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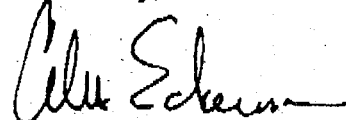
FACSIMILE TRANSMISSION

Date:	February 17, 1993
To:	Dr. Matthew Meselson Dept. of Biochemistry and Molecular Biology Harvard University
From:	Celes Eckerman
Subject:	PrepComm
Pages:	Six including this cover.

Dear Dr. Meselson:

Here is the initial report from Peter Herby at the PrepComm meeting in The Hague. The official documents from the meeting are forthcoming. Peter faxed a copy of this report to Ian Kenyon to give him a chance to comment on any errors, misperceptions or sensitive issues which he may feel should be handled differently. I will let you know if he has strenuous objections to any part of this report.

Sincerely,


Celes Eckerman

**International Organization for
Chemical Disarmament Established
in the Hague**

By Peter Herby

17 February 1993

Three weeks after the Chemical Weapons Convention (CWC) was opened for signature in Paris the Convention's Preparatory Commission held its inaugural session in the Hague the week of 8 February. The session was opened by the Special Representative of the depositary, the U.N. Secretary General, who announced that 136 states had signed the CWC to date. Of these, ninety-two participated in the Preparatory Commission.

The Preparatory Commission (Prepcom), composed of states which have signed the CWC, is charged with making all necessary arrangements for the entry into force of the CWC, which is expected in early 1995. This task involves developing the infrastructure, budget, verification guidelines, rules of procedure and staffing patterns for the Organization for the Prohibition of Chemical Weapons (OPCW) which will oversee the Convention's implementation. The Prepcom will be assisted by a Provisional Technical Secretariat (PTS) which was established at its inaugural session.

The Prepcom's first session was marked by intense competition among the five regional groups (Africa, Asia, Eastern Europe, Latin America and 'Western European and other States') for senior positions in the PTS and other subsidiary bodies of the Prepcom, notably its projected working groups. In addition, the western and Asian groups saw fierce internal competition among their member states for the limited number of senior secretariat posts likely to be open to candidates from their regions. Negotiations on an acceptable balance in the Secretariat and other Prepcom structures consumed most of the week. The results of the deliberations, reported below, represent a delicate balance of interests which the Prepcom endorsed in its final report.

Prepcom Structure

The first six months of the Prepcom deliberations will be chaired by Nigerian Ambassador Azikiwe, nominated by the African group. From August 1993 the chair will pass to the Asian group which is expected to nominate Iran. The chair will continue to rotate among regional groups every six months.

The Prepcom agreed to establish two working groups open to all states members. Working group A, under the chairmanship of Colombia, began work on 12 February and will handle budgetary and administrative matters including:

- * the first year's budget and program of work
- * rules governing procedure, finance and staff, and
- * agreements with the Netherlands concerning diplomatic privileges and immunities and the permanent building to be constructed to house the OPCW.

Work on the above matters will be carried out by expert groups between meetings of the Prepcom. Participation in each expert group is open to all signatory states which are likely to send specialists as well as diplomatic staff from embassies in the Hague and officials

from capitals. Chairs of the expert groups will be selected by the groups themselves when they convene.

Working Group B, under Polish chairmanship, will convene in April to elaborate guidelines and operating procedures for verification of compliance with the CWC. It will also have responsibility for arrangements regarding cooperation in the peaceful use of chemical technology and assistance to states against which chemical weapons are threatened or used.

Regional groups selected five Vice-Chairmen to 'support' the work of the Prepcom chair. These are currently Chile, Hungary, Iran, Tunisia and the United States. Each group will also function through a coordinator who is responsible for consultation with other groups and the Prepcom chair. As of the end of the first Prepcom Algeria, Chile, France, Iran and Poland were serving as coordinators of their respective groups.

The February Prepcom adopted a budget of \$1.8 million U.S. dollars for the first three months of its operation, together with a scale of assessments for signatory states. Contributions totaling approximately \$2.015 million were noted from Australia, Bulgaria, Denmark, Finland, France, Germany, New Zealand, Norway, Spain, Sweden, the United Kingdom and the United States.

Provisional Technical Secretariat

A major task of the first Prepcom was the establishment of a Provisional Technical Secretariat to carry out work on its behalf. This secretariat, which will grow in size over the next two years, will evolve into the Technical Secretariat of the OPCW. Ian Kenyon, formerly of the United Kingdom Delegation to the Conference on Disarmament in Geneva, was appointed Executive Secretary of the PTS. His responsibilities include the administration of the Prepcom's work program and budget and the management of the PTS. He is authorized make appointments to senior management positions (division heads and above) in consultation with the Prepcom and to directly appoint all other staff. The Prepcom affirmed the criteria of geographic representation, competence, efficiency and integrity as the basis for appointments to the PTS as a whole and to senior positions in particular.

Following extensive consultations with Prepcom members the new Executive Secretary announced his recommendations for top positions in the PTS:

- * John Gee of Australia as head of the verification division
- * R?? Howard of the United States as head of the administrative division
- * Felix Calderon of Peru as head of the legal division
- * Sergei Batsanov of the Russian Federation as head of the external relations division
- * a candidate from the African group, to be named later, as head of the division for technical cooperation and assistance, and
- * a candidate from the Asian group as Deputy Executive Secretary.

The likely structure of the PTS, although not formally approved by the Prepcom is illustrated in the organogram annexed to this report. Candidates for appointments below the

level of division head have not yet been made public. The chemical industry will have a particular interest in the proposed units relating to industry in both the verification division and the external relations division as well as the unit on technical cooperation of the division for technological cooperation and assistance.

Future Work and Issues

The Prepcom will reconvene in the Hague from 19-23 April to review the results of Working Group A and its expert groups during the inter-sessional period. The principle matters before that Prepcom meeting will be the adoption of a budget and program of work for the year ahead. This will include decisions on future Prepcom sessions, which are currently projected for July, September and December.

The first session of the Preparatory Commission successfully accomplished its principal tasks of establishing, by consensus, its major structures and those of the PTS. Although the Prepcom was characterized, as were the final months of CWC negotiations, by strong tensions on a north-south axis members were sufficiently accommodating to avoid delay in the Prepcom's work and sufficiently disciplined to refrain from raising extraneous issues.

A major challenge for the Prepcom will be the engagement of a broad spectrum of signatory states in the detailed work of its expert groups. Without broad participation and/or consultation through regional groups the Prepcom could find its work significantly delayed by the reopening at Prepcom sessions of issues settled at the expert group level. All but the largest and wealthiest states lack the resources to follow, let alone contribute to, the work of the Prepcom's expert groups. Mechanisms need to be found which will provide for regular consultation and effective communication between delegations active in expert groups and those unable to participate at that level. This responsibility is likely to impose significant responsibilities on group coordinators and the PTS.

Provisions to promote access to and communication with the Prepcom on the part of the chemical industry and other nongovernmental bodies are urgently required. Industry cooperation will be vital in ensuring the smooth functioning of verification arrangements and access to relevant expertise. Nongovernmental organizations, including industry associations, could play a crucial role in ensuring ratification of the CWC and the provision by parliaments of adequate resources to the OPCW and national implementation authorities. They could also serve as allies to the Prepcom and OPCW by shielding these organizations from their critics.

To play a constructive role nongovernmental bodies will need better channels of information and understanding than are currently available. The provisional rules of procedure deny access on the part of non-governmental bodies even to plenary meetings of the Prepcom and do not ensure access to documentation- a level of transparency considerably below that of the Conference on Disarmament which negotiated the CWC.

Long-term public and industry support for the emerging chemical disarmament organization will be an indispensable element in its success. Ensuring the understanding and communication necessary for such support needs to be an integral part of the Prepcom's structure and work program.

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