of samples and for ensuring the protection of the confidentiality of samples transferred for analysis off-site, in accordance with Part II, paragraph 56, of the Verification Annex (paragraph 12 (h) of the Paris Resolution).

(b) **Other priority tasks:**

1. **Consider** the reports of the Specialist Task Force on Inspection Equipment Issues, the Special Task Force to develop criteria for the performance in the proficiency tests and the Specialist Task Force on the Analytical Database.
2. **Reach** an understanding on the relationship between Parts X and XI of the Verification Annex in respect to investigations of alleged use.

3. **Clarify** the status of "experts" in relation to their privileges and immunities as well as to terms of employment by the OPCW, in the context of investigations of alleged use.

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

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

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

7. **Consider** the Secretariat's recommendation regarding the establishment and implementation of a QA/QC regime for the Organisation.

(e) **Other tasks:**

1. **Finalise** its recommendation on the adoption of a single standard reference system for geographical co-ordinates to be used by the OPCW.

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

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

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

5. **Consider** the Secretariat's revised proposal of a draft OPCW Equipment Procurement Policy.

6. **Consider** the study prepared by the Secretariat that covers an assessment of the probability of the occurrence of the major hazards identified in the Secretariat's paper and technical and procedural options for mitigating such risks.

Documents:
1. Draft list of approved equipment mentioned in paragraph 27 of Part II of the Verification Annex (to be developed by the Secretariat using the format from Appendix 1 of PC-IV/B/WP.7 and the list of equipment as currently contained in the Annex to PC-VIII/A/WP.7) with indications of the specific types of equipment for the particular types of inspections from which the Technical Secretariat, in accordance with paragraph 28 of Part II of the Verification Annex, will, to the extent possible, select that equipment which is specifically designed for the specific kind of inspection required.

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

8 - 10 MAY 1995
11 MAY 1995 (A.M.)
22 JUNE 1995
23 JUNE 1995 (A.M.)

(a) Task identified in the Paris Resolution:

1. Develop procedures concerning the implementation of safety requirements for activities of inspectors and inspection assistants, in accordance with Part II, paragraph 43, of the Verification Annex (paragraph 12 (g) of the Paris Resolution).

(b) Other tasks:

1. Finalise the draft OPCW Health and Safety Regulations.

2. Consider the requirements for medical treatment of persons exposed to chemical weapons.

Document:

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

IV. EXPERT GROUP ON
CONFIDENTIALITY
(CHAIRMAN: A. TAUBMAN - AUSTRALIA)

17 MAY 1995

Tasks:
1. Discuss the States Parties' possible exercise of national jurisdiction in the event that immunity from jurisdiction is waived by the Director-General in the case of a serious breach of confidentiality by a staff member of the Technical Secretariat, including the possibility of concurrent jurisdiction.

2. Discuss any further proposals relating to the general issue of the application of national jurisdiction to natural or legal persons who have breached confidentiality.

3. Discuss any further proposals that may be made concerning compensation for losses caused by breach of confidentiality.

4. Discuss the composition and operating procedures of the Commission for the Settlement of Disputes Relating to Confidentiality (the "Confidentiality Commission").

5. Finalise an integrated draft of the OPCW Policy on Confidentiality.

Documents:

- Chair non-paper 6 Draft Contents of the OPCW Policy on Confidentiality
- Chair non-paper 7 Basic Responsibilities on Confidentiality
- Chair non-paper 9 Administration (dated 6 February 1995)
- Chair non-paper 10 Annual Report on Confidentiality
- Chair non-paper 12 Commission for the Settlement of Disputes Related to Confidentiality (Redraft of 7 February 1995)
- Chair non-paper 13 The Role of States Parties in Relation to Breach Procedure (Redraft of 6 February 1995)
- Chair non-paper 14 Amendments
- Chair non-paper Possible Elements of a Jurisdiction Exercised by the Host State (dated 8 February 1995)

V. EXPERT GROUP ON TRAINING

(CHAIRMAN: MR. ________________________)

18 - 19 MAY 1995

(a) Priority tasks:
1. **Consider** the Secretariat's plan to make up for all Module 2 and Module 3 shortages.

2. **Review** the Secretariat's training cost estimate taking into account high priority to use the resources available to make up for shortages in Module 2 and Module 3 training and to use the remaining balance to pay course reimbursement costs. This estimate will be completed by mid-May 1995 and will be based on the latest assessment of training offers by Member States. The Group will forward the training cost estimate directly to the Expert Group on Programme of Work and Budget for consideration at its next scheduled meeting.

3. **Consider** the revised Letter of Appointment for Inspectorate Trainees and the Contractual Agreement with Training Centres.

(b) **Other tasks:**

1. **Review** new drafts of the Inspector Trainee Evaluation for Module 1 and Module 2 training.

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

Documents:


2. Report of the Tenth Meeting of the Expert Group on Programme of Work and Budget (subparagraphs 6(a) - (c) and subparagraph 7.2 (d) [PC-X/A/WP.4])

3. Second draft of the Letter of Appointment for Inspector Trainees

4. Second draft of the Contractual Agreement with Training Centres

5. Summary of National Training Offers (third revision)

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**VI. EXPERT GROUP ON TECHNICAL COOPERATION AND ASSISTANCE**

*(CHAIRMAN: MR. S. CHAKRAVARTI - INDIA)*

22 - 24 May 1995

(a) **Tasks identified in the Paris Resolution:**
1. Develop lists of items to be stockpiled for emergency and humanitarian assistance in accordance with Article VIII, paragraph 39 (b) (paragraph 12 (b) of the Paris Resolution).

2. Develop procedures for the provision of information by States Parties on their programmes related to protective purposes, in accordance with Article X, paragraph 4 (paragraph 12 (d) of the Paris Resolution).

(b) Other priority task:

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

2. Resolve other outstanding questions under Article X.

Documents:

1. Chairman's 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

VII. EXPERT GROUP ON CHEMICAL WEAPONS ISSUES

(CHAIRMAN: MR. S. GIZOWSKI - POLAND)

3 - 5 JULY 1995
6 JULY 1995 (P.M.)

(a) Tasks identified in the Paris Resolution:

1. Finalise guidelines on detailed procedures for verification and for the conduct of inspections, in accordance with, inter alia, Part II, paragraph 42 of the Verification Annex (for CWPFs and CWDFs) (paragraph 12 (a) of the Paris Resolution).

2. Develop models for facility agreements in accordance with Part III, paragraph 8 of the Verification Annex (in regard to CWSFs, CWDFs and CWPFs) (paragraph 12 (i) of the Paris Resolution).

3. Develop appropriate detailed procedures to implement Part III, paragraphs 11 and 12 of the Verification Annex, in accordance with paragraph 13 of that Part (installation of continuous monitoring instruments and systems and seals) (paragraph 12 (j) of the Paris Resolution).
4. **Finalise** recommendations for guidelines for transitional verification arrangements, in accordance with Part IV (A), paragraph 51 of the Verification Annex (paragraph 12 (m) of the Paris Resolution).

5. **Develop** guidelines for determining the frequency of systematic on-site inspections of chemical weapons production facilities, in accordance with Part V, paragraph 54 of the Verification Annex (paragraph 12 (o) of the Paris Resolution).

6. **Develop** criteria for toxicity, corrosiveness and, if applicable, other technical factors, in accordance with Part V, paragraph 71 (b) of the Verification Annex (paragraph 12 (p) of the Paris Resolution).

7. **Develop** guidelines to assess the risk to the object and purpose of the Convention posed by the relevant chemicals, the characteristics of the facility and the nature of the activities carried out there, in accordance with Part VI, paragraph 23 of the Verification Annex (paragraph 12 (q) of the Paris Resolution).

(b) **Other priority tasks:**

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. **Consider** the implementation of the provisions of the Convention dealing with the conversion of CWPFs.

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

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) (On the basis of the comments provided to the section D of the draft Declaration Handbook).

(c) **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** the 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.)
VIII. EXPERT GROUP ON CHALLENGE INSPECTIONS
(CHAIRMAN: MR. A. PERUGINI - ITALY)

10 - 11 JULY 1995

Tasks:

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

2. **Finalise** recommendation in regard to further operational requirements for inspection equipment for challenge inspection, 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.

IX. EXPERT GROUP ON OLD AND ABANDONED CHEMICAL WEAPONS
(CHAIRMAN: MR. P. KREJSA - AUSTRIA)

13 JULY 1995

(a) **Task identified in the Paris Resolution:**

1. **Develop** guidelines to determine the "usability" of chemical weapons produced between 1925 and 1946, in accordance with Part IV (b), paragraph 5, of the Verification Annex (paragraph 12 (n) of the Paris Resolution).

(b) **Other priority tasks:**

1. **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.

(c) 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 by a State Party on its territory after 1976 or dumped at sea after 1984, including a possible challenge inspection, and its implications for the Technical Secretariat's responsibilities and other Expert Groups' tasks in this regard. Review the background paper to be prepared by the Secretariat on this issue based on material submitted by interested delegations.

3. Review the revised section of the Declaration Handbook containing the different sets of forms for the declaration of and provision of information about old chemical weapons which were produced before 1925 and old chemical weapons which were produced between 1925 and 1946 generated by the Secretariat.
B. TASK FORCES FOR THE PERIOD
APRIL 1995 - JULY 1995

WORKING GROUP A

I. Expert Group on Administrative, Financial and Personnel Matters
Task Force on OPCW Financial Regulations

1. Consider the first draft outline of the Financial Regulations of the OPCW and the comments thereon by the Finance Group and the Expert Group on Programme of Work and Budget.

2. Consider the Guidelines for the Elaboration of the Regulations of the Voluntary Fund for Assistance and prepare any draft Regulations and Rules required for the administration and supervision of the voluntary fund for assistance.

II. Expert Group on Data Systems
Specialist Task Force on Data Systems

1. Review the security study done by the consultant(s).

2. Formulate comments on the security study for the consideration of the Expert Group on Data Systems.

WORKING GROUP B

I. Expert Group on Inspection Procedures
Specialist Task Force on Inspection Equipment Issues (Protective and Safety)

1. Finalise work on the:

   (a) outstanding technical specifications for the items boots (reusable) and flammability/explosive monitor;

   (b) re-issuing of the list of equipment as contained in the Annex to PC-VIII/A/WP.7 to include any necessary name changes and structural rearrangements, within the budgetary limits decided by the Commission in its 1995 Programme of Work and Budget, after the Task Force on Inspection Equipment Issues has finalised its work on all technical specifications (subparagraph 4.2 of PC-IX/B/WP.3); and
(c) consideration of the Secretariat's proposal for the inclusion of a new item "Team Decontamination Kit" into the Commission's equipment list contained in PC-VIII/A/WP.7 while remaining within the limits set by the Commission for this Budget programme.

II. Expert Group on Inspection Procedures
Specialist Task Force on Inspection Equipment Issues (Sample Preparation).

1. Consider the validation of methods for sample preparation for on-site GC/MS analysis.

2. Finalise technical specifications for inspection equipment items - Sample Collection Kit for Investigations of Alleged Use, Sample Preparation Kit (GC/MS) and Sample Transport Kit (small and large samples).

III. Expert Group on Inspection Procedures
Specialist Task Force on the Analytical Database

1. Evaluate the remaining IR spectra of Schedule 2 and 3 chemicals.

2. Evaluate new submitted spectra.

3. Continue the discussion of how to fill the gaps in the analytical database in relation to the scheduled chemicals.

4. Review the process of the re-submission of spectra in electronic format.

5. Evaluate the re-submitted NMR spectra.

6. Address the issue of certifying the OPCW analytical database.

7. Discuss the transfer of data from the OPCW analytical database to interested Member States.

8. Discuss the form of the chromatographic retention data which could be included in the analytical database.

9. Review the proposed architecture of the analytical database and make a recommendation to this Group.

10. Evaluate spectra of chemicals that might fall within the scope of the Convention (e.g. degradation products of scheduled chemicals, possible riot control agents).
IV. Expert Group on Safety Procedures
Task Force on Medical Treatment

Priority tasks:

1. **Elucidate** prophylactic and pre-treatment measures relevant for persons at risk of chemical exposure.

2. **Elucidate** diagnostic methodology and criteria for chemical exposure.

3. **Develop** guidance regarding treatment protocols for chemical exposure patients.

4. **Develop** operational requirements and technical specifications for medications and equipment to be used in the Chemical Weapons Casualty Treatment Kit.

Other tasks:

1. **Compile** guidance for the setting of allowable exposure levels for chemical weapons, including categorisations of accidental exposures.

2. **Elaborate** guidance on work restrictions to be imposed on persons after exposures, as well as on rehabilitation procedures and the monitoring of recovery.

3. **Elucidate** the desired organisation and levels of medical treatment chains, and the expertise, equipment, medications, and kits required at each level.

4. **Review** various international information sources which include chemical substance data relevant to the effective medical treatment of chemical exposures.

5. **Compile** a list of international experts and centres of expertise in the field of treatment of chemical casualties.

6. **Establish** criteria for establishing the fitness of inspectors.
PART II

PLAN OF ACTIVITIES
OF THE
COMMITTEE ON RELATIONS WITH HOST COUNTRY
FOR THE PERIOD
APRIL 1995 - JULY 1995

28 APRIL 1995 (A.M.)
11 MAY 1995 (P.M.)
8 JUNE 1995 (A.M.) (IF REQUIRED)
30 JUNE 1995 (A.M.) (IF REQUIRED)

Tasks:

1. **Review** the final version of the draft Development Agreement before its signature by the developer and the OPCW Foundation.

2. **Consider and approve** the draft Preliminary Tenancy Agreement for the OPCW Building, based on 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 (PC-IX/11, Annex 1).

3. **Consider** the report of the Executive Secretary on the progress of the realisation of the OPCW tailor-made building and associated matters.

4. **Decide** on the facilities within the Netherlands Congress Centre to be used for the first and subsequent sessions of the Conference of the States Parties.

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

6. **Continue** to monitor as required all accommodation-related issues, including the OPCW Laboratory and Equipment Store and to report to the Commission at its Eleventh Session.

7. **Continue** to consider and make recommendations on all issues pertaining to the Host Country Bid/Annex 3 of the Paris Resolution and the associated 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.
### PART III

**SCHEDULE OF MEETINGS**

**APRIL 1995**

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