

circumstances. If for some reason a seal must be removed, the Party shall immediately notify the Technical Secretariat and Inspectors will return as soon as possible to validate the inventory and replace the seal."

After section VII, a new section VIII on collection, handling and analysis of samples should be added. Proposed language follows:

VIII. Collection, handling and analysis of samples

A. In cases of alleged use of chemical weapons, Inspectors have the right to collect samples themselves. The inspected Party(ies) shall assist in sample collection upon request. In all other inspections, except as specified in ... representatives of the inspected Party shall take samples at the request of the Inspectors and in the presence of the Inspectors. Samples shall be taken pursuant to procedures set forth in articles, annexes and agreements between the Technical Secretariat and States Parties.

B. Where possible, Inspectors shall perform on-site analysis of samples using approved equipment brought by the inspection team.

C. The inspected Party has the right to be present during sample analysis and to retain duplicates of samples.

D. Inspectors may transfer, if necessary, samples for analysis off-site at laboratories designated by the Technical Secretariat. 1/ The inspection team shall be responsible for the security and preservation of the samples, and for the maintenance of a detailed history chronicling the chain of custody of the samples, until the samples are delivered to the designated analytical laboratories, at which time responsibility will pass to the Technical Secretariat.

E. The Technical Secretariat shall:

(a) select and certify the laboratories designated to perform different types of analysis;

(b) oversee the standardization of equipment and procedures at these designated laboratories and mobile analytical equipment and procedures, and monitor quality control and overall standards in relation to the certification of these laboratories and mobile equipment/procedures; and

(c) select from among the designated laboratories those which shall perform analytical or other functions in relation to specific investigations.

F. Samples shall be analysed in at least two designated laboratories. The Technical Secretariat shall oversee the expeditious processing of the analysis. The samples shall be accounted for and any unused samples 2/ or portions thereof shall be returned to the Technical Secretariat.

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1/ Transportation of toxic samples and existing international transportation regulations will need to be addressed.

2/ Consideration should be given to the retention of unused samples taken during challenge inspection for which the findings were inconclusive.