



**SWEDISH REVIEW UNDER THE CHEMICAL WEAPONS CONVENTION
PARAGRAPH 2(e) OF ARTICLE XI**

Introduction

1. Within the framework of her implementation of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (CWC), Sweden has undertaken a review, under paragraph 2(e) of Article XI, of its existing national regulations in the field of trade in chemicals in order to ascertain their consistency with the object and purpose of the Convention. Sweden wishes to inform the Organisation for the Prohibition of Chemical Weapons (OPCW) of the review undertaken.

The object and purpose of the Convention are set out in Article I. For the provisions laid down in this Article, the Convention has set up a complex confidence-building verification system of declarations, notifications, reporting and on-site inspections. These elements are further elaborated in the annexes of the Convention. Sweden has fulfilled her obligations with regard to the required declarations, has so far received three on-site inspections, has contributed to the voluntary fund under paragraph 7(a) of Article X and has met her financial obligations in full and on time. Sweden has also informed the OPCW, in accordance with paragraph 5 of Article VII, of the legal and administrative measures taken to implement the Convention, and will, under that Article, continue to do so if any amendments or changes so require.

With regard to trade in chemicals, the obligations that States Parties have undertaken, are laid down in paragraph 1(a) of Article I and paragraph 1(d) of Article I, which stipulate that each State Party undertakes never under any circumstances to transfer, directly or indirectly, chemical weapons to anyone; and never under any circumstances to assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the Convention. This essential obligation requires States Parties to have export regulations in place designed to ensure that the purpose of that provision is achieved. The review undertaken by Sweden in accordance with paragraph 2(e) of Article XI has served the purpose to examine to what extent her existing national export regulations are consistent with these requirements. As a result of this review, Sweden wishes to inform the States Parties

of the export regulations that are now in place. Being essential to meet Sweden's obligations under paragraphs 1(a) and 1(d) of Article I, these regulations also constitute a base for unimpeded trade in chemicals for purposes not prohibited under the Convention.

Scope of export control

2. The export regulations on trade in chemicals applied by Sweden, as a member of the European Union, are consistent with the EC Regulation 3381/94 and the guidelines in Annex III to Council Decision 94/942/CFSP. An export authorisation is required for all exports to destinations outside the European Community. A statement of end-use may be required. Following the review, Sweden will not automatically require the prior submission of an end-use/user statement in connection with an application for export authorisation for export of a Schedule 2 or 3 chemical to a State Party. However, Sweden will retain the right to request additional documentation to support such an application. With regard to exports of Schedule 1 chemicals, national rules complementing the EU regulations are included in the regulation on military equipment. Exports of Schedule 2 and 3 chemicals are governed by the EC Regulation 3381/98 and by the Swedish regulation on strategic goods. Legislation with regard to the obligation to allow exports of Schedule 2 chemicals to other States Parties only, is included in the latter regulation and will come into effect three years after entry into force of the Convention.

Scope for import control

3. The CWC requirement to provide 30 days advance notification to the OPCW of imports of Schedule 1 chemicals is part of the regulation on military equipment.

Legislation with regard to the obligation to allow imports of Schedule 2 chemicals from other States Parties only, is part of the regulation on strategic goods, and will come into effect three years after entry into force of the CWC.

Organisation

4. The procedures for export and import licensing is administered by the National Inspectorate of Strategic Products, which also is designated the National Authority to the CWC.

Support to other States Parties

5. In accordance with paragraph 5 of Article VII a State Party shall inform the OPCW of the legislative and administrative measures taken to implement the CWC. In Sweden's view, the obligations undertaken by the States Parties under Article I require them to include appropriate export regulations among those measures. Sweden is ready, under the provision of paragraph 2 of Article VII, to support interested States Parties in this work, building upon its own experience in working out the legislation required, implementation modalities for it and necessary administrative measures.

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