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IMPLEMENTATION BY THE INSPECTION TEAM OF SPECIFIC ON-SITE ACTIVITIES

Interviewing

Inspectors could have the right to interview any facility personnel in the presence of representatives of the inspected State Party/a legal adviser/a senior member of facility staff.

Interviews could be conducted in such a way as to avoid unduly hindering the work of the site.

Inspectors could have the right only to request information and data which are necessary for the conduct of the inspection. The inspected State Party could be obliged to furnish such information upon request. If required, interpretation could be provided by the inspectors/the Organization.

Those interviewed could have the right to refuse to answer any question to protect commercial proprietary and national security information. But they could be obliged to offer alternative means to demonstrate compliance.

In conducting interviews, inspectors could make use of, but not be limited to questions related to agreed lists e.g. of pathogens and toxins, and equipment.

Visual observation

Inspectors could have the right to inspect any part of or item on the inspection site.

If direct visual observation is not possible because of national security, commercial proprietary or safety considerations, the inspected State Party could be obliged to offer alternative means of demonstrating compliance. Such means could include the use of a video camera or drawings.



#### Identification of key equipment

Inspectors could have the right to inspect and identify equipment at the inspection site. In identifying key equipment, inspectors could make use of, but not be limited to questions related to agreed lists of equipment.

Inspectors could also note the absence of, and size and quantity of equipment on site. The presence or absence of any one item of equipment could not be taken as indicative of non-compliant activity at a site.

#### Auditing

Inspectors could have the right to inspect documentation and records held at the facility, as necessary to the conduct of their mission, and to interview personnel about their contents. The inspected State Party could have the right to take measures, in accordance with managed access procedures, to protect information and records which it considers confidential for reasons of national security or commercial sensitivity, but could be obliged to provide alternative means of demonstrating compliance to the Inspection Team.

Inspectors could have the right only to take and remove copies of documents or print-outs of records from the site with the permission of the inspected State Party.

All documents, print-outs of records or other information obtained as a result of access to documentation and records could be required to be handled confidentially.

On-site auditing must be conducted in such a way as to minimize disruption to the normal work of the facility.

The inspected State Party should provide inspectors with any information, such as details of national financial or accounting regulations, which may be relevant to the inspection of such documents and records.

If issues remain unresolved after an inspection which, in the opinion of the inspectors, could be addressed by specific off-site auditing, the inspectors/a future Organization/requesting State Party could pursue with the inspected State Party how this measure could be implemented.

Medical examination

In investigations where epidemiological evidence has been submitted with the inspection request, such as cases of alleged use, the inspectors could have the right to conduct autopsies and medical examination, with the appropriate consent.

Sampling and identification

Sampling could only be available to inspectors in investigations to address a non-compliance ("challenge" inspection) and in investigations of alleged use.

Inspectors could have the right to take samples and test for the presence of specific pathogens or toxins, if the inspection request includes information about the possible involvement of such agents in non-compliant activity at the site. The intention to test for such agents could be required to be stated in the inspection mandate. Such testing could be required, wherever possible, to be carried out on site. Where the inspectors deem this impossible, they could have the right to remove samples for off-site analysis.

Such sampling could be conducted according to agreed procedures and methods to protect CPI.

If the inspectors decide during an investigation that an issue can only be resolved through the use of sampling and analysis, they could also have the right to take and analyse samples (e.g. environmental or process samples) to detect the presence of listed pathogens and agents of concern. Such sampling could be required to be conducted by the inspectors on site, according to agreed procedures and methods.

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