

**ORGANISATION FOR THE  
PROHIBITION OF CHEMICAL WEAPONS**

**TERMS OF REFERENCE OF THE  
SCIENTIFIC ADVISORY BOARD**

**RULES OF PROCEDURE FOR  
THE SCIENTIFIC ADVISORY BOARD AND  
TEMPORARY WORKING GROUPS  
OF SCIENTIFIC EXPERTS**



**OPCW**

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**June 2011**

**Terms of Reference of the  
Scientific Advisory Board**

(Adopted by the Conference of the States Parties at its Second Session (C-II/DEC.10, dated 5 December 1997) and amended by the Conference of the States Parties at its Ninth Session (C-9/DEC.13, dated 2 December 2004))

**Rules of Procedure for  
the Scientific Advisory Board and  
Temporary Working Groups of Scientific Experts**

(Presented by the Director-General to the Executive Council at its Thirteenth Session (EC-XIII/DG.2, dated 20 October 1998))

## Table of Contents

### TERMS OF REFERENCE

|    |  |   |
|----|--|---|
| 1. | Introduction.....                                | 1 |
| 2. | Role and Functions.....                          | 1 |
| 3. | Composition.....                                 | 1 |
| 4. | Rules of Procedure.....                          | 2 |
| 5. | Working Groups.....                              | 2 |
| 6. | Relationship with the Technical Secretariat..... | 3 |
| 7. | Meetings.....                                    | 3 |

### RULES OF PROCEDURE FOR THE SCIENTIFIC ADVISORY BOARD AND TEMPORARY WORKING GROUPS OF SCIENTIFIC EXPERTS

|                 |                                    |   |
|-----------------|------------------------------------|---|
| A.              | PREAMBLE.....                      | 4 |
| <i>Rule 1:</i>  | Mode of Operation.....             | 4 |
|                 | The Scientific Advisory Board..... | 4 |
|                 | Temporary Working Groups.....      | 4 |
| <i>Rule 2:</i>  | Observers.....                     | 5 |
| <i>Rule 3:</i>  | Secretarial support.....           | 5 |
| <i>Rule 4:</i>  | Language.....                      | 5 |
| <i>Rule 5:</i>  | Communication.....                 | 5 |
| <i>Rule 6:</i>  | Reports.....                       | 6 |
| <i>Rule 7:</i>  | Conflict of Interest.....          | 6 |
| <i>Rule 8:</i>  | Code of Conduct.....               | 6 |
| <i>Rule 9:</i>  | Confidentiality.....               | 7 |
| <i>Rule 10:</i> | Dismissal of Board Members.....    | 7 |
| <i>Rule 11:</i> | Amendment of Rules.....            | 7 |

## TERMS OF REFERENCE OF THE SCIENTIFIC ADVISORY BOARD

### Introduction

1. As directed by the Conference of the States Parties, and in accordance with Article VIII, paragraphs 21(h) and 45 of the Convention, the Director-General shall establish the Scientific Advisory Board (hereinafter referred to as “the Board”) pursuant to these Terms of Reference of the Scientific Advisory Board.

### Role and functions

2. The role of the Board shall be to enable the Director-General, in the performance of his functions, to render specialised advice to the Conference, Executive Council or States Parties in areas of science and technology relevant to the Convention. Consistent with the provisions of the Convention, the functions of the Board include the following:
  - (a) assess and report to the Director-General developments in scientific and technological fields relevant to the Convention;
  - (b) as necessary, provide advice on proposed changes to the Annex on Chemicals originated by States Parties in accordance with Article XV of the Convention;
  - (c) co-ordinate the efforts of the working groups temporarily established in accordance with paragraph 9 below;
  - (d) as necessary, provide scientific and technological advice relevant to the Convention, including advice on technical matters related to co-operation and assistance, to the Technical Secretariat upon request;
  - (e) upon the request of the Director-General, assess the scientific and technological merit of a present, or proposed, methodology for use by the Technical Secretariat in verification under the Convention;
  - (f) when directed by the Conference acting in accordance with paragraph 22 of Article VIII, provide advice and make recommendations taking into account any relevant scientific and technological developments for the purpose of assisting the Conference in its review of the operation of the Convention;
  - (g) assess and report on emerging technologies and new equipment which could be used on verification activities.

### Composition

3. The Board shall consist of 25 members appointed by the Director-General in consultation with States Parties from a list of nominees put forward by the States Parties. The members of the Board shall serve in their individual capacity as independent experts.
4. The members of the Board shall be appointed from eminent persons active at such institutions as research institutions, universities, chemical industry companies, defence and military organisations, on the basis of their expertise in the particular scientific fields relevant to the implementation of the Convention. The members of the Board shall be selected based on their qualifications and experience, taking into account their publications, scientific, academic or professional activities, distinctions and international experience with due regard to the area of speciality. Preference shall be given to persons who are knowledgeable about the relevant

scientific and technological developments, and who are familiar with the implementation of the Convention. Efforts shall be made to maintain a balance between the areas of research, development and applications.

5. Each State Party may present to the Director-General one or more experts available and qualified to serve on the Board. The 25 members shall be appointed by the Director-General through a process of consultations with States Parties. These consultations shall take into account the need for a comprehensive spread of relevant fields of scientific and technological expertise, and result in a fair distribution of appointments from the regions. Only citizens of States Parties are eligible to serve as members of the board.
6. The term of office of members of the Board shall be three years. A Board member may serve for two consecutive terms.
7. The Director-General, in consultation with States Parties, shall appoint persons to replace members who are for any reason prevented from taking part in the work of the Board for the remainder of their term in office. The Director-General shall report the replacement and the reason thereof in his annual report to the Conference.

#### Rules of procedure

8. The Director-General shall provide Rules of Procedure, after notification of the Executive Council, for the organisation and functioning of the Board, which shall include the following:
  - (a) rules for the convening and conduct of meetings, consistent with paragraphs 13 and 14 below, and for the adoption of its reports, assessments or recommendations;
  - (b) rules for the election of the Chair by the Board by annual election from amongst its members ;
  - (c) rules regarding the protection of confidential information;
  - (d) rules to ensure that a Board member shall disclose to the Director-General any activity which may affect the individual's impartiality or appearance of impartiality;
  - (e) rules regarding communication, through the Technical Secretariat, with States Parties;
  - (f) procedure for the dismissal of any member of the Board for just cause and for reporting such dismissal to the Conference, as appropriate.

#### Working groups

9. In consultation with members of the Board, the Director-General may establish temporary working groups of scientific experts to provide recommendations within a specific time-frame on specific issues, in accordance with Article VIII, paragraph 45 of the Convention.
10. Each working group shall be chaired by a member of the Board appointed for that purpose by the Chair with the approval of the Director-General. The Director-General may appoint to the working group such experts from the lists provided by States Parties or as suggested by the Board or its members. Only citizens of States Parties are eligible to serve as members of a working group.
11. In consultation with the Chair and after notification of the Executive Council, the Director-General shall provide Rules of Procedure for the organisation and functioning of the working groups, which shall include the following:

- (a) rules for the convening and conduct of meetings;
- (b) rules regarding the protection of confidential information;
- (c) rules to ensure that a working group member shall disclose to the Director-General any activity which may affect the individual's impartiality or appearance of impartiality;
- (d) rules to ensure that all communication, information-sharing and co-operation with States Parties, other relevant international agencies and the scientific community shall be with the approval of the Director-General.

#### Relationship with the Technical Secretariat

12. The Director-General shall provide through the Technical Secretariat appropriate support for the preparation, organisation and implementation of the Board's activities and that of the temporary working groups referred to in paragraph 9.

#### Meetings

13. The Board shall meet annually prior to or in conjunction with the session of the Executive Council which immediately precedes the annual session of the Conference, at a time and place in The Hague to be designated by the Director General, in order to provide a report of its activities, including an account of its contributions during the previous year, to the Director-General.
14. On the Director-General's own behalf or at the request of the Executive Council or of the Conference, the Director-General may, in consultation with the Chair of the Board, convene ad hoc meetings of the Board in The Hague.

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**RULES OF PROCEDURE FOR  
THE SCIENTIFIC ADVISORY BOARD AND  
TEMPORARY WORKING GROUPS OF SCIENTIFIC EXPERTS**

**PREAMBLE**

The Scientific Advisory Board has been established by the Director-General of the OPCW to carry out the functions ascribed to it in paragraphs 21(h) and 45 of Article VIII of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (hereinafter referred to as “the Convention”). The terms of reference for the Board were adopted by the Conference of the States Parties (C-II/DEC.10, dated 5 December 1997).

In consultation with the members of the Scientific Advisory Board, the Director-General may establish temporary working groups of scientific experts to provide recommendations on specific issues within a specific time frame, in accordance with paragraph 45 of Article VIII of the Convention.

**RULE 1  
MODE OF OPERATION**

The Scientific Advisory Board

- 1.1 The Scientific Advisory Board shall appoint by consensus a Chair and a Vice-Chair by annual election from among its members.
- 1.2 The Director-General, in consultation with the Chair of the Scientific Advisory Board, shall notify each member of the Board of a planned meeting, stating the purpose, the venue, the opening date and the expected duration of the meeting, as far in advance as possible, but at least 30 days before the opening day of the meeting. The period of advance notification may be shorter if an emergency meeting is required. The provisional agenda (see Rule 1.4 below) shall be transmitted together with the notice of the meeting. Such notification shall be given in writing and dispatched by an appropriate means of communication.
- 1.3 Meetings of the Scientific Advisory Board shall be held at the headquarters of the OPCW in The Hague.
- 1.4 A provisional agenda for each meeting of the Scientific Advisory Board shall be prepared by the Chair of the Board, in consultation with the Director-General of the OPCW. The Board shall adopt an agenda for each of its meetings on the basis of the provisional agenda submitted by the Chair. The provisional agenda may be revised, as necessary, by deferring, deleting or amending items on the agenda.
- 1.5 The Director-General may include in the agenda of the Scientific Advisory Board any item related to its terms of reference which he or she wishes to have discussed by the Board.

Temporary working groups

- 1.6 A temporary working group shall be chaired by a member of the Scientific Advisory Board appointed for that purpose by the Chair of the Board, with the approval of the Director-General.



- 1.7 The Director-General shall transmit to the Chair of each temporary working group a mandate setting out: (a) the specific issue to be addressed, and (b) the time limit within which the working group must report on the issue.
- 1.8 The Chair of the temporary working group may convene meetings of the group. For this purpose, the Chair shall notify each member of a planned meeting, stating the purpose, the venue, the opening date and the expected duration of the meeting, at least 15 days before the opening day of the meeting. Such notification shall be given in writing, and dispatched by an appropriate means of communication.
- 1.9 Meetings of the temporary working groups shall normally be held at the headquarters of the OPCW in The Hague.

## **RULE 2 OBSERVERS**

Unless prior written approval has been obtained from the Director-General, observers will not be permitted to attend meetings of the Scientific Advisory Board, nor of the temporary working groups. Any observers who do participate, shall do so without cost to the OPCW.

## **RULE 3 SECRETARIAL SUPPORT**

The Director-General shall provide, through the Technical Secretariat, administrative and technical support for the preparation, organisation and implementation of activities of the Scientific Advisory Board. The same support shall be provided to the temporary working groups.

## **RULE 4 LANGUAGE**

- 4.1 The official languages of the Scientific Advisory Board shall be Arabic, Chinese, English, French, Russian and Spanish. The working language shall be English. Interpretation shall be provided by the interpreters of the Technical Secretariat upon request.
- 4.2 At any meeting of the Scientific Advisory Board or of a temporary working group, a member may make a presentation in a language other than one of the official languages, provided that he or she also provides a written version of the text in English. In such cases, interpretation into the official languages by the linguists of the Technical Secretariat will be based on the English text provided by the member of the Board or temporary working group.

## **RULE 5 COMMUNICATION**

- 5.1 Any formal communication by the members of the Scientific Advisory Board acting in that capacity, or by members of the temporary working groups acting in that capacity with States Parties shall be made through the Technical Secretariat of the OPCW.
- 5.2 For any formal communication other than that referred to under the above rule, the prior approval of the Director-General shall be required.

## **RULE 6 REPORTS**

### Scientific Advisory Board

- 6.1 The Scientific Advisory Board shall provide to the Director-General an annual report of its activities, including an account of its contributions during the previous year. The report shall include the reports of the temporary working groups covering the same period. The report of the Scientific Advisory Board shall be adopted by consensus. The conclusions and recommendations of the reports of the Scientific Advisory Board shall be developed through a consensus process. If consensus on the conclusions and recommendations can not be achieved, the report of the Scientific Advisory Board shall reflect any minority view(s), as appropriate.

### Temporary working groups

- 6.2 Within the time limit provided in the Director-General's mandate, in accordance with Rule 1.7 above, each temporary working group will provide a report to the Chair of the Scientific Advisory Board, with a copy to the Director-General, on the results of its research into and analysis of the issue in question. The reports of each temporary working group will be reviewed by the Scientific Advisory Board. Any comments resulting from this review will be forwarded to the Director-General as soon as possible, to allow him or her to take action based on the report of the temporary working group and the comments on that report provided by the Scientific Advisory Board. Any report of a temporary working group shall be attached, without modification, to the annual report of the Scientific Advisory Board.

## **RULE 7 CONFLICT OF INTEREST**

- 7.1 Each member of the Scientific Advisory Board or of a temporary working group shall immediately disclose to the Director-General any activity in which he or she is involved that could affect his or her impartiality or appearance of impartiality. The Director-General shall then inform all other members of the Scientific Advisory Board of any such disclosure. In such cases, if the Director-General considers it appropriate, the member concerned shall be requested either to refrain from that specific activity, or to cease participation in all activities relating to the Scientific Advisory Board or temporary working group.
- 7.2 If any member of the Scientific Advisory Board or of a temporary working group is aware of any activity of another member of the Board or working group that could affect his or her impartiality or appearance of impartiality, he or she shall notify such activity to the Director-General.

## **RULE 8 CODE OF CONDUCT**

- 8.1 The purpose of this Code of Conduct is to enhance confidence in the integrity of the members of the Scientific Advisory Board and of the temporary working groups as independent experts serving in their individual capacity.
- 8.2 In carrying out their duties, all members of the Scientific Advisory Board and the temporary working groups shall:
- (a) perform their official duties and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity and impartiality of the members are conserved and enhanced;

- (b) act in good faith for the best interest of the scientific advisory process;
- (c) disclose annually to the Director-General all sources of funding for attendance at ad hoc meetings of the Scientific Advisory Board or the meetings of the temporary working group(s);
- (d) not give preferential treatment to any person or any interest in any official manner related to the Scientific Advisory Board or the temporary working groups.

**RULE 9  
CONFIDENTIALITY**

- 9.1 Without prejudice to Rule 2 above, the deliberations of the Scientific Advisory Board and the temporary working groups shall take place in closed sessions.
- 9.2 Members of the Scientific Advisory Board and the temporary working groups shall be bound by the provisions of the Confidentiality Annex to the Convention, and of the OPCW Policy on Confidentiality, and shall, when using confidential documents, apply the OPCW Manual of Confidentiality Procedure, mutatis mutandis.
- 9.3 The Director-General shall ensure that meetings of the Scientific Advisory Board and temporary working groups in which confidential information is considered receive support only from those staff members of the Technical Secretariat who have been specifically cleared by the Director-General.
- 9.4 The members of the Scientific Advisory Board and the temporary working groups shall enter into individual secrecy agreements with the Director-General, using the format set out in the attachment hereto.
- 9.5 Nothing in these rules may be implemented or interpreted in any way that would prejudice the OPCW Policy on Confidentiality.

**RULE 10  
DISMISSAL OF BOARD MEMBERS**

The Director-General may dismiss any member of the Scientific Advisory Board for just cause, such as a breach of confidentiality, or a gross breach of the code of conduct detailed in Rule 8 above. In case of dismissal, the Director-General shall communicate in writing the reasons for the dismissal to the Board members, including the Board member concerned. Thereafter, the Director-General will report any such dismissal to the Conference of the States Parties, as appropriate.

**RULE 11  
AMENDMENT OF RULES**

The Scientific Advisory Board may make recommendations to the Director-General to amend these Rules of Procedure.

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