Chemical Weapon Convention Act 2000

PART VI (CWC Act 2000)

A. GENERAL PROVISIONS:

1. A State Party shall not produce, acquire, retain or use Schedule 1 chemicals outside the territories of States Parties and shall not transfer such chemicals outside its territory except to another State Party.

2. A State Party shall not produce, acquire, retain, transfer or use Schedule 1 chemicals unless:

(*a*) The chemicals are applied to research, medical, pharmaceutical or protective purposes; and

(*b*) The types and quantities of chemicals are strictly limited to those which can be justified for such purposes; and

(*c*) The aggregate amount of such chemicals at any given time for such purposes is equal to or less than 1 tonne; and

(*d*) The aggregate amount for such purposes acquired by a State Party in any year through production, withdrawal from chemical weapons stocks and transfer is equal to or less than 1 tonne.

B. TRANSFERS

3. A State Party may transfer Schedule 1 chemicals outside its territory only to another State Party and only for research, medical, pharmaceutical or protective purposes in accordance with paragraph 2.

4. Chemicals transferred shall not be retransferred to a third State.

5. Not less than 30 days before any transfer to another State Party both States Parties shall notify the Technical Secretariat of the transfer.

6. Each State Party shall make a detailed annual declaration regarding transfers during the previous year. The declaration shall be submitted not later than 90 days after the end of that year and shall for each Schedule 1 chemical that has been transferred include the following information:

(*a*) The chemical name, structural formula and Chemical Abstracts Service registry number, if assigned;

(*b*) The quantity acquired from other States or transferred to other States Parties. For each transfer the quantity, recipient and purpose shall be included.

C. PRODUCTION

General principles for production

7. Each State Party, during production under paragraphs 8 to 12, shall assign the highest priority to ensuring the safety of people and to protecting the environment. Each State Party shall conduct such production in accordance with its national standards for safety and emissions.

Single small-scale facility

8. Each State Party that produces Schedule 1 chemicals for research, medical, pharmaceutical or protective purposes shall carry out the production at a single small-scale facility approved by the State Party, except as set forth in paragraphs 10, 11 and 12.

9. The production at a single small-scale facility shall be carried out in reaction vessels in production lines not configurated for continuous operation. The volume of such a reaction vessel shall not exceed 100 litres, and the total volume of all reaction vessels with a volume exceeding 5 litres shall not be more than 500 litres.

Other facilities

10. Production of Schedule 1 chemicals in aggregate quantities not exceeding 10 kg per year may be carried out for protective purposes at one facility outside a single small-scale facility. This facility shall be approved by the State Party.

11. Production of Schedule 1 chemicals in quantities of more than 100g per year may be carried out for

List of Chemicals under Schedule-1:

A. Toxic Chemicals and examples with CAS Number

1) O-Alkyl (<C10, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates

e.g. Sarin: O-Isopropyl methylphosphonofluoridate (107-44-8)
Soman: O-Pinacolyl methylphosphonofluoridate (96-64-0)

2) O-Alkyl (<C10, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates

e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate (77-81-6)

3) O-Alkyl (H or <C10, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts

e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate (50782-69-9)

4) Sulfur mustards:

2-Chloroethylchloromethylsulfide (2625-76-5)
Mustard gas: Bis(2-chloroethyl)sulfide (505-60-2)
Bis(2-chloroethylthio)methane (63869-13-6)
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane (3563-36-8)
1,3-Bis(2-chloroethylthio)-n-propane (63905-10-2)
1,4-Bis(2-chloroethylthio)-n-butane (142868-93-7)
1,5-Bis(2-chloroethylthio)-n-pentane (142868-94-8)
Bis(2-chloroethylthiomethyl)ether (63918-90-1)

research, medical or pharmaceutical purposes outside a single small-scale facility in aggregate quantities not exceeding 10 kg per year per facility. These facilities shall be approved by the State Party. 12. Synthesis of Schedule 1 chemicals for research, medical or pharmaceutical purposes, but not for protective purposes, may be carried out at laboratories in aggregate quantities less than 100g per year per facility. These facilities shall not be subject to any obligation relating to declaration and verification as specified in Sections D and E. **D. DECLARATIONS** *Single small-scale facility* 13. Each State Party that plans to operate a single small-scale facility shall provide the Technical Secretariat with the precise location and a detailed technical description of the facility, including an inventory of equipment and detailed diagrams. For existing facilities, this initial declaration shall be provided not later than 30 days after this Convention enters into force for the State Party. Initial declarations on new facilities shall be provided not less than 180 days before operations are to begin. 14. Each State Party shall give advance notification to the Technical Secretariat of planned changes related to the initial declaration. The notification shall be submitted not less than 180 days before the changes are to take place. 15. A State Party producing Schedule 1 chemicals at a single small-scale facility shall make a detailed annual declaration regarding the activities of the facility for the previous year. The declaration shall be submitted not later than 90 days after the end of that year and shall include: (*a*) Identification of the facility; (*b*) For each Schedule 1 chemical produced, acquired, consumed or stored at the facility, the following information: (*i*) The chemical name, structural formula and Chemical Abstracts Service registry number, if assigned; (*ii*) The methods employed and quantity produced; (*iii*) The name and quantity of precursors listed in Schedules 1, 2, or 3 used for production of Schedule 1 chemicals; (*iv*) The quantity consumed at the facility and the purpose(s) of the consumption; (*v*) The quantity received from or shipped to other facilities in the State Party. For each shipment the quantity, recipient and purpose should be included; (*vi*) The maximum quantity stored at any time during the year; and (*vii*) The quantity stored at the end of the year; and (*c*) Information on any changes at the facility during the year compared to previously submitted detailed technical descriptions of the facility including inventories of equipment and detailed diagrams. 16. Each State Party producing Schedule 1 chemicals at a single small-scale facility shall make a detailed annual declaration regarding the projected activities and the anticipated production at the facility for the coming year. The declaration shall be submitted not less than 90 days before the beginning of that year and shall include: (*a*) Identification of the facility; (*b*) For each Schedule 1 chemical anticipated to be produced, consumed or stored at the facility, the following information: (*i*) The chemical name, structural formula and Chemical Abstracts Service registry number, if assigned; (*ii*) The quantity anticipated to be produced and the purpose of the production; and (*c*) Information on any anticipated changes at the facility during the year compared to previously submitted detailed technical descriptions of the facility including inventories of equipment and detailed diagrams.	O-Mustard: Bis(2-chloroethylthioethyl)ether (63918-89-8) 5) Lewisites: Lewisite 1: 2-Chlorovinyldichloroarsine (541-25-3) Lewisite 2: Bis(2-chlorovinyl)chloroarsine (40334-69-8) Lewisite 3: Tris(2-chlorovinyl)arsine (40334-70-1) 6) Nitrogen mustards: HN1: Bis(2-chloroethyl)ethylamine (538-07-8) HN2: Bis(2-chloroethyl)methylamine (51-75-2) HN3: Tris(2-chloroethyl)amine (555-77-1) 7) Saxitoxin (35523-89-8) 8) Ricin (9009-86-3) **B. Precursors:** 9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides e.g. DF: Methylphosphonyldifluoride (676-99-3) 10) O-Alkyl (H or <C10, incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts e.g. QL: O-Ethyl O-2-diisopropylaminoethyl methylphosphonite (57856-11-8) 11) Chlorosarin: O-Isopropyl methylphosphonochloridate (1445-76-7) 12 Chlorosoman: O-Pinacolyl methylphosphonochloridate (7040-57-5)

***Other facilities referred to in paragraphs* 10 *and* 11**

17. For each facility, a State Party shall provide the Technical Secretariat with the name, location and a detailed technical description of the facility or its relevant part(s) as requested by the Technical Secretariat. The facility producing Schedule 1 chemicals for protective purposes shall be specifically identified. For existing facilities, this initial declaration shall be provided not later than 30 days after this Convention enters into force for the State Party. Initial declarations on new facilities shall be provided not less than 180 days before operations are to begin.

18. Each State Party shall give advance notification to the Technical Secretariat of planned changes related to the initial declaration. The notification shall be submitted not less than 180 days before the changes are to take place.

19. Each State Party shall, for each facility, make a detailed annual declaration regarding the activities of the facility for the previous year. The declaration shall be submitted not later than 90 days after the end of that year and shall include:

(*a*) Identification of the facility;

(*b*) For each Schedule 1 chemical the following information:

(*i*) The chemical name, structural formula and Chemical Abstracts Service registry number, if assigned;

(*ii*) The quantity produced and, in case of production for protective purposes, methods employed;

(*iii*) The name and quantity of precursors listed in Schedules 1, 2, or 3, used for production of Schedule 1 chemicals;

(*iv*) The quantity consumed at the facility and the purpose of the consumption;

(*v*) The quantity transferred to other facilities within the State Party. For each transfer the quantity, recipient and purpose should be included;

(*vi*) The maximum quantity stored at any time during the year;

(*vii*) The quantity stored at the end of the year; and

(*c*) Information on any changes at the facility or its relevant parts during the year compared to previously submitted detailed technical description of the facility.

20. Each State Party shall, for each facility, make a detailed annual declaration regarding the projected activities and the anticipated production at the facility for the coming year. The declaration shall be submitted not less than 90 days before the beginning of that year and shall include:

(*a*) Identification of the facility;

(*b*) For each Schedule 1 chemical the following information:

(*i*) The chemical name, structural formula and Chemical Abstracts Service registry number, if assigned; and

(*ii*) The quantity anticipated to be produced, the time periods when the production is anticipated to take place and the purposes of the production; and

(*c*) Information on any anticipated changes at the facility or its relevant parts, during the year compared to previously submitted detailed technical descriptions of the facility.

E. VERIFICATION

Single small-scale facility

21. The aim of verification activities at the single small-scale facility shall be to verify that the quantities of Schedule 1 chemicals produced are correctly declared and, in particular, that their aggregate amount does not exceed 1 tonne.

22. The facility shall be subject to systematic verification through on-site inspection and monitoring with

on-site instruments. 23. The number, intensity, duration, timing and mode of inspections for a particular facility shall be based on the risk to the object and purpose of this Convention posed by the relevant chemicals, the characteristics of the facility and the nature of the activities carried out there. Appropriate guidelines shall be considered and approved by the Conference pursuant to Article VIII, paragraph 21(i). 24. The purpose of the initial inspection shall be to verify information provided concerning the facility, including verification of the limits on reaction vessels set forth in paragraph 9. 25. Not later than 180 days after this Convention enters into force for a State Party, it shall conclude a facility agreement, based on a model agreement, with the Organization, covering detailed inspection procedures for the facility. 26. Each State Party planning to establish a single small-scale facility after this Convention enters into force for it shall conclude a facility agreement, based on a model agreement, with the Organization, covering detailed inspection procedures for the facility before it begins operation or is used. 27. A model for agreements shall be considered and approved by the Conference pursuant to Article VIII, paragraph 21(i). *Other facilities referred to in paragraphs* 10 *and* 11 28. The aim of verification activities at any facility referred to in paragraphs 10 and 11 shall be to verify that: (*a*) The facility is not used to produce any Schedule 1 chemical, except for the declared chemicals; (*b)* The quantities of Schedule 1 chemicals produced, processed or consumed are correctly declared and consistent with needs for the declared purpose; and (*c*) The Schedule 1 chemical is not diverted or used for other purposes. 29. The facility shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments. 30. The number, intensity, duration, timing and mode of inspections for a particular facility shall be based on the risk to the object and purpose of this Convention posed by the quantities of chemicals produced, the characteristics of the facility and the nature of the activities carried out there. Appropriate guidelines shall be considered and approved by the Conference pursuant to Article VIII, paragraph 21(i). 31. Not later than 180 days after this Convention enters into force for a State Party, it shall conclude facility agreements with the Organization, based on a model agreement covering detailed inspection procedures for each facility. 32. Each State Party planning to establish such a facility after entry into force of this Convention shall conclude a facility agreement with the Organization before the facility begins operation or is used.	