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NOTE BY THE TECHNICAL SECRETARIAT

**SURVEY ON THE IMPLEMENTATION OF NATIONAL MEASURES
REGARDING THE COLLECTION AND DECLARATION
OF IMPORT AND EXPORT DATA FOR SCHEDULE 2 AND 3 CHEMICALS**

1. The Third Special Session of the Conference of the States Parties to Review the Operation of the Chemicals Weapons Convention (hereinafter “the Third Review Conference”) noted that discrepancies in transfers declared by States Parties were continuing, and encouraged the cluster on chemical-industry and other Article VI issues (hereinafter “the Industry Cluster”) to consult on the ways to reconcile such discrepancies (paragraph 9.93 of RC-3/3*, dated 19 April 2013).
2. The Third Review Conference called upon States Parties and the Technical Secretariat (hereinafter “the Secretariat”) to continue working to identify the causes of discrepancies related to Article VI declarations, such as those relating to aggregate national data for Schedule 2 and Schedule 3 transfers, as well as for other chemical production facilities declarations, and recommended possible solutions and alternatives to the policy-making organs (paragraph 9.95(g) of RC-3/3*).
3. The Twenty-First Session of the Conference of the States Parties (hereinafter “the Conference”) considered the question of discrepancies in the reporting of transfers of scheduled chemicals pursuant to Article VI of the Chemical Weapons Convention (hereinafter “the Convention”) and the Verification Annex to the Convention, and recommended that the Industry Cluster give this matter additional focused attention (paragraph 9.4 of C-21/5, dated 2 December 2016).
4. The Secretariat reviewed the causes of transfer discrepancies identified by the States Parties during resolution of these discrepancies for 2015. As a result of this review, the most common causes of discrepancies have been identified as the differences in national measures in the implementation of decisions made by the Conference^{1,2,3,4}

¹ Guidelines Regarding Declaration of Import and Export Data for Schedule 2 and 3 Chemicals (C-13/DEC.4, dated 3 December 2008).

² Guidelines Regarding Declarations of Aggregate National Data for Schedule 2 Chemical Production, Processing, Consumption, Import and Export and Schedule 3 Import and Export (C-7/DEC.14, dated 10 October 2002).



and different ways of data collection for the declarations of import and export of Schedule 2 and 3 chemicals.

5. In order to further analyse the ways to reconcile such discrepancies, the Secretariat invites States Parties to provide information on national measures in the implementation of the Conference decisions and on data collection through the survey annexed to this Note (see Annex 1).
6. States Parties are kindly requested to complete this survey and submit it to the Secretariat via the respective State Party's National Authority or Permanent Representation to the OPCW, **no later than 15 September 2017**. Submissions should be addressed to the Head, Declaration Branch, Verification Division, OPCW, Johan de Wittlaan 32, 2517 JR The Hague, the Netherlands. Submissions may also be sent by email to deb@opcw.org or via SIX⁵ with the words "Survey on National Measures" indicated in the subject line.
7. Queries about the survey, if any, should be addressed to Ms Elza Metopishvili, Evaluation Officer, who can be reached by telephone at +31 (0)70 416 3069 or by email to deb@opcw.org.

Annex 1: Survey on the Implementation of National Measures Regarding the Collection and Declaration of Import and Export Data for Schedule 2 and 3 Chemicals

Annex 2: Correlation Table Between Harmonized System (HS) 2012 and HS 2017

³ Guidelines Regarding Low Concentration Limits for Declarations of Schedule 2 and 3 Chemicals (C-V/DEC.19, dated 19 May 2000).

⁴ Guidelines Regarding Low-Concentration Limits for Declarations of Schedule 2A and 2A* Chemicals (C-14/DEC.4, dated 2 December 2009).

⁵ SIX = Secure Information Exchange.

Annex 1**SURVEY ON THE IMPLEMENTATION OF NATIONAL MEASURES
REGARDING THE COLLECTION AND DECLARATION
OF IMPORT AND EXPORT DATA FOR SCHEDULE 2 AND 3 CHEMICALS**

State Party: _____

Date: _____

Person whom the Secretariat may contact to discuss this survey:

Name: _____

Telephone: _____

Fax: _____

Email: _____

Part 1: Data Collection**Identification of stakeholders (sources) by National Authority:**

1. From which sources does the National Authority of your country collect import and export data for the purpose of making aggregate national data (AND) declarations (please select all that apply):

 From industrial facilities/companies

Please indicate below the nature of such facilities/companies, checking all that apply:

 Producer Processor Consumer Importer Exporter From importers and exporters From customs officials From end users From import and export licenses From other sources (please provide details below)

National regulations/legislation for data collection to declare import and export of Schedule 2/Schedule 3 chemicals:

2. Does your country have specific issues which prevent the National Authority from collecting the necessary import/export data for making AND declarations?

Yes No

If "Yes", please indicate why (please select all that apply):

- There is no legislation in place.
- The National Authority has not been established.
- Customs authorities have no mandate to provide import/export data to the National Authority.
- Other (please provide details below)

3. Does your country apply weight thresholds for collecting import and export data for making AND declarations?

- No, there is no weight threshold for collecting data. All data is collected.
- Yes, the State Party uses the following national weight thresholds for collecting import and export data:
- _____ (g/kg/tonne) for a chemical designated "*" in Schedule 2, Part A
- _____ (g/kg/tonne) for any other chemical listed in Schedule 2, Part A
- _____ (g/kg/tonne) for a chemical listed in Schedule 2, Part B
- _____ (g/kg/tonne) for a chemical listed in Schedule 3

4. Does your country apply national low-concentration limits (%) for collecting import and export data on mixtures for making AND declarations?

- No**, there are no national low-concentration limits (%) for collecting data on mixtures. All data is collected.
- Yes**, the following national low-concentration limits (%) are applied for collecting data on import and export of mixtures:

_____ % for a chemical designated "*" in Schedule 2, Part A

_____ % for any other chemical listed in Schedule 2, Part A

_____ % for a chemical listed in Schedule 2, Part B

_____ % for a chemical listed in Schedule 3

5. Has your country fully implemented the Harmonized System (HS) 2017 of the World Customs Organization (WCO), which includes the unique six-digit HS codes for the 33 most traded scheduled chemicals (effective from 1 January 2017)? Please see the Correlation Table between the HS 2012 and HS 2017 in Annex 2.

Yes No

If “Yes”, please indicate for which annual declaration on past activities (ADPA) will your State Party use the unique six-digit HS 2017 codes as an identifier for the 33 most traded scheduled chemicals:

- ADPA 2017
 ADPA 2018
 ADPA 2019
 Later
 Not known

If “No”, please indicate:

Which HS codes are currently used: HS 2007 HS 2012

Expected date of implementation of HS 2017: _____

Part 2: Declaring Imports and Exports

Definitions set forth in decision C-13/DEC.4 (dated 3 December 2008) regarding import/export/transit based on physical movement of the chemicals:

6. Has your country implemented decision C-13/DEC.4?

Yes No

If "Yes", in which ADPA did your country start to implement this decision?

- ADPA 2013
- ADPA 2014
- ADPA 2015
- ADPA 2016
- Earlier

If "No", when does your country intend to implement this decision in future?

- In 2017
- In 2018
- In 2019
- Later
- Not known

Comment(s) regarding this decision:

Declaration thresholds for import/export of Schedule 2 and Schedule 3 chemicals:

7. Does your country declare import and export data in AND declarations based on decision C-7/DEC.14 (dated 10 October 2002)?

Data is only declared if the total for the year for imports or exports is more than:

- (a) 1 kg of a chemical designated "*" in Schedule 2, Part A Yes No
- (b) 100 kg of any other chemical listed in Schedule 2, Part A Yes No
- (c) 1 tonne of a chemical listed in Schedule 2, Part B Yes No
- (d) 30 tonnes of a Schedule 3 chemical Yes No

If you selected “No” one or more times, then please provide details below:

8. Does your country declare import and export of mixtures based on decisions C-V/DEC.19 (dated 19 May 2000) and C-14/DEC.4 (dated 2 December 2009) regarding low-concentration limits?

Yes, mixtures are declared based on decisions C-V/DEC.19 and C-14/DEC.4:

(a) 1% for a chemical designated “*” in Schedule 2, Part A (C-14/DEC.4)

(b) Yes No

(c) 1% for any other chemical listed in Schedule 2, Part A (C-14/DEC.4)

Yes No

(d) 30% for a chemical listed in Schedule 2, Part B (C-V/DEC.19)

Yes No

(e) 30% for a chemical listed in Schedule 3 (C-V/DEC.19)

Yes No

No, mixtures are declared in the following ways:

The total weight of the mixture is declared.

Mixtures are declared based on national low-concentration limits as indicated above under question 4.

Other (please provide details below):

9. Does your country inform the Secretariat when a chemical leaves the exporting State Party at the end of one year and arrives in the importing State Party in the following year?

Yes No

If “No”, would your country be in a position to do so? Yes No

10. Comments and any other relevant information:

Annex 2

**CORRELATION TABLE BETWEEN HARMONIZED SYSTEM
(HS) 2012 AND HS 2017**

	CAS	Chemical Name	Schedule	HS 2012	HS 2017
1.	170836-68-7	Mixture of (5-ethyl-2-methyl-2-oxido-1,3,2-dioxaphosphinan-5-yl)methyl methyl methylphosphonate (CAS RN 41203-81-0) and Bis[(5-Ethyl-2-methyl-2-oxido-1,3,2-dioxaphosphinan-5-yl)methyl] methylphosphonate (CAS RN 42595-45-9)	2B04	3824.90	3824.91
2.	18755-43-6	Dimethyl propylphosphonate	2B04	2931.90	2931.32
3.	41203-81-0	(5-Ethyl-2-methyl-2-oxido-1,3,2-dioxaphosphinan-5-yl)methyl methyl methylphosphonate	2B04	2931.90	2931.36
4.	42595-45-9	Bis[(5-Ethyl-2-methyl-2-oxido-1,3,2-dioxaphosphinan-5-yl)methyl] methylphosphonate	2B04	2931.90	2931.37
5.	68957-94-8	2,4,6-Tripropyl-1,3,5,2,4,6-	2B04	2931.90	2931.35
6.	756-79-6	Dimethyl methylphosphonate	2B04	2931.90	2931.31
7.	78-38-6	Diethyl ethylphosphonate	2B04	2931.90	2931.33
8.	84402-58-4	Methylphosphonic acid with	2B04	2931.90	2931.38
9.	84962-98-1	Sodium 3-(trihydroxysilyl)propyl	2B04	2931.90	2931.34
10.	76-93-7	2,2-Diphenyl-2-hydroxyacetic acid	2B08	2918.19	2918.17
11.	4261-68-1	2-(N,N-Diisopropylamino)ethylchloride	2B10	2921.19	2921.14
12.	4584-46-7	2-(N,N-Dimethylamino)ethylchloride	2B10	2921.19	2921.12
13.	869-24-9	2-(N,N-Diethylamino)ethylchloride	2B10	2921.19	2921.13
14.	96-80-0	2-(N,N-Diisopropylamino)ethanol	2B11	2922.19	2922.18
15.	100-38-9	2-(N,N-Diethylamino)ethanethiol	2B12	2930.90	2930.60
16.	111-48-8	Bis(2-hydroxyethyl)sulfide	2B13	2930.90	2930.70
17.	75-44-5	Carbonyl dichloride	3A01	2812.10	2812.11
18.	506-77-4	Cyanogen chloride	3A02	2853.00	2853.10
19.	74-90-8	Hydrogen cyanide	3A03	2811.19	2811.12
20.	76-06-2	Trichloronitromethane	3A04	2904.90	2904.91
21.	10025-87-3	Phosphorus oxychloride	3B05	2812.10	2812.12
22.	7719-12-2	Phosphorus trichloride	3B06	2812.10	2812.13
23.	10026-13-8	Phosphorus pentachloride	3B07	2812.10	2812.14
24.	121-45-9	Trimethyl phosphite	3B08	2920.90	2920.23
25.	122-52-1	Triethyl phosphite	3B09	2920.90	2920.24

	CAS	Chemical Name	Schedule	HS 2012	HS 2017
26.	868-85-9	Dimethyl phosphite	3B10	2920.90	2920.21
27.	762-04-9	Diethyl phosphite	3B11	2920.90	2920.22
28.	10025-67-9	Sulfur monochloride	3B12	2812.10	2812.15
29.	10545-99-0	Sulfur dichloride	3B13	2812.10	2812.16
30.	7719-09-7	Thionyl chloride	3B14	2812.10	2812.17
31.	139-87-7	Ethyldiethanolamine	3B15	2922.19	2922.17
32.	105-59-9	Methyldiethanolamine	3B16	2922.19	2922.17
33.	102-71-6	Triethanolamine	3B17	2922.13	2922.15
34.	108-02-1	2-(N,N-Dimethylamino)ethanethiol	2B12	2930.90	2930.90
35.	129788-86-9	Product from the reaction of Methylphosphonic acid and 1,3,5-	2B04	-	-
36.	1619-34-7	3-Quinuclidinol	2B09	2933.39	2933.39
37.	25333-42-0	R-(-)-3-Quinuclidinol	2B09	2933.39	2933.39
38.	3001-98-7	3,9-Dimethyl-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane 3,9-dioxide	2B04	2931.90	2931.39
39.	4708-04-7	Propylphosphonic dichloride	2B04	2931.90	2931.39
40.	676-97-1	Methylphosphonic dichloride	2B04	2931.90	2931.39
41.	7526-26-3	Diphenyl methylphosphonate	2B04	2931.90	2931.39
42.	849-29-6	O-(3-chloropropyl) O-[4-nitro-3-(trifluoromethyl)phenyl] methylphosphonothionate	2B04	2930.90	2931.39
43.	993-13-5	Methylphosphonic acid	2B04	2931.90	2931.39
44.	99580-93-5	Product from the reaction of methylphosphonic acid and 1,2-ethanediamine	2B04	-	-
45.	294675-51-7	Phosphonic acid, methyl-, polyglycol ester (Exolit OP 560 TP)	2B04	-	3824.99
46.	663176-00-9	Phosphonic acid, methyl-, polyglycol ester (Exolit OP 560)	2B04	-	3824.99
47.	363626-50-0	Bis(polyoxyethylene) methylphosphonate	2B04	3907.20	3907.20
48.	63747-58-0	Poly(1,3-phenylene methyl phosphonate)	2B04	3911.90	3911.90
49.	70715-06-9	Dimethylmethylphosphonate, polymer with oxirane and phosphorus oxide	2B04	3824.90	3824.99