

### DECISION

#### UNDERSTANDING WITH RESPECT TO THE TERMS "BURIED BY A STATE PARTY ON ITS TERRITORY" AND "DUMPED AT SEA"

##### The Conference

**Recalling** that the Commission, in its PC-XVI/36, paragraph 10.2, adopted the understanding with respect to the terms "buried on its territory" and "dumped at sea",

**Bearing in mind** that the Commission recommended in paragraph 49.4.2 of its Final Report that the Conference adopt the above mentioned understanding,

##### Hereby:

1. **Adopts** the understanding with respect to the terms "buried on its territory" and "dumped at sea", annexed hereto.

Annex

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**Annex**

**UNDERSTANDING ON THE TERMS "BURIED BY A STATE PARTY ON ITS  
TERRITORY" AND "DUMPED AT SEA"<sup>1</sup>**

For the purposes of the Convention on the Prohibition of Chemical Weapons:

- (a) the term "buried by a State Party on its territory" in Article III, paragraph 2 and Article IV, paragraph 17, shall be understood to cover chemical weapons buried on the land territory of a State Party and in its internal waters;
- (b) the term "dumped at sea" in the same paragraphs shall be understood to cover chemical weapons dumped at all parts of sea, including territorial sea of a State Party;
- (c) for the practical purpose of the implementation of Article III, paragraph 2 and Article IV, paragraph 17 of the Convention, the border between the territorial sea of a State Party and its land territory and internal waters shall be determined in accordance with the relevant rules of international maritime law; and
- (d) if chemical weapons were dumped in archipelagic waters, such chemical weapons should be considered as "dumped at sea".

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<sup>1</sup> Contained in PC-XVI/B/WP.4, Annex1.