

F.No. M-21011/4/2022-TECH
Government of India
Cabinet Secretariat
National Authority (Chemical Weapons Convention)

1st Floor, Chanakya Bhavan, Chanakyapuri,
New Delhi – 110021, 20th May, 2022

Subject: Call for Nominations for Workshop on Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security to be held from 19 to 21 July 2022 in Bangkok, Thailand -regarding.


Please find enclosed herewith a copy of the letter vide No. L/ICA/IPB-70/22, 05 May, 2022 along with invitation from Implementation Support Branch (ISB), Technical Secretariat (TS), Organization for the Prohibition of Chemical Weapons (OPCW), seeking the nominations from State Party India on the above mentioned subject.

2. It is further submitted that, this Programme is legal and regulatory in nature and is meant for build the capacity of nation. The candidates will be carefully selected. The training courses were organized in response to the growing requests from States Parties for technical assistance in enhancing their knowledge on the legal and regulatory aspects of chemical security and in addressing these issues at the national level. Participants enhanced their understanding of various thematic issues and underscored their continued interest in further capacity-building support from the Technical Secretariat in this area, particularly in drafting chemical security measures appropriate to their respective national contexts or in enhancing 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. The series of training courses also follow on from the Technical Workshop on Sharing of Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security organized by IPB.

3. In-line with the above, nominations of suitable, qualified and experienced officer(s) of appropriate level in your organization may be sent to this office latest by 29th May, 2022 Head of the concerned Department/ Organization may also certify that the applicant is clear from vigilance angle and that no departmental proceeding against the nominee is contemplated. Candidate should apply through the National Authority-CWC online portal- OPCW Training Management System (<https://training.nacwc.gov.in/Login.aspx>) with strict adherence to the "Revised Guidelines for OPCW sponsored events" issued and hosted on the National Authority-CWC website.

This is issued with the approval of Competent Authority.


Encl: As above


Dr. Vimlesh Kumar Bind
Adviser (NACWC)
Tel: 011-24675694
Email: vimlesh.bind@gov.in

To,

1. Shri Debi Prasad Dash, Director General, Directorate of Revenue Intelligence, 7th Floor, D-Block, I.P. Bhawan, I.P. Estate, New Delhi, Fax- 011-23370954, Phone- 011-23378629, 23379871, Email- drihqrs@nic.in

2. The Joint Secretary (Customs), Central Board of Excise & Customs, North Block, New Delhi-110001, Telephone: 011-23092978, Fax: 011-23093475, Email: js.cus-cbec@nic.in
3. The Director General, Indian Chemical Council (ICC), Sir Vithaldas Chambers, 6th Floor, 16, Mumbai Samachar Marg, Mumbai-400001, Maharashtra, with a request to place the OM their website.
4. The Deputy Director General, Dept. of Chemicals & Petrochemicals, Ministry of Chemicals & Fertilizers, 344, A-wing, 3rd floor, Shastri Bhawan, New Delhi-110001
5. Director (D&ISA), Ministry of External Affairs (MEA), New Delhi
6. Joint Secretary, Hazardous Substances Management, Ministry of Environment and Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003
7. Joint Secretary, Legislative Department, Ministry of Law and Justice, Room No. 431A, Forth Floor, Shastri Bhawan, New Delhi-110003



Dr. Vimlesh Kumar Bind
Adviser (NACWC)



ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS

OPCW

Johan de Wittlaan

32 2517 JR

The Hague

The Netherlands

The Hague, 05 May 2022

L/ICA/IPB-70/22

Dear Dr. Gupta,

It is my honour to inform you that the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW), in cooperation with the Government of the Kingdom of Thailand, is organising a *Regional Workshop on Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security* in Bangkok, Thailand from 19 to 21 July 2022.

The main objective of the Regional Workshop is to provide a forum for sharing experiences of participating States Parties in developing chemical security legislation, and the roles of regulatory authorities, relevant Government agencies and other stakeholders, including the chemical industry and distributors. The Workshop also aims to facilitate sharing of best practices in assessing risks and gaps in existing legal and regulatory regimes as a basis for reviewing, developing or enhancing an existing legal framework on chemical security.

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

Dr. Sudhanshu Gupta
Joint Secretary & Director
National Authority for Chemical Weapons Convention
Chanakya Bhavan, Chanakyapuri 1st floor, 110021, New Delhi, India

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

In this regard, I would like to invite you to nominate three national participants for the Workshop: 1) a representative of the Chemical Weapons Convention (CWC) National Authority, 2) an expert on the existing legislative and regulatory framework on chemical security in your country, and 3) an industry representative.

Your participants should be able to deliver two presentations on: 1) “India’s ongoing initiatives at enhancing or developing chemical security legislation (in particular on the development of the Rules on Chemicals), including challenges and issues encountered and how they were addressed and the relevant entities involved in the process” during the session on *Initiatives at enhancing legal and regulatory frameworks on chemical security* on Day 1, and on 2) “National experience in regulating the chemical industry” during the session on *Engagement with the chemical industry* on Day 2 of the Workshop.

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

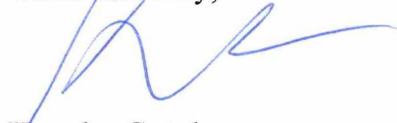
The Workshop will be conducted in English, and no interpretation services will be provided. Participants are therefore expected to have good written and oral command of the English language.

Applications by the nominated participants should be submitted online through the OPCW event management system Eventus (<https://apps.opcw.org/eventus>) before **Friday, 3 June 2022**. These applications must be reviewed and endorsed digitally by your National Authority in Eventus before Thursday, 9 June 2022, to be followed by the final review through the Technical Secretariat.

Additional information about the 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 nominations as soon as possible.

Yours sincerely,



Kayoko Gotoh
Director for International Cooperation and Assistance



**Workshop on Best Practices in the Development of a
Legislative and Regulatory Framework on Chemical Security
Concept Note**

PURPOSE/INTENT:

A 3-day workshop to share national experiences, explore different approaches and identify best practices of developing legal texts on chemical security reflecting good practices

DATES/VENUE:

19 – 21 July 2022
Bangkok, Thailand

OBJECTIVES:

The Regional Workshop is aimed at providing a forum for discussing:

1. The existing legal and regulatory framework related to chemical security of participating States Parties, including --
 - Contextual background on the development of the law/regulation
 - Objectives, scope, thematic area, basic principles/elements covered by the law/regulation
 - How compliance with the requirements under the law is ensured
 - Enforcement methods and penalties for non-compliance
 - The roles of different regulators/implementing agencies
 - How the law/regulation relates to other relevant legal instruments at national level.
2. The areas of concern in the chemical life cycle that should be considered in developing chemical security legislation
3. National experiences in assessing risks and gaps in existing legal and regulatory regimes as a key basis for determining necessary chemical security measures and for developing or enhancing the existing legal framework on chemical security
4. The respective roles of different stakeholders (industry, distributors and others)

PARTICIPANTS:

- States Parties from Asia that consider updating their legal regimes and/or are willing to share their national experiences in developing specific laws/regulations on chemical security

*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 from other regions that have adopted laws/regulations on chemical security and are willing to share their national experiences on the process
 - * Each State Party will have one representative
- Representatives from international organisations
- Technical experts

EXPECTED OUTCOMES

- Participants will enhance their understanding of the relationship between implementing legislation on the Chemical Weapons Convention and chemical security legislation.
- Participants are informed about 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 under different national regimes, as well the respective roles of regulators and stakeholders.
- By discussing various national regimes, participants will be able to enhance their understanding of methodologies and approaches for developing a legislative and regulatory framework on chemical security.
- Participants will gain knowledge on risk assessment methodologies and approaches to identify gaps in existing legal regimes, considering respective national contexts and areas of concern in the chemical life cycle that are most relevant in view of the chemicals on the national territory from industry or trade.

PROVISIONAL AGENDA:

See attachment

BACKGROUND:

The mandate and role of the Organization for the Prohibition of Chemical Weapons (OPCW) in chemical 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

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.

In pursuit of this mandate, the Implementation Support Branch (IPB) organized a series of online training courses on legislative and regulatory issues on chemical security across the different regions in 2020 and 2021³. The training courses were organized in response to the growing requests from States Parties for technical assistance in enhancing their knowledge on the legal and regulatory aspects of chemical security and in addressing these issues at the national level. Participants enhanced their understanding of various thematic issues and underscored their continued interest in further capacity-building support from the Technical Secretariat in this area, particularly in drafting chemical security measures appropriate to their respective national contexts or in enhancing 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. The series of training courses also follow on from the Technical Workshop on Sharing of Best Practices in the Development of a Legislative and Regulatory Framework on Chemical Security organized by IPB in July 2019 which 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.

During these events, States Parties emphasized the need for further capacity-building support from the Technical Secretariat. States Parties highlighted the importance of developing regulatory measures covering the entire chemical life cycle, and in this regard requested the Technical Secretariat to facilitate information-sharing among States Parties on good practices and national experiences in the process of drafting and adopting legal texts. While some States Parties have adopted and are already implementing laws and regulations on chemical security covering different thematic areas, there is still a dearth of national chemical security measures in place, especially considering the pervasive use and presence of chemicals in countries.

The OPCW, in view of its 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 response to these requests, IPB plans to organize a series of regional/sub-regional workshops on this theme, beginning with the event for the Asian region in July 2022. Through these forums, participants will be able to enhance their understanding of methodologies and approaches for developing a legislative and regulatory framework on chemical security.

³ The online training courses on legislative and regulatory issues on chemical security were organized for States Parties in Asia on 16-20 November 2020, for English-speaking States Parties in Africa on 19-22 April 2021, for French-speaking States Parties in Africa on 16-21 October 2021 and for States Parties in GRULAC from 8 to 14 December 2021.

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).



**Regional Workshop on Best Practices in the Development of a
Legislative and Regulatory Framework on Chemical Security**

**19 – 21 July 2022
Bangkok, Thailand**

PROVISIONAL PROGRAMME

Day 1	
09:00 – 09:30	Arrival and registration Group photograph
09:30 – 10:00	<i>Opening remarks</i> <i>Tour de table: Introduction of participants</i> <i>Overview of the programme</i>
10:00 – 11:30	<i>The Chemical Weapons Convention (CWC) and the international legal framework on chemical security</i> This session will cover the international legal framework on chemical security. The mandate and role of the OPCW in the field of chemical security and the elements of penal legislation on the CWC that address threats to chemical security will be discussed. The role of the chemical industry and voluntary measures being undertaken by national industry associations will also be discussed. Speakers: TBD
11:30 – 12:00	<i>Coffee/tea break</i>
12:00 – 13:00	<i>National Presentations: Best Practices and initiatives of enhancing legal and regulatory frameworks on chemical security</i> This session will discuss ongoing or past efforts by States Parties in developing laws or regulations or updating existing ones. States Parties will share best practices as well as challenges encountered in the process and actions undertaken to overcome them, the relevant national stakeholders and entities involved, the status or results of the initiatives and support from external partners or stakeholders.

	Speakers: TBD
13:00 – 14:30	<i>Lunch break</i>
14:30 – 16:00	<p><i>Approaches to Risk Assessment and Gap Analysis within the existing regulatory framework</i></p> <p>This session will cover the areas of concern in the chemical life cycle that should be considered when developing measures for the prevention of access to toxic chemicals by non-State actors. States Parties will share approaches and best practices of conducting risk analysis and identifying gaps in their legal and regulatory regimes on toxic chemicals.</p> <p>Speakers: TBD</p>
16:00 – 16:30	<i>Coffee/tea break</i>
16:30 – 17:30	<i>National Presentations: Best Practices and initiatives of enhancing legal and regulatory frameworks on chemical security, continued</i>
Day 2	
09:00 – 10:30	<p><i>National Presentations: Best practices of engagement with the chemical industry and distributors</i></p> <p>This session will discuss initiatives to engage the chemical industry and distributors in the area of chemical security. The experiences of States Parties in engaging with the chemical industry and distributors, as well as the perspectives of national chemical industry and trade associations, will also be discussed.</p> <p>Speakers: TBD</p>
10:30 - 11:00	<i>Coffee/tea break</i>
11:00 – 12:30	<p><i>National Presentations: Legal and Regulatory Frameworks on Chemical Security – Focus: Strategic Trade Management Laws</i></p> <p>Participating States Parties will share information on specific chemical security laws or regulations, 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> <p>Speakers: TBD</p>
12:30– 14:00	<i>Lunch break</i>
14:00 – 15:30	<i>National Presentations: Legal and Regulatory Frameworks on Chemical Security – Focus: Chemicals Management and Precursor Controls Laws</i>

	Speakers: TBD
15:30 – 16:00	<i>Coffee/tea break</i>
16:00 – 17:30	<i>National Presentations: Legal and Regulatory Frameworks on Chemical Security – Focus: Laws on Security in the Transport, Storage and Handling of Chemicals</i> Speakers: TBD
Day 3	
09:00 – 10:30	<i>National Presentation: Best Practices of developing a national list of chemicals of security concern</i> In this session, States Parties will share their experiences in the process of developing national control lists or lists of chemicals of security concern that are subject to regulation. Speakers: TBD
10:30 – 11:00	<i>Coffee/tea break</i>
11:00 – 12:30	Break-out group discussions
12:30 – 14:00	<i>Lunch</i>
14:00 – 15:30	Outcomes of the discussions – group presentations
15:30 – 16:30	Plenary discussion
16:30 – 17:00	Wrap-up and evaluation Closing remarks