



OPCW

Conference of the States Parties

Fifth Session  
15 - 19 May 2000

C-V/DEC.16  
17 May 2000  
Original: ENGLISH

## DECISION

### IMPLEMENTATION OF RESTRICTIONS ON TRANSFERS OF SCHEDULE 2 AND SCHEDULE 3 CHEMICALS TO AND FROM STATES NOT PARTY TO THE CONVENTION

#### The Conference

**Recalling** the decision of the Conference of the States Parties at its Fourth Session on guidelines for provisions regarding scheduled chemicals in low concentrations, including in mixtures, in accordance with paragraphs 5 of Parts VII and VIII of the Verification Annex (C-IV/DEC.16, dated 1 July 1999);

**Bearing in mind** the special responsibility of States Parties with regard to transfers of Schedule 2 or Schedule 3 chemicals to States not party to the Convention, and **recalling** in this respect the obligation under paragraph 31 of Part VII of the Verification Annex, which came into effect on 29 April 2000, that Schedule 2 chemicals shall only be transferred to or received from States Parties;

**Recalling further** that, with regard to transfers of Schedule 3 chemicals, five years after the entry into force of the Convention (29 April 2002) the Conference shall consider the need to establish other measures;

**Recognising** the need to ensure that the transfer provisions regarding Schedule 2 or Schedule 3 chemicals do not encompass impurities and consumer goods;

**Noting** that transfers of the products under consideration in this decision shall only be for purposes not prohibited under the Convention, and **recognising** the desire of States Parties in relation to this decision, to keep under review technical and possible security aspects of transfers of products as defined in the operative subparagraphs 1(a) and (b) below;

**Noting** further the recommendation to the Conference adopted by the Executive Council at its Nineteenth Session (EC-XIX/DEC.11, dated 2 May 2000);

**Hereby:**

1. **Decides** that, with regard to the application of the provisions on transfers of Schedule 2 chemicals to and from States not party to the Convention, paragraph 31 of Part VII of the Verification Annex shall not apply to:
  - (a) products containing one percent or less of a Schedule 2A or 2A\* chemical;
  - (b) products containing 10 percent or less of a Schedule 2B chemical; and
  - (c) products identified as consumer goods packaged for retail sale for personal use or packaged for individual use; and
2. **Further requests**, with regard to the application of the provisions on transfers of Schedule 3 chemicals, the Executive Council to prepare a recommendation to be considered by the Conference at its Sixth Session.

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