

F. No. M-21011/10/2019- TECH
Government of India
Cabinet Secretariat
National Authority Chemical Weapons Convention

1st Floor, Chanakya Bhawan, Chanakya Puri
New Delhi, Dated 08th January, 2020

OFFICE MEMORANDUM

Subject:- Invitation to OPCW Regional Workshop on Legislative and Regulatory Issues on Chemical Safety and Security, 17th-19th March, 2020, Hanoi, Vietnam-regarding.

Please find enclosed herewith a copy of the International Cooperation Assistance Division, Technical Secretariat (TS), Organization for Prohibition of Chemical Weapons (OPCW), Letter vide No. L/ICA/IPB/221851/19 Dated 12th December, 2019 along with two annexes (Annex-1: Concept Note: Annex-2: Provisional Programme) seeking nominations on the above mentioned subject.

2. It is therefore requested that, nomination of suitable, qualified and experienced officer of an appropriate level along with relevant documents as per the above letter and 'Revised Guidelines for OPCW sponsored events' Issued by NACWC may be sent to this office latest by 10th January, 2020. The Head of the concerned Department/Organization may also certify that the applicant is clear from vigilance angle and that no departmental proceeding against him is contemplated.

3. It is further informed that, the said course is purely techno-legal in nature and is meant for the representatives of SPs that want to further enhance their understanding on legislative and regulatory issues and necessary scope of a National legal framework on chemical safety and security and approaches for developing or enhancing the existing legal regime in this area. Only nominations with the complete set of application documents (viz. Nomination: Up-to-date Curriculum Vitae, Valid Passport Copy with complete personal identification information: Vigilance and Departmental Clearance) will be considered. Applicants who have already participated in the above programme previously will not be considered for the course.

Enclosure: As above

Your's Sincerely


08/01/2020

Dr Amit Kumar

Technical Officer

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To,

1. The Additional Secretary (D&ISA), Room No. 71, Ministry of External Affairs, South Block, New Delhi, Phone-011-23014902, Fax-011-23015626, Email-jsdisa@mea.gov.in.
2. The Director General, Indian Chemical Council (ICC), Sir Vithaldas Chambers, 6th Floor, 16, Mumbai Samachar Marg, Mumbai-400001, Maharashtra, Email: iccmumbai@iccmil.in, with request to place the OM on their website.
3. The President, Federation of Indian Chambers of Commerce & Industry (FICCI), 1, Federation House, Tansen Marg, Todermal Road Area, Mandi House, New Delhi-110001, Email: ficci@ficci.com, with a request to place the OM on their website.
4. The President, Confederation of Indian Industry (CII), The Mantosh Sondhi Centre, 23 Institutional Area, Lodhi Road, New Delhi-110003, Email- info@cii.in, with a request to place the OM on their website.



ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

OPCW

Johan de Wittlaan

32 2517 JR

The Hague

The Netherlands

The Hague, 12 December 2019

L/ICA/IPB/221851/19

Dear Mr Goyal,

I am pleased to inform you that the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW), in cooperation with the Government of the Socialist Republic of Viet Nam, is organising a Regional Workshop on Sharing of Best Practices in Addressing Legislative and Regulatory Issues on Chemical Safety and Security in Hanoi, Viet Nam on 17 to 19 March 2020.

The main objective of the Regional Workshop is to further enhance the understanding of participants on legislative and regulatory issues and necessary scope of a national legal framework on chemical safety and security and approaches to developing or enhancing its existing legal regime in this area. The Workshop also aims to discuss efforts for assessing risk and gaps in legal and regulatory regimes as a basis for a State Party to determine the necessary chemical security measures.

A brief concept note and the provisional programme for the Workshop are attached for reference.

Mr Arun Goyal
Chairperson
National Authority for Chemical Weapons Convention
Chanakya Bhavan, Chanakyapuri 1st floor, 110021, New Delhi

cc: Permanent Representation of the Republic of the India to the OPCW

In this regard, I would like to invite you or your representative to participate in the Workshop to deliver a presentation in Panel 2 on “**India’s legal and regulatory framework on chemical security**” We request that the presentation include information on your **national experience in implementing the law and regulating the chemical industry, including challenges and issues encountered and how they were addressed**, as well as information on **capacity-building needs in addressing the legislative and regulatory aspects of chemical security**.

The Technical Secretariat will provide sponsorship for participation in the Workshop, which includes the costs of travel, medical insurance, accommodation and limited subsistence allowance to cover meals and sundry expenses.

The activities of the Workshop will be conducted in English, and no interpretation services will be provided. Participants are therefore expected to have a good written and oral command of the English language.

You are invited to register your nomination online through EVENTUS, the OPCW event management system, which is accessible via the OPCW website at: <http://apps.opcw.org/eventus>. Please note that all questions marked with an asterisk (*) must be answered in order for your nomination to be received. If, for technical reasons, you are unable to submit your application via EVENTUS you are kindly requested to complete and send the nomination form attached to this note. **Please ensure your nomination is submitted no later than Monday, 20 January 2020**.

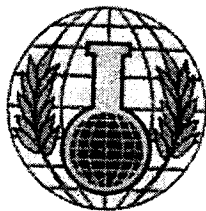
Additional information about the Technical Workshop may be obtained from the OPCW Implementation Support Branch, International Cooperation and Assistance Division, through Ms Sharon Rivera, (+31-(0)70-4163437, Sharon.Rivera@opcw.org) and Mr Alberto Fernandez (+31-(0)70-4163850, Alberto.Fernandez@opcw.org).

I request that you kindly submit your nomination as soon as possible.

Yours sincerely,



Kayoko Gotoh
Director for International Cooperation and Assistance



Regional Workshop on Sharing Best Practices in Addressing Legislative and Regulatory Issues on Chemical Safety and Security

Concept note

BACKGROUND:

The mandate and role of the Organization for the Prohibition of Chemical Weapons (OPCW) in the field of chemical safety and security¹ is grounded in several provisions of the Convention. This role has been elaborated by the policy-making organs of the OPCW in various decisions, and reaffirmed during review conferences.²

A number of States Parties have adopted and are already implementing laws and regulations on chemical safety and security covering different thematic areas (chemical production facilities, manufacturing/labelling/packaging, transport/logistics, handling, storage/inventory management, end-use, waste management, among others). Likewise, voluntary and industry-led mechanisms are already in place within a number of States Parties, such as the Responsible Care initiative. As chemical industries and trade in chemicals continue to grow, a growing number of States Parties are also recognizing the need to adopt appropriate chemical security measures or enhance their existing legal regimes in order to avert any potential risk of an attack on a chemical facility or the unlawful release or theft of toxic chemicals. However, a gap still exists with respect to international guidance on appropriate chemical security legal and regulatory measures and standards.³ The OPCW, in view of its

¹ *Chemical security refers* to measures to prevent deliberate releases of toxic chemicals and to mitigate the impact if such events occur. In a wider context, it also includes policies to prevent attempts to acquire toxic chemicals or chemical weapons precursors, Note by the Technical Secretariat: The Contribution of the OPCW to Chemical Safety and Chemical Security (30 September 2018), S/1129/2013.

² The Second Review Conference “reaffirmed concerns expressed at the First Review Conference that chemical facilities may become subject to attacks or other incidents that could lead to the release or theft of toxic chemicals ... and encouraged States Parties to exchange experiences and discuss related issues” (paragraph 9.94 of RC-2/4, dated 18 April 2008). It also “invited States Parties to consult and cooperate both bilaterally and regionally on ways to prevent terrorists from acquiring and/or using chemical weapons” (paragraph 9.137 of RC-2/4). The Third Review Conference, while recalling States Parties’ prime responsibility for chemical security, noted the Secretariat’s capacity-building (par 9.126 of RC-3/3, dated 19 April 2013) and coordination role (subparagraph 9.131(k) of RC-3/3), including with regard to chemical facilities and transportation.

³ In the area of chemical safety, guidance documents in the implementation of obligations under the relevant international conventions, including Basel, Rotterdam, Stockholm and Minamata which are under the auspices of the UN Environment Program (UNEP), are available for reference by States Parties. UNEP also recently issued a series of Guidance documents on chemicals control legislation that provide a survey of legislative provisions for the safe management of chemicals (available at

mandate and its near universal membership, is well-placed to support States Parties in their efforts at enhancing or developing national legal and regulatory frameworks on chemical security.⁴

In July 2019, the Implementation Support Branch (IPB) of the OPCW's International Cooperation and Assistance Division organized a Technical Workshop on Sharing of Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security. The pilot workshop provided a forum for sharing information on participating States Parties' legal and regulatory framework on chemical security, as well as discussing approaches in the development of chemical security measures. The event contributed to identifying the capacity-building needs of States Parties in the area of enhancing their respective chemical security legal and regulatory frameworks.⁵

As part of its mandated work in the area of chemical safety and security and recognizing that this entails a number of legislative and regulatory issues that need to be addressed in the context of the CWC's national implementation, IPB, throughout 2020, plans to organize a series of regional and sub-regional workshops on this theme, beginning with the event for the Asian region in March 2020, building on the outcomes of the discussions during the pilot workshop held in July 2019.⁶ It is expected that this process will lead to the clear identification of capacity building requirements of States Parties in this area as well as assistance tools and mechanisms that the Technical Secretariat may be required to develop and provide to meet these requirements.

OBJECTIVES:

The Regional Workshop is aimed at meeting the following objectives:

<https://www.unenvironment.org/resources/report/guidance-chemicals-control-contributing-national-progress-and-safety>).

⁴ A more comprehensive discussion of the mandate and activities of the OPCW is contained in the Notes "The contribution of the OPCW to Chemical Safety and Chemical Security", S/1129/2013, (30 September 2013), and in "The OPCW's role in the Field of Chemical Security", Discussion Paper", S/1395/2016, (13 June 2016).

⁵ Representatives from Algeria, Australia, Brazil, Indonesia, Kenya, Republic of Korea, Nigeria, the Philippines, South Africa, the United Kingdom, United States of America and Vietnam, along with technical experts from the International Council of Chemical Associations, United Nations Environment Program, I540 Committee of Experts, the Pacific Northwest National Laboratory and the National Research Council of Italy, participated in the event.

⁶ The Conference of the States Parties, at its 16th Session, adopted a Decision on the Components of an Agreed Framework for the Full Implementation of Article XI, in which it identified capacity-building in the areas of chemical safety and security as one of the four priority areas of the Technical Secretariat. In implementing this mandate, ICA, through the International Cooperation Branch, has been organizing a number of capacity-building initiatives in chemical safety and security management. The organization of these series of workshops on sharing best practices in addressing legislative and regulatory issues on chemical safety and security are intended to complement these efforts.

1. To provide a forum for discussing:
 - a. The legislative and regulatory issues and necessary scope of national legal frameworks on chemical safety and security
 - b. The existing international legal framework on chemical safety and chemical security
 - c. The existing legal and regulatory framework in chemical security of participating States including, among others:
 - Contextual background on the development of the law/regulation
 - Objectives, scope, basic principles and key concepts
 - Elements covered
 - The respective roles of different regulators/implementing agencies, industry/distributors, and other relevant stakeholders
 - Enforcement methods and penalties for non-compliance
 - How the law/regulation is implemented
 - How the law/regulation relates to other related legal instruments at the national level.
2. To discuss the core elements and thematic issues to be covered by a national legal and regulatory framework on chemical security
3. To highlight the areas of concern in the chemical life-cycle that should be considered in developing necessary chemical security measures and the respective roles of various stakeholders
4. To share experience and exchange views on efforts at assessing risk and gaps in legal and regulatory regimes as a key basis for a State Party to determine the necessary chemical security measures and develop or enhance its existing national legislative and regulatory framework on chemical security.
5. To discuss approaches for developing legal texts reflecting good practices

TARGET COUNTRIES AND PARTICIPANTS:

- Target States Parties that have expressed their need or are looking at updating their legal regimes: ,
 - *Each State Party will have three participants: (1) expert on the existing legislative and regulatory framework, (2) industry representative; (3) National Authority focal point
- States Parties to share information on their national legislative and regulatory framework:
 - * Each State Party will have one representative from the implementing/lead agency for the specific chemical security law or regulation
- Representatives from international organisations and industry associations with relevant experience
- Technical experts

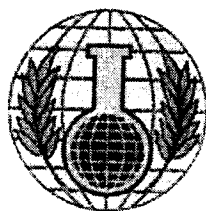
EXPECTED OUTCOMES:

- Participants will gain knowledge of legislative and regulatory issues in the context of chemical safety and chemical security and of measures necessary to address them at the national level.
- Participants will enhance their understanding of the relevant obligations under the Chemical Weapons Convention, specifically with regard to chemical security – distinguishing it from chemical safety – and the scope of a legislative and regulatory framework on chemical security their current regimes. As such, they will be able to identify gaps, taking note of their respective national contexts and areas of concern in the chemical life-cycle that are most relevant to them (in view of the chemicals in their territory from industry or trade).
- Participants are informed on existing international and national legal and regulatory frameworks on chemical security, and will enhance their awareness of the contextual background, objectives, scope, basic principles and key concepts of different national regimes, as well the respective roles of regulators and stakeholders.
- By discussing various national regimes, participants will be able to enhance the understanding of methodologies and approaches for developing a legislative and regulatory framework on chemical security and to identify the thematic issues covered by, and the key elements of, a national legal and regulatory framework on chemical security.

The discussions and presentations will enable the TS to better understand and identify States Parties' need for capacity building in this area, as a foundation for developing appropriate tools and methodologies – such as a risk assessment tool - to assist States Parties in determining the necessary chemical security measures and looking at developing or enhancing its existing national legislative and regulatory framework on chemical security.

DATES/VENUE:

17-19 March 2020
Hanoi, Vietnam



**Regional Workshop on Sharing of Best Practices in Addressing
Legislative and Regulatory Issues on Chemical Safety and Security**

**17-19 March 2020
Hanoi, Vietnam**

PROVISIONAL PROGRAMME

<i>Day 1, Tuesday, 17 March 2020</i>	
09:00 – 09:30	Arrival and registration
09:30 – 10:00	<ul style="list-style-type: none">• <i>Opening ceremony</i>• <i>Group photograph</i>
10:00 – 10:30	<ul style="list-style-type: none">• <i>Tour de table: Introduction of participants</i>• <i>Overview of the program: Outcomes of the discussions from the pilot technical workshop held in July 2019 at the OPCW Headquarters, program and objectives for the series of regional/sub-regional meetings</i>
10:30 – 11:00	<i>Coffee/tea break</i>
11:00 – 12:30	<p>Panel 1: Defining the scope of legislative and regulatory issues on chemical safety and chemical security</p> <p>This panel aims to discuss legislative and regulatory issues and the necessary scope of national legal frameworks on chemical safety and chemical security. The mandate and role of the OPCW in the fields of chemical safety and chemical security, as well as the elements of implementing legislation on the Chemical Weapons Convention that aim to establish controls on the acquisition of toxic chemicals and chemical weapons precursors will be discussed. An overview of the international legal framework on chemical safety and chemical security will also be discussed.</p>
12:30 – 14:00	<i>Lunch break</i>
14:00 – 15:30	<p>Panel 2: Engagement with the Chemical Industry and Chemical Distributors</p> <p>This panel will discuss initiatives being implemented by the chemical industry and chemical distributors in the area of chemical security. The role of the chemical industry and chemical distributors and voluntary measures being undertaken by national industry associations will be discussed. The experience of States Parties in regulating the chemical industry and chemical distributors,</p>

	as well as the perspectives of national chemical industry and trade associations, will also be discussed.
15:30 – 16:00	<i>Coffee/tea break</i>
16:00 – 17:00	<p><i>National Presentations: Legal and Regulatory Frameworks on Chemical Security</i></p> <p>Participating States Parties will discuss their national legal and regulatory frameworks on chemical security tackling, among others, the contextual background on the development of the law/regulation; its objectives, scope, basic principles, key concepts and elements covered; the respective roles of different regulators/implementing agencies, industry and other relevant stakeholders; enforcement methods and penalties for non-compliance; implementation issues and challenges; and how the law/regulation relates to other legal instruments at the national level.</p>
<i>Day 2: Wednesday, 18 March 2020</i>	
9:30 – 11:00	<p>Panel 3: Enhancing a risk informed approach for the development of chemical security measures</p> <p>In this panel, technical experts will discuss different methodologies for threat and risk assessment that are being utilized in determining necessary chemical security measures and developing or enhancing the national legislative and regulatory framework on chemical security.</p>
11:00 – 11:30	<i>Coffee/tea break</i>
11:30 – 12:30	<i>National Presentations: Legal and Regulatory Frameworks on Chemical Security, continuation</i>
12:30 – 14:00	<i>Lunch break</i>
14:00 – 15:30	<p>Panel 4: Towards enhanced chemical security: Risk Assessment and Gap Analysis of the existing regulatory framework</p> <p>This panel will discuss experience with risk assessment and gap analysis in legal and regulatory regimes on chemicals as key steps towards enhancing chemical security measures. It will cover the areas of concern in the chemical life-cycle that should be considered in developing measures for the prevention of access to toxic chemicals by non-State actors. It will also touch on new areas of concern, such as cybersecurity, unmanned aircraft systems and online sales of chemicals. States Parties will share their approaches for conducting risk analysis and identifying gaps in their legal and regulatory regimes on toxic chemicals.</p>
15:30 – 16:00	<i>Coffee/tea break</i>
16:00 – 17:00	<i>National Presentations: Legal and Regulatory Frameworks on Chemical Security, continuation</i>
<i>Day 3: Thursday, 19 March 2020</i>	
9:30 – 10:30	<i>National Presentations: Legal and Regulatory Frameworks on Chemical Security, continuation</i>

10:30 – 11:00	<i>Coffee/tea break</i>
11:00 – 12:30	Break-out group exercise: Participants will engage in a scenario-based group exercise on risk assessment and gap analysis of a particular national legal framework.
12:30 – 14:00	Lunch break
14:00 – 15:30	Outcomes of the break-out group exercise – group presentations
15:30 – 16:00	<i>Coffee/tea break</i>
16:00 – 16:30	Plenary discussion and Wrap-up
16:30 – 17:00	<i>Closing remarks</i>