

**BRIEFING DOCUMENT FOR INDUSTRY  
ON INTERNATIONAL INSPECTIONS  
CONDUCTED UNDER THE  
CHEMICAL WEAPONS CONVENTION**

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## INTRODUCTION

The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention or CWC) has a complex verification regime. The verification regime features on-site inspections of declared facilities to ensure that States Parties are complying with the objectives of the Convention and that the declarations submitted to the Organisation for the Prohibition of Chemical Weapons (OPCW) are a true reflection of the activities of the facility declared.

While the use of scheduled chemicals for non-peaceful purposes is prohibited, States Parties have the right to develop, produce, otherwise acquire, retain and use scheduled toxic chemicals and precursors for purposes not prohibited under the CWC. Hence, States Parties are obliged to accept inspections at facilities that are involved with such chemicals.

The type of inspections conducted at South Africa's Schedule 1, 2 and 3 facilities as well as Other Chemical Production Facilities (OCPFs), which produce Discrete Organic Chemicals (DOCs) are ROUTINE INSPECTIONS.

The aims of Routine Inspections are:

- To confirm declarations
- To establish that activities and features at a facility are consistent with CWC obligations

The choice of the facility to be inspected is made after the State Party to be inspected has been determined and is based on a weighted, random-choice, computerized model.

The fact that a facility has been chosen for an OPCW inspection does not mean that the facility has done anything amiss. In terms of the CWC, the OPCW Inspection Team (OPCW IT) is not inspecting the facility but the State Party is being checked for compliance with the CWC.

## INSPECTION NOTIFICATIONS AND PARAMETERS

	<i><b>SCHEDULE 2</b></i>	<i><b>SCHEDULE 3</b></i>	<i><b>OTHER CHEMICAL PRODUCTION FACILITY</b></i>
<i><b>NOTIFICATION PRIOR TO INSPECTION</b></i>	At least 48 hours before inspection	At least 120 hours before inspection	At least 120 hours before inspection
<i><b>DURATION OF INSPECTION</b></i>	96 hours (extension possible)	24 hours (extension possible)	24 hours (extension possible)
<i><b>SIZE OF INSPECTION TEAM</b></i>	Team of up to 5	Team of up to 5	Team of up to 5
<i><b>INSPECTOR ACCESS</b></i>	Unimpeded to plant and within plant site. Managed access to other plant areas.	Unimpeded to plant and within plant site. Access to other plant areas guided by clarification rules.	Unimpeded to plant and within plant site. Managed access to confidential information and other plant areas.

The OPCW sends the inspection notification by fax to the South African National Authority, which is the South African Council for the Non-Proliferation of Weapons of Mass Destruction (The Council).

The Secretariat to the Council (the Secretariat) will notify the facility to be inspected of the proposed date and time of arrival of the OPCW IT, the size of the OPCW IT and all other necessary arrangements that need to be made, such as accommodation, local transport, etc.

The Secretariat will represent the Council, as the National Authority at the inspection and will lead the South African Escort Team accompanying the OPCW IT.

## POINT OF ENTRY PROCEDURES

The designated point of entry (POE) for OPCW inspectors into South Africa is Johannesburg International Airport. The South African Escort Team, which will be assembled by the Secretariat, will meet the OPCW IT at the airport. A suitable representative from the facility (e.g. Manager) has to be present.

At the POE, the following will occur:

- The OPCW IT will be met at the aircraft by Customs and State Protocol authorities and escorted to the State Protocol Lounge together with accompanying baggage and equipment
- Here, after introductions, the inspection mandate is handed to the Inspected State Party (ISP) i.e. the Escort Team leader and is read aloud to all present. The equipment brought by the inspection team is then checked against the mandate and the OPCW identification of the equipment i.e. shipment certificate, seal numbers and integrity of the equipment, is verified.

*Please note: The equipment is sealed once again for transport to the facility. The seals are not allowed to be broken at the entrance to the facility. Security checks can be done in the rooms allocated to the OPCW IT.*

The inspection mandate will contain the following information:

- Name of the Inspected State Party (ISP)
- Name and Location of the inspected facility
- Name of OPCW IT Leader and Team members
- Inspection type and aims
- Special / operational instructions
- Equipment list

The OPCW IT is then transported to the facility. This has to be done within 12 hours of arrival at the POE. Hence, for facilities outside Gauteng, the Secretariat will arrange flights for the OPCW IT and the South African Escort Team accompanying the OPCW IT.

## **ARRIVAL AT THE FACILITY TO BE INSPECTED**

At the site of the facility to be inspected, the General Manager of the facility will meet the OPCW IT and the South African Escort Team. The OPCW IT will be taken to the room, which it will occupy during the inspection period, in which the OPCW equipment is stored. Thereafter, the pre-inspection briefing and the site tour will take place.

### **PRE-INSPECTION BRIEFING**

The facility has to prepare a pre-inspection briefing, which should not exceed 3 hours and which should be presented by the General Manager of the facility. The pre-inspection briefing takes place as soon as possible after the arrival of the OPCW IT at the inspection site. All the Managers with whom the OPCW IT will liaise during the inspection must be present. The pre-inspection briefing should be a general overview of the plant site and should include:

- Brief history of plant site
- Review of activities at plant site
- Description of plants
- Which chemicals are manufactured at the plants?
- Which scheduled chemicals are produced? (Production records; general production schemes, no details - do not disclose company confidential information or any company details of production processes)
- Purchase records
- Raw materials records
- Waste treatment records
- Plant layout
- Key personnel: contact people in facility i.e. MD, Safety Manager, Production Manager, etc.
- Overview of Health and Safety regulations (a separate presentation on health and safety could also be given)
- Information supplied in the form of maps, diagrams, flow sheets, organogram, etc.
- Administrative and logistical arrangements
- Operating hours of the facility

A copy of the pre-inspection briefing, overheads used in the briefing and all related documents, as mentioned above, should be presented to the OPCW IT in a file to be used during the duration of the inspection.

The OPCW IT will also brief the facility on the mandate.

The inspection formally begins at the end of the pre-inspection briefing or at an agreed time (e.g. 08:00 the next morning) as agreed between the Escort Team Leader and the OPCW IT leader.

Please Note: (i) This pre-inspection briefing is very important and will do much to make the OPCW inspection easier for the facility to handle.

(ii) Prior to visiting the facility, the OPCW IT has little, if any, knowledge of the facility and its manufacturing processes (as this is not declared in any declaration submitted to the OPCW)

## **SITE TOUR**

The OPCW IT will have to be taken on a site tour of the declared plants after the pre-inspection briefing. They will expect to see:

- Plants where declared chemicals are manufactured
- Waste treatment site
- Maintenance / production control areas
- Control lab / Development lab
- Safety requirements at the plants
- Medical facility / First Aid – They need to know what happens in the case of an accident
- Security – commensurate arrangements
- Raw materials – where they enter the process, etc.
- Final product storage / distribution
- A point on the plant site where the GPS co-ordinates of the facility can be taken

To facilitate the tour, the route and means of transportation can be decided beforehand.

## **OPCW IT INSPECTION PLAN**

After the pre-inspection briefing and the site tour, the OPCW IT will present an inspection plan, which will include the proposed plan of action for the days to follow.

## **LOGISTICAL REQUIREMENTS OF OPCW IT**

- The OPCW IT requires a room / office / boardroom for the duration of the inspection. The following should be made available:
  - A telephone line in the room
  - A room large enough to accommodate the OPCW IT members and all equipment
  - A door with a lock – the room will be locked and sealed by the OPCW IT every time it is left unoccupied by any of the inspectors and the key will be carried by the OPCW IT
  - Accessible fax line – for faxing of situation report (SITREP) to the OPCW Headquarters at the end of each day

- Extra power points – for the use of computers and printers
- Adaptors – since the equipment plugs are configured for use in The Netherlands, adaptors are to be provided
- Lunch / teas will have to be provided for the OPCW IT.
- In the event of an accident with the OPCW IT, they should have access to a doctor. The doctor does not have to be present on site but should be easily accessible.
- Safety equipment e.g. lab coats, hard hats, safety shoes, etc. if required on site.

### **LOGISTICAL REQUIREMENTS OF THE ESCORT TEAM**

- There also has to be a room available for the National Authority / SA Escort Team – this includes representatives of the Secretariat as well as the facility representatives. The Pre-inspection briefing will be held in this room.
- Safety equipment for the South African Escort Team for use while accompanying the OPCW IT during the inspection.

### **TECHNICAL REQUIREMENTS OF THE OPCW IT**

- All production records of the declaration year (e.g. records of 2002 if the inspection is conducted in 2003) should be made available as hard copies. The OPCW IT will need to see records of all the scheduled chemicals produced. Prepare a list of all the documents. Number all the documents. All documents supplied to the OPCW IT should be classified. Production records include:
  - Annual production figures
  - Monthly aggregate production figures
  - Daily production records (Asset utilization reports)
- A list of chemicals used on the plant site should also be available. Please remember that all requests from the OPCW IT will / should be made through the National Authority / Escort Team. However, it can also be made directly to the facility representative if a representative of the National Authority is present. All requests will be noted. The facility has the right to deny access to any information that is Confidential Business information. This should be identified in advance.

## **FACILITY REPRESENTATIVES THAT NEED TO BE AVAILABLE**

- Managing Director
- Production Manager
- Research Manager
- Health and Safety Manager

The inspection plan that will be presented at the beginning of the inspection will help in making the relevant people available at the time that they are required.

## **CONDUCT OF THE INSPECTION**

The inspection per se starts after the pre-inspection briefing or at the agreed time and lasts for a period of time as approved by the OPCW.

Inspection activities include:

- Inspection of operating areas, control areas, records, storage areas, waste-treatment facilities, laboratories, maintenance areas, safety facilities
- Clarification of ambiguities
- Inspection of documentation
- Measurement of the GPS co-ordinates of the plant site

## **ROLE OF THE ESCORT TEAM**

This is to:

- Facilitate inspection process
- Enforce no-touch policy
- Advise facility representatives on rights and obligations
- Involve facility operator(s) as appropriate
- Ensure inspection proceeds in accordance with the provisions of the CWC (confidentiality, safety, etc.)
- Accompany OPCW IT members
- Edit the Preliminary Factual Findings Report prepared by the OPCW IT
- Ensure erasure of the computer memories on completion of the inspection

## **SAFETY DURING INSPECTIONS**

- The ISP (Inspected State Party) is responsible for the safety of the OPCW IT during inspections

## **PRELIMINARY FINDINGS**

- Within 24 hours after the end of the inspection activities, a Preliminary Factual Findings (PFF) report is presented to the ISP
- The Facility representatives and the South African Escort Team scrutinize the report, focusing on its accuracy, confidentiality level and clarifying any ambiguities where possible
- The OPCW IT leader signs the final PFF report. The Escort Team Leader (as the National Authority representative) countersigns the report
- Two reports are prepared, one copy for the ISP and the other for the OPCW IT to take back to the OPCW Headquarters in order to prepare the Final Inspection Report

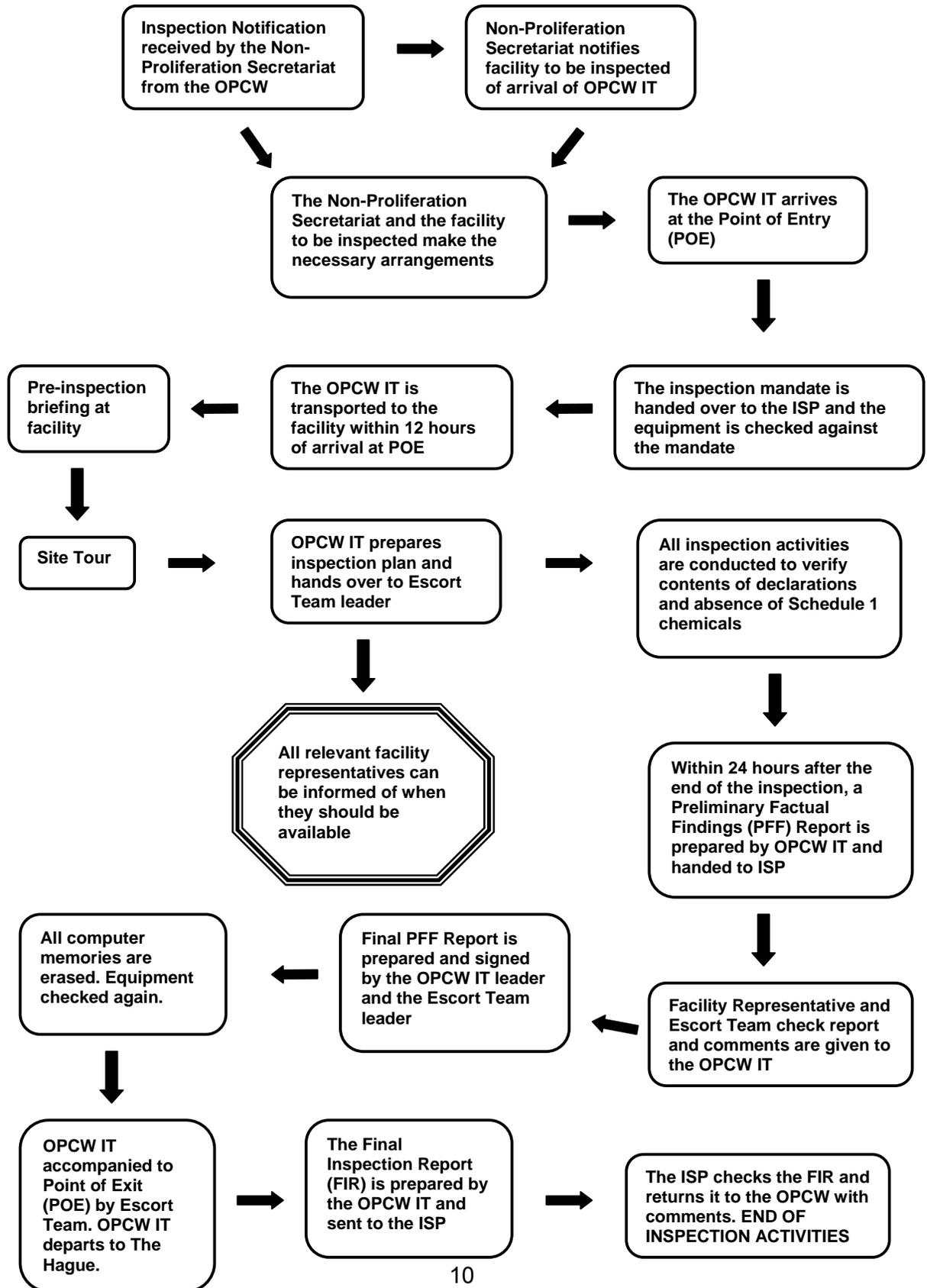
## **INSPECTION TEAM DEPARTURE**

The ISP checks OPCW IT equipment again before being sealed and transported to the Point Of Exit (POE). The Escort Team ensures that all computer memories are erased (purge computers). The Escort Team accompanies the OPCW IT to the POE.

### **FINAL INSPECTION REPORT**

- The OPCW IT prepares the Final Inspection Report (FIR) within 10 days after the end of the inspection, at the OPCW Headquarters
- The FIR is submitted to the Director-General of the OPCW, who sends it to the National Authority via the South African Embassy in The Hague
- The inspected facility and the Secretariat scrutinize the report and send comments back to the OPCW within 30 days after the end of the inspection activities. (Normally comments are prepared by the Secretariat, and are discussed with the Inspected facility before being submitted back to the OPCW)

## FLOW DIAGRAM OF THE INSPECTION ACTIVITIES



## WHAT DO INSPECTORS LOOK FOR?

- Indicators of non-compliance with the Convention
- Inconsistencies and implausible explanations
- Openness and cooperation
- Indicators of compliance
- Presence of schedule 1 chemicals (there is a focus on chemical weapons aspects)
- Maintenance of the facility
- Security on the perimeter and around the laboratory or production area itself
- Safety in the production areas
- Type of ventilation, special safety precautions that will only be present if scheduled chemicals are being experimented with, especially in the development lab