



OPCW

Conference of the States Parties

Fourteenth Session
30 November – 4 December 2009

C-14/DEC.4
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DECISION

GUIDELINES REGARDING LOW-CONCENTRATION LIMITS FOR DECLARATIONS OF SCHEDULE 2A AND 2A* CHEMICALS

The Conference of the States Parties,

Recalling that paragraph 5 of Part VII of the Verification Annex to the Chemical Weapons Convention (hereinafter “the Verification Annex”) states that declarations are required for mixtures containing low concentrations of Schedule 2 chemicals, in accordance with guidelines, in cases where the ease of recovery from the mixture of a Schedule 2 chemical and its total weight are deemed to pose a risk to the object and purpose of the Chemical Weapons Convention (hereinafter “the Convention”);

Taking into account the enhancement of the transparency that will result from the provision of such information in relation to the implementation of the Convention;

Recognising that these guidelines would enable the uniform implementation of the Convention with regard to declarations and inspections of facilities;

Stressing the desirability of adopting a common approach with respect to low concentration guidelines, consistent with the non-discriminatory and effective implementation of the Convention;

Recalling that declarations of plant sites in accordance with paragraph 5 of Part VII and paragraph 5 of Part VIII of the Verification Annex are triggered by the amount of a Schedule 2 or Schedule 3 chemical contained in a mixture, as well as its concentration (C-IV/DEC.16, dated 1 July 1999);

Recalling the decision of the Conference of the States Parties on guidelines regarding low-concentration limits for declarations of Schedule 2B and 3 chemicals (C-V/DEC.19, dated 19 May 2000) and bearing in mind the risks to the object and purpose of the Convention represented by Schedule 2A and 2A* chemicals;

Having considered the Note by the Director General on the report of the Fourth Session of the Scientific Advisory Board (SAB) (EC-XXIV/DG.2, dated 9 March 2001), as well as the technical considerations of the SAB on the relevant aspects of the applicable concentration



limits for mixtures of chemicals containing Schedule 2A and 2A* chemicals (SAB-IV/1, dated 6 February 2001);

Taking into account the understanding of the concept of “captive use” in connection with the declarations of production and consumption under Parts VII and VIII of the Verification Annex (C-9/DEC.6, dated 30 November 2004);

Recalling that the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention “noted with concern that the issue of low concentrations in relation to Schedule 2A and 2A* chemicals has not yet been resolved”, and urged the Executive Council (hereinafter “the Council”) “to resume work promptly, with the support of the Secretariat, towards the earliest resolution of the issue” (paragraph 9.63 of RC-2/4, dated 18 April 2008); and

Cognisant of the economic and administrative implications of the implementation of such guidelines for States Parties;

Hereby decides that:

1. Declarations are not required under Part VII of the Verification Annex for:
 - (a) mixtures of chemicals containing one percent (1%) or less of a Schedule 2A or 2A* chemical;
 - (b) mixtures of chemicals containing more than 1% but less than or equal to 10% of a Schedule 2A or 2A* chemical, provided that the annual amount produced, processed, or consumed is less than the relevant verification thresholds specified in paragraph 12 of Part VII of the Verification Annex;
2. States Parties, in accordance with their constitutional processes, implement these guidelines as soon as practicable;
3. The Technical Secretariat report in detail annually to the Council in the Verification Implementation Report on the progress that States Parties have made in implementing this decision, beginning not later than 1 January 2012; and
4. The Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention review progress in carrying out this decision, with a view to ensuring its effective implementation.