

DECLARATIONS HANDBOOK 2008

FOR THE

**CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION, STOCKPILING
AND USE OF CHEMICAL WEAPONS
AND ON THEIR DESTRUCTION**

OPCW

November 2008

FOREWORD

The Declarations Handbook was developed to provide clear and simple guidance for the preparation of declarations to be made by States Parties in accordance with the requirements of the Convention. The Declarations Handbook incorporates the declaration requirements of the Convention and all relevant decisions and understandings in relation to such requirements agreed upon by the OPCW policy-making organs since entry into force of the Convention. This publication updates the previous version of the Declarations Handbook, issued in November 2002.

In preparing the 2008 version of the Declarations Handbook the Secretariat has focused its updates on the sections of the Handbook dealing with declarations under Article VI of the Convention, i.e. Sections A, B and C, plus relevant appendices. The Secretariat has tried to make the 2008 version of the Handbook more user-friendly by providing more detailed guidance on Article VI declarations and by incorporating a number of recommendations particularly aimed at improving declarations of other chemical production facilities (OCPFs). In developing this version of the Handbook the Secretariat has tried wherever possible to avoid changes to the declaration formats to minimise any additional burden placed on States Parties. Instead the changes focus on improving the guidance on using these formats both within the text of the Handbook and in the instructions on the forms themselves. The only changes to the formats proposed by the Secretariat are minor changes to forms dealing with Schedule 1 chemicals.

The Declarations Handbook is not a binding document. This compendium is rather a work in progress which aims to compile and present, in a concise form, the declaration requirements. Should a situation arise in which the content of this handbook is called into question, the relevant provisions of the Convention or decisions of the OPCW policy-making organs shall prevail.

Although each State Party is free to determine whether to utilise this handbook, Member States of the Organisation are strongly encouraged to make extensive use of it. It is difficult to overstate the advantages of a common system for the provision of declarations and other verification-related information for the whole Organisation. The Declarations Handbook aims to facilitate this process by providing a uniform basis for the preparation and provision of declarations by all States Parties. The universal submission of uniform declarations will further improve the efficiency of the processing of declaration-related information, and will provide additional benefits for the planning and implementation of the Organisation's verification regime.

The importance of the electronic submission of declarations continues to grow. The Secretariat is currently developing a software package that will enable National Authorities to create and submit Article VI declarations in electronic format: EDNA (Electronic Declarations software for National Authorities). The first release of this software, which will be available in November 2008, will cover declarations of OCPF plant sites and aggregate national data (AND). The second release, which also covers declarations of Schedule 1, 2, and 3 facilities, will be available in the second half of 2009. For those States Parties which already have their own electronic declarations database the Secretariat has developed a new format for electronic submission of declarations using the widely accepted XML (eXtensible Markup Language) standard, in addition to the existing Common Transmission File Structure (CTFS) format. The latest guidance on this XML format, including a series of electronic files (XML schemas), is provided on the CD-ROM of the 2008 version of the Handbook. The XML format continues to be

developed in parallel with the Secretariat's Verification Information System (VIS) and hence new versions of these schemas will be released separately. Updated information on electronic submission issues, including EDNA, will be provided by the Secretariat and made available on the external server.

In addition to this updated version of the Declarations Handbook the Secretariat is working on an update to the Handbook on Chemicals which will be released early in 2009.

It is the Secretariat's aim to revisit the Declarations Handbook on a more frequent basis. I encourage States Parties to provide feedback on this version of the Declarations Handbook which will then be taken into account in preparing future updates. Such feedback from the users of the Handbook is critical to ensuring that the Handbook remains a useful reference document to all those involved in preparing declarations.

HORST REEPS

Director of Verification

Changes introduced in Declarations Handbook Version 2008

Changes have been only been made to the sections of the Handbook dealing with declarations under Article VI of the Convention, i.e. Sections A, B and C, plus Appendices 1 and 4. In addition to the changes listed below, minor typographical errors identified in these sections have been corrected.

Section A

- Guidance on transmission of hardcopy declarations has been updated to reflect current practice.
- Guidance on submission of electronic declarations has been updated to take account of the requirements of the Verification Information System (VIS).
- The column entitled “Secretariat Use” has been removed from all Section A declaration forms as this column is no longer needed and in the past has led to some confusion amongst States Parties.

Section B

Section B Main Text:

- The main text of Section B has been restructured to provide clearer guidance on each type of declaration (aggregate national data, Schedule 2 plant sites, Schedule 3 plant sites, other chemical production facilities (OCPFs), etc).
- The following Conference and Executive Council decisions have been incorporated into the main text of Section B:
 - **C-7/DEC.14**, dated 10 October 2002. Guidelines Regarding Declarations of Aggregate National Data for Schedule 2 Chemical Production, Processing, Consumption, Import and Export and Schedule 3 Import and Export (*replacing the earlier Executive Council decision on this issue: EC-30/DEC.14, dated 13 September 2002*)
 - **C-8/DEC.7**, dated 23 October 2003. Understandings Regarding Declarations Under Article VI and Part VII and Part VIII of the Verification Annex to the Chemical Weapons Convention
 - **EC-36/DEC.7**, dated 26 March 2004. Clarification of Declarations
 - **C-9/DEC.6**, dated 30 November 2004. Understandings of the Concept of “Captive Use” in Connection with Declarations of Production and Consumption Under Parts VII and VIII of the Verification Annex to the Chemical Weapons Convention
 - **EC-51/DEC.1**, 27 November 2007. Timely Submission by States Parties of Declarations Under Article VI of the Convention
 - **EC-53/DEC.16***, 27 June 2008. Guidelines Regarding Declaration of Import and Export Data for Schedule 2 and 3 Chemicals

- The recommendations set out in the Director General’s (DGs) note on Information on the Enhancement of Other Chemical Production Facility Declarations (EC-53/DG.11, dated 17 June 2008) have been incorporated into the main text of Section B (and into Appendix 4).
- A section on common problems in declaring OCPFs has been added (subsection 3.4) to highlight these issues and provide guidance on how to avoid these problems.
- Sections on clarification of declarations (subsection 1.3) and on amendments (subsection 1.4) have been added.
- Additional references to the Convention and to applicable Conference and Executive Council decisions have been made to more clearly identify the source of any declarations requirements and definitions.
- A reference to the Confidentiality Supplement (Section M) to the Declarations Handbook is added to subsection 6.

Section B Declaration Forms:

- The column entitled “Secretariat Use” has been removed from all industrial declaration forms as this column is no longer needed and in the past has led to some confusion amongst States Parties.
- As requested by the Second Review Conference (paragraph 9.62 of RC-2/4, dated 18 April 2008) new forms have been added to Annex C to facilitate the voluntary notification of the cessation of declarable activities at declared Schedule 2 (**Form 2.9**) and Schedule 3 (**Form 3.8**) plant sites.
- No changes to the format of any of the other industrial declaration forms have been made but minor rewording of the questions and instructions on the following forms has been carried out:
 - **Form 2.3.2:** The instruction at the top of the form has been amended to indicate that the production capacity should be provided in each declaration of the plant site not just during the initial declaration. This better reflects the requirements of paragraph 7 of Part VII of the Verification Annex and also reflects the current practice of submitting States Parties.
 - **Form 2.5:** The section title “Purposes for which the chemical was produced, processed or consumed” was replaced with “Purposes for which the chemical will be produced, processed or consumed” as this form deals with anticipated activities.
 - **Form 4.1:** The question on the main activities of the plant site has been modified to clarify that what should be declared is the main activities that make the site declarable (see EC-53/DG.11). The term “including PSF chemicals” has been added after each reference to DOCs to remind those completing the form that PSF chemicals are also DOCs and hence need to be taken into account in any question relating to DOC chemicals. In the section on “Aggregate amount of production of PSF chemicals produced by each PSF plant” the range previously expressed as “...under 200 tonnes of PSF” has been amended to “....30 to 200 tonnes of PSF” because in accordance with paragraph 1 (b) of Part IX of the Verification Annex to be considered a PSF-plant the plant must have produced more than 30 tonnes of a PSF chemical.

Section B Other Annexes:

- A new Annex D has been added to Section B providing question by question guidance on completing the most commonly used declaration forms, i.e. those used for declaring aggregate national data (**Forms 2.1/2.1.1 and 3.1/3.1.1**) and OCPFs (**Form 4.1**).

Section C

Section C Main text:

- The change to Part VI of the Verification Annex to allow notification of transfer of small amounts of Saxitoxin for medical/diagnostic purposes without 30 days prior notification has been incorporated into the main text of Section C (see EC-XVII/DG.6, dated 10 November 1999).
- Conference decision **C-10/DEC.12** (dated 10 November 2005. Understanding Relating to the Concept of “Captive Use” in Connection with Declarations of Production and Consumption Under Part VI of the Verification Annex to the Convention) has been incorporated into the main text of Section C.
- A reference to the Confidentiality Supplement (Section M) to the Declarations Handbook has been added to subsection 4.

Section C Declaration Forms:

- The column entitled “OPCW Use” has been removed from all Schedule 1 declaration forms as this column is no longer needed and in the past has led to some confusion amongst States Parties.
- On **Forms 1.1 and 1.2** the unit of weight checkboxes for “Tonne” and “Kg” have been replaced by “Kg” and “g”. No declarations of Schedule 1 chemicals in tonnes are ever received so the “Tonne” checkbox is redundant and in most cases Schedule 1 chemicals are handled in gram or sub-gram quantities.
- On **Form 1.2.1** the information on the recipient and on the source of the transfer has been separated out into two separate blocks as the previous version of the form led to much confusion amongst States Parties and regularly resulted in requests for clarification. The information on the source of the Schedule 1 chemical is to be provided on a voluntary basis.

Appendices

- **Appendix 1: Country Codes.** This appendix has been updated to conform to the latest version of the ISO standard on country codes (ISO 3166-1:2006). The following country codes have been changed:
 - The code for Yugoslavia (YUG) has been replaced by the codes for Montenegro (MNE) and Serbia (SRB)
 - The code TLS has been added for Timor-Leste
 - The code ROM for Romania has been updated to ROU
 - The code LSP for Lesotho has been replaced with LSO

- **Appendix 4: Product Group Codes.** Subcategories have been added to the list of product group codes which will allow the Secretariat to identify OCPFs producing one of six chemical products normally associated with bulk production of chemicals of low relevance to the Convention so that lower weightings may be assigned to such sites in the OCPF site selection methodology. See the DG's note on Information on the Enhancement of Other Chemical Production Facility Declarations (EC-53/DG.11, dated 17 June 2008) for further details.

Corrections to English Version of Declarations Handbook 2008

During translation of the Declaration Handbook 2008 a number of minor errors were noted in the English text and have been corrected; these corrections do not affect the versions in the other official languages. A “*” has been added to the version number in the footer of each Section, Annex to a Section, or Appendix which has been corrected, i.e. Version 2008*. Substantive corrections are listed below (minor formatting corrections are not listed):

Foreword

- Section on changes to Section B main text. An EC decision reference has been corrected from “**EC-53/DEC.16**” to “**EC-53/DEC.16***”

Section B

- Page 1, Abbreviations below Table 1. For the definition of PSF the reference in brackets has been corrected from “subparagraph 3.12” to “subparagraph 3.2”.
- Page 9, subparagraph 2.1.2 (b). The EC decision reference in brackets has been corrected from “**EC-53/DEC.16**” to “**EC-53/DEC.16***”
- Annex C, Form 3.8. In section “Activities prior to cessation” the question “Was a Schedule 3 chemical produced, consumed above...” has been corrected to “Was a Schedule 3 chemical produced above...”. In the same section the note starting “*If “No” is checked,...*” has been corrected from “*...for this Schedule 2 plant site.*” to “*...for this Schedule 3 plant site.*”

Section C

- Page 7, subparagraphs 3.2 (c) (i), (ii) and (iii). The CSP decision reference in brackets in each of these 3 subparagraphs has been corrected from “**C-I/DEC.14**” to “**C-I/DEC.43**”.

Section M

- Page 4, paragraphs 5.3 and 6.1. References to (CSB) Conference Services Branch have been replaced with PMO (Secretariat for the Policy-Making Organs).

Appendices

- Appendix 1: Country Codes. The formal names of two countries have been corrected:
 - the Islamic State of Afghanistan has been corrected to the Islamic Republic of Afghanistan
 - the Republic of Montenegro has been corrected to Montenegro

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