



**OPCW**

**Conference of the States Parties**

Third Session  
16 - 20 November 1998

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20 November 1998  
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## **DECISION**

### **UNDERSTANDING OF WHAT IS CONSIDERED A CHEMICAL WEAPON, IN PARTICULAR IN RELATION TO ARTICLE II, SUBPARAGRAPHS 1(b) AND 1(c) (ON THE BASIS OF THE COMMENTS PROVIDED IN RELATION TO SECTION D OF THE DRAFT DECLARATION HANDBOOK)**

#### **The Conference**

**Having considered** the meaning of the terms “munitions and devices” and “equipment” as defined in subparagraphs 1(b) and 1(c) of Article II of the Convention;

**Taking into account** the work of the Preparatory Commission on this issue;

**Noting** in particular that subparagraphs 1(b) and 1(c) of Article II were incorporated into the draft of Section D, Declarations on Chemical Weapons (Declarations due under Part IV(A) of the Verification Annex) of the various versions of the Draft Declaration Handbook, and that most States Parties which have made declarations on chemical weapons due under Part IV(A) of the Verification Annex have, for this purpose, made use of the forms contained in these drafts of Section D of the Draft Declaration Handbook;

**Recognising** the right of States Parties to approach the Technical Secretariat for advice on any matter related to the definition of a chemical weapon for declaration purposes;

**Noting** that the issue was referred to the Committee of the Whole by the Conference of the States Parties (hereinafter the “Conference”) at its First Session (C-I/2, dated 12 May 1997);

**Having received** from the Committee of the Whole during the Third Session of the Conference the report containing a recommendation to adopt the decision below:

#### **Hereby:**

1. **Decides** that, in relation to the terms “munitions and devices” and “equipment” as contained in subparagraph 1(b) and 1(c) of Article II of the Convention, the Technical Secretariat be tasked to make an analysis of declarations submitted, and to compile a list of illustrative, non-exhaustive examples of chemical weapons meeting the definitions contained in subparagraphs 1(b) and 1(c) of Article II;

2. **Decides** that, on the basis of the above-mentioned analysis, the Director-General shall report to the Fourth Session of the Conference on this compilation with a view to resolving the issue; and
3. **Agrees** to remove from the list of unresolved issues the issue of “the understanding of what is considered a chemical weapon in particular in relation to Article II, subparagraphs 1(b) and 1(c) (on the basis of the comments provided in relation to Section D of the Draft Declaration Handbook)”.

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