

**NOTE BY THE TECHNICAL SECRETARIAT****ESTABLISHMENT OF A RAPID RESPONSE ASSISTANCE TEAM**

1. In the light of paragraphs 8 and 11 of Article X of the Chemical Weapons Convention (hereinafter “the Convention”), and as a part of the efforts of the Technical Secretariat (hereinafter “the Secretariat”) to fulfil its role in providing emergency measures of assistance to States Parties, the Secretariat intends to enhance its capacity and readiness by establishing a Rapid Response Assistance Team that can be deployed at short notice to assist States Parties affected by an incident of alleged use of toxic chemicals by a non-State actor. In addition to assisting States Parties in responding effectively to such situations, the establishment of a Rapid Response Assistance Team will also enhance the Secretariat’s readiness to conduct investigations of alleged use of chemical weapons, in accordance with Article IX and Part XI of the Verification Annex to the Convention.

BACKGROUND

2. At its meeting in October 2015, the Open-Ended Working Group on Terrorism (OEWG-T) established the sub-working group (SWG) on non-State actors as a means of supporting the OEWG-T in fulfilling its mandate to “examine further the OPCW’s contribution to global anti-terrorist efforts” (operative paragraph 3 of EC-XXVII/DEC.5, dated 7 December 2001). During the SWG’s discussions on the aspects of the legal accountability of non-State actors and measures to prevent the hostile use of toxic chemicals by non-State actors, States Parties touched upon issues related to the response to the hostile use of toxic chemicals, and inquired about what types of response the Secretariat could provide under such circumstances. The report by the Facilitator of the SWG concluded that “[t]he SWG should begin discussion on the topic of ensuring an effective response to the hostile use of a toxic chemical. Based on feedback from delegations, both at the SWG, informal consultations, and at previous OEWG-T meetings, this topic is also of great interest, and of great need, to many delegations” (subparagraph 13(e) of EC-81/WP.1, dated 22 February 2016).



3. In some cases it might be difficult to identify immediately whether the release of a toxic chemical is the result of hostile use by non-State actors or the result of an accident. In any case, the initial response by authorities to such an incident would likely be the same. Such a response could include confirming the chemicals involved, containing and minimising the impact of the use of toxic chemicals, and determining swiftly the medical treatment for the victims, based on specific chemical defence and medical expertise and methodologies, since the effects of some toxic chemicals are rapid and the opportunity to save lives can be very limited by time. Some States Parties may not have sufficient capacity or expertise to respond fully to toxic chemical incidents.
4. Pursuant to paragraph 8 of Article X of the Convention, States Parties affected by the use of chemical weapons have the right to request assistance and protection. The main focus of this mechanism is on the assistance that can be provided by other States Parties, with the Secretariat playing a coordinating role. According to paragraph 10 of Article X, the Executive Council may decide to instruct the Secretariat to provide assistance, based on the findings of an investigation report by the Director-General. States Parties are required to make the fullest possible efforts to provide assistance in accordance with the decision. The provision of such assistance may therefore take some time. In addition, under paragraph 11 of Article X, the Director-General may take emergency measures of assistance, should there be sufficient proof that there are victims of use of chemical weapons and immediate action is indispensable.

ROLES AND RESPONSIBILITIES OF THE RAPID RESPONSE ASSISTANCE TEAM

5. In view of the foregoing, the roles and responsibilities of the Rapid Response Assistance Team will be aimed at responding promptly to requests for assistance from States Parties affected by an incident of alleged use of toxic chemicals by a non-State actor. Depending on the information provided by the affected State Party, the Team could provide emergency measures of assistance, which could include the following:
 - (a) recommendations on how to secure and isolate the affected area and on how to avoid cross-contamination of other areas;
 - (b) detection and characterisation of toxic chemicals using on-site analytical equipment brought by the Team;
 - (c) the taking of samples for off-site analysis, in accordance with OPCW procedures;
 - (d) advice on decontamination;
 - (e) advice on treatment for the victims;
 - (f) advice on reconnaissance of the affected location(s) or other security efforts;
 - (g) advice on how to secure the area for forensic examination and isolate forensic evidence;
 - (h) advice on the necessary second deployment components and equipment; and
 - (i) facilitation of cooperation and coordination with relevant international organisations and the United Nations.

RESPONSIBILITIES OF STATES PARTIES RECEIVING A RAPID RESPONSE ASSISTANCE TEAM

6. Prior to the deployment of a Rapid Response Assistance Team, the receiving State Party should:
 - (a) provide information relevant to the alleged use of toxic chemicals;
 - (b) designate an on-site contact authority as well as a representative of the State Party's government to coordinate the responsibilities of the State Party on-site and in general;
 - (c) ensure safety and security of the location to which the Team will be deployed, in accordance with the minimum operating security standards of the United Nations Department of Safety and Security; and
 - (d) facilitate aircraft clearance and the landing permit for the Team's flight.

7. A receiving State Party should further:
 - (a) provide in-country arrangements, including transportation, safety and security, and privileges and immunities to any Team members on its territory;
 - (b) provide any required visas to the Team members upon their arrival;
 - (c) facilitate customs clearance procedures for equipment carried by the Team and for samples in the case of off-site analysis; and
 - (d) provide English interpretation services, if required.

PROCEDURES AND COMPOSITION OF THE RAPID RESPONSE ASSISTANCE TEAM

8. A Rapid Response Assistance Team will be deployed to an affected State Party at the request and with the consent of that State Party.

9. A Rapid Response Assistance Team will be deployed to the State Party concerned and will move to the affected area(s) based on the results of a security risk assessment, in accordance with the agreed OPCW procedures.

10. The Director-General may decide to deploy a Rapid Response Assistance Team after having considered the information from the affected State Party and based on internal scenario-based pre-planning. The Director-General will determine the size and composition of the Team, taking into account information provided by the State Party and the circumstances of the alleged incident. The Rapid Response Assistance Team shall be composed of a minimum of five inspectors from the Capacity-Building and Contingency-Planning Cell within the Inspectorate Division, supported by the staff of the Assistance and Protection Branch and other units of the Secretariat, as required. In the initial stage, the Rapid Response Assistance Team shall include specialists in explosive and ordnance destruction, health and safety, chemical warfare or chemical munitions, and an analytical chemist.

11. An indicative list of equipment to be used for this type of mission is attached in the annex to this Note.
12. Should the conditions allow, the Rapid Response Assistance Team is expected to be dispatched as soon as possible, but not later than 24 hours after receiving the relevant information from the affected State Party.

FUNDING

13. The Rapid Response Assistance Team will be composed primarily of existing Secretariat staff members; therefore, no extra human resources costs, for example to hire new staff or consultants, should be expected.
14. Training of the Rapid Response Assistance Team will be conducted as part of the Inspectorate Division's annual training programme within the context of contingency operation preparations, drawing on expertise from across the Secretariat.
15. Additional costs that may be incurred (such as international transportation costs, if applicable) shall be covered by the Voluntary Fund for Assistance or the Special Fund for OPCW Special Missions.

Annex: Indicative List of Equipment for a Team of Five Inspectors Comprising a Rapid Response Assistance Team

Annex

**INDICATIVE LIST OF EQUIPMENT FOR A TEAM OF FIVE INSPECTORS
COMPRISING A RAPID RESPONSE ASSISTANCE TEAM**

Core Activities			Support Activities			
Reconnaissance	Sampling	Analysis	Decontamination	Personal Protective Equipment	Communications	Medical
LCD 3.3 hand-held monitor	Custom made sample-collection kit for solid, liquid, and wipe samples	FirstDefender (Raman)	Reactive Skin Decontamination Lotion (RDSL) bottles and sachets	PCL-4: SARATOGAS, masks with canisters, boots, gloves with liners	Hand-held short range radios (Motorola GP340 (VHF or UHF))	Special operation medical kit, with trauma kit
Hand-held GPS (GPSMAP 60Cx)	Custom made biomedical sampling kit	TruDefender (Fourier Transform InfraRed- FTIR)	Customised team decontamination kit	Tychem F suits	Satellite phones (Iridium-9505A and/or Thuraya, XTDual)	CW modules (nerve, vesicant)
Measuring tools (i.e. tape measure, callipers)	Biomedical sample transport container	RTR-4 XRS-3/4 digital X-ray system, TLD4WN personal dosimeters, FH39 radiation dosimeter, WDS survey meter (Fluke Victoreen 451P)		Avon CBRN F12 CE canisters	Laptops with printers	Bullet wound kit
Compass				Body armour, Kevlar helmets, Level 4 protective vests	Personal trackers	General practitioner medical kit

Core Activities			Support Activities			
Reconnaissance	Sampling	Analysis	Decontamination	Personal Protective Equipment	Communications	Medical
Digital cameras, video camera, GoPro				Chemical protective undergarments	Mobile phones	
CAD/CALID-3 detection paper						
Ricin + saxitoxin detection kit						
Marking kit (i.e. mine tape)						
Binoculars						
Dräger X-am 2500 multi-gas monitor						
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LED head lamps						