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
Annex

UNDERSTANDING ON THE TERMS "BURIED BY A STATE PARTY ON ITS TERRITORY" AND "DUMPED AT SEA"¹

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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¹ Contained in PC-XVI/B/WP.4, Annex1.