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NOTE BY THE TECHNICAL SECRETARIAT

**REQUEST FROM THE DIRECTOR-GENERAL TO STATES PARTIES FOR
VOLUNTARY CONTRIBUTIONS TO A NEW TRUST FUND FOR SUPPORT TO LIBYA**

1. The Programme and Budget of the Technical Secretariat of the OPCW (hereinafter “the Secretariat”) provides resources for the implementation of the Organisation’s known programme of work over a one-year period. The Programme and Budget is primarily funded by assessed contributions from States Parties, as well as reimbursements of Article IV and Article V verification costs by States Parties. The nature, scope, and duration of the activities included in the Programme and Budget are known in advance and the resources required to implement them can be estimated with a high degree of accuracy.
2. The OPCW also funds a number of its activities using voluntary contributions. In accordance with Financial Regulation 6.8, trust funds may be established by the Director-General, on which he shall report through the Executive Council (hereinafter “the Council”) to the Conference of the States Parties (hereinafter “the Conference”). Trust funds are established for clearly defined activities of the OPCW, and are administered in accordance with the applicable Financial Regulations.
3. In February 2016, the Council requested the Director-General, in coordination with all relevant States Parties, to identify and evaluate the technical, operational, security, financial, and legal factors relevant to all the options for addressing the destruction of the remaining Libyan Category 2 chemical weapons, including the removal of some or all of the chemicals from Libya and their destruction outside the country, and options for in-country destruction (operative paragraph 2 of EC-M-51/DEC.1, dated 24 February 2016).
4. The Council subsequently requested the Director-General to assist Libya in developing a modified plan of destruction of the remaining Category 2 chemical weapons for consideration by the Council, along with recommendations from the Director-General for additional measures needed to ensure their expeditious transport, storage, and destruction (operative paragraph 2 of EC-M-52/DEC.1, dated 20 July 2016). The Council also called upon States Parties in a position to do so to consider providing in-kind or financial contributions for activities in respect of the destruction of the remaining Libyan Category 2 chemical weapons, and requested the Director-General to identify and evaluate appropriate mechanisms for receiving such contributions (operative paragraph 3 of EC-M-52/DEC.1).
5. In its decision EC-M-52/DEC.2 (dated 27 July 2016), the Council established detailed requirements for the destruction of Libya’s remaining Category 2 chemical weapons



outside the territory of Libya, including detailed arrangements with respect to their transportation, storage, and destruction.

6. Recognising that Libya had informed States Parties that it was unable to meet the costs of destruction of the remaining Category 2 chemical weapons outside its territory, the Council requested the Director-General to establish a special trust fund for the financial resources needed for the activities related to the complete destruction of the remaining Category 2 chemical weapons outside the territory of Libya, and invited States Parties in a position to do so to provide voluntary contributions for this purpose (operative paragraph 7 of EC-M-52/DEC.2).
7. No funding is provided in the 2016 Programme and Budget to cover the costs related to the storage, removal, destruction, and verification of Libya's Category 2 chemical weapons outside the territory of Libya in accordance with the relevant decisions of the policy-making organs. In addition, there are not sufficient funds remaining in existing trust funds, or the Special Fund for Special Missions,¹ to cover the relevant activities.
8. In light of these circumstances and the Council's request under operative paragraph 7 of EC-M-52/DEC.2, a new Trust Fund for Support to Libya (TSL) has been established, and will be financed solely from voluntary contributions. The purpose of the fund is to provide the financial resources necessary to enable the storage, removal, destruction, and verification of the remaining Libyan Category 2 chemical weapons, as well as to cover the operational planning costs associated with these activities.
9. The following types of activities will be covered by the TSL:
 - (a) operational planning and preparations pertaining to the storage, removal, destruction, and verification of the remaining Libyan Category 2 chemical weapons;
 - (b) drafting of agreements related to the storage, removal, destruction, and verification of the remaining Libyan Category 2 chemical weapons;
 - (c) storage, removal, destruction, and verification of the remaining Libyan Category 2 chemical weapons;
 - (d) transportation of samples taken from the Libyan Category 2 chemical weapons stockpile for off-site analysis and characterisation purposes;
 - (e) decontamination of storage containers; and
 - (f) any other support and verification activities, as deemed necessary.

¹

See decision C-20/DEC.11 (dated 3 December 2015) entitled "Establishment of a Special Fund for OPCW Special Missions and Withholding of the Distribution of the Cash Surplus for 2013", in which the Conference at its Twentieth Session approved the establishment of this fund.

10. The items that will be charged against the TSL include the following:
 - (a) contracts for consultancy and contracting services, including subcontracting services, special services agreements for experts, contracts for interpreters, translators, medics and training;
 - (b) travel-related costs, including daily subsistence allowances, insurance, danger pay, and stand-by duty allowances for personnel engaged in planning, destruction, and verification activities;
 - (c) general operating expenses, including the rental of premises, furniture, vehicles, equipment, cargo, and courier services, port fees, security services, and the maintenance of equipment;
 - (d) supplies and material costs; and
 - (e) equipment costs, including computer hardware and software.
11. The resource requirements for the TSL are initially estimated at EUR 3,000,000.
12. The TSL will be administered in accordance with the Financial Regulations and Rules of the OPCW (amended most recently by Conference decision C-17/DEC.6 (dated 27 November 2012)) and any applicable administrative directives. In particular, the TSL will be subject to the internal oversight mechanism and to external audits, and the requirement that the Secretariat report to States Parties on its operation.
13. Any voluntary contributions will be received based on a written agreement with the Secretariat. In order to ensure efficiency, donors are encouraged to use the agreement templates developed by the Secretariat for this purpose, which are available from the Secretariat upon request.
14. States Parties that wish to make contributions to the TSL are invited to contact the Director of Administration, Mr William Amoroso, for practical arrangements (Tel: +31 (0)70 416 3816; Email: William.Amoroso@opcw.org).
15. The Secretariat wishes to express in advance its gratitude to those States Parties that decide to make voluntary contributions to the new trust fund.

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