

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2000 Nr. 92

A. TITEL

*Verdrag tot verbod van de ontwikkeling, de produktie, de aanleg van
voorraden en het gebruik van chemische wapens en inzake de
vernietiging van deze wapens, met bijlagen;
Parijs, 13 januari 1993*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in
Trb. 1993, 162. Zie ook *Trb.* 1997, 136.

Zie voor de verandering in Afdeling VI, sectie B, van de Verificatie-
bijlage rubriek J hieronder.

C. VERTALING

Zie *Trb.* 1993, 162, *Trb.* 1997, 136 en rubriek J hieronder.

D. PARLEMENT

Zie *Trb.* 1997, 136.

E. BEKRACHTIGING

Zie *Trb.* 1993, 162 en *Trb.* 1997, 136.

Behalve de aldaar genoemde hebben nog de volgende staten in over-
eenstemming met artikel XIX van het Verdrag een akte van bekrachti-
ging bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

Guinee	9 juni 1997
Slovenië	11 juni 1997
Burkina Faso	8 juli 1997
Ghana	9 juli 1997
Brunei	28 juli 1997
Qatar	3 september 1997
Guyana	12 september 1997
Pakistan!)	28 oktober 1997

Iran ²⁾	3 november 1997
Russische Federatie	5 november 1997
Nepal	18 november 1997
Venezuela	3 december 1997
Mauritanië	9 februari 1998
Litouwen ³⁾	15 april 1998
Benin	14 mei 1998
Gambia	19 mei 1998
Malawi.	11 juni 1998
Tanzania	25 juni 1998
Senegal	20 juli 1998
Bolivia.	14 augustus 1998
Cyprus ⁴⁾	28 augustus 1998
Burundi	4 september 1998
Vietnam	30 september 1998
Panama	7 oktober 1998
Oekraïne.	16 oktober 1998
Indonesië	12 november 1998
Heilige Stoel ⁵⁾	12 mei 1999
Nigeria.	20 mei 1999
Estland ⁶⁾	26 mei 1999
Micronesië.	21 juni 1999
San Marino	10 december 1999
Azerbeidzjan	29 februari 2000
Maleisië	20 april 2000

¹⁾ Onder de volgende verklaring:

“1. Pakistan has consistently stood for the complete prohibition and thorough destruction of all chemical weapons and their production facilities. The Convention constitutes an international legal framework for the realization of this goal. Pakistan, therefore, supports the objectives and purposes of the Convention.

2. The objectives and purposes of the Convention must be strictly adhered to by all States. The relevant provisions on Challenge Inspections must not be abused to the detriment of the economic and security interests of the States Parties unrelated to chemical weapons. Otherwise, the universality and effectiveness of the Convention is bound to be jeopardized.

3. Abuse of the verification provisions of the Convention, for purposes unrelated to the Convention, will not be acceptable. Pakistan will never allow its sovereignty and national security to be compromised.

4. The Convention should effectively facilitate trade, scientific and technological exchanges and co-operation in the field of chemistry for peaceful purposes. All export control regimes inconsistent with the Convention must be abolished.”.

²⁾ Onder de volgende verklaring:

“The Islamic Republic of Iran, on the basis of the Islamic principles and beliefs considers chemical weapons inhuman, and has consistently been on the vanguard of the international efforts to abolish these weapons and prevent their use.

1. The Islamic Consultative Assembly (the Parliament) of the Islamic Republic of Iran approved the bill presented by the Government to join the Convention

on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) on 27 July 1997, and the Guardian Council found the legislation compatible with the Constitution and the Islamic Tenets on 30 July 1997, in accordance with its required Constitutional process. The Islamic Consultative Assembly decided that:

The Government is hereby authorized, at an appropriate time, to accede to the Convention on Prohibition of the Development, Production, Stockpiling, and use of Chemical Weapons and on Their Destruction – which was opened for signature in Paris on January 13, 1993 – as annexed to this legislation and to deposit its relevant instrument.

The Ministry of Foreign Affairs must pursue in all negotiations and within the framework of the organization of the Convention, the full and indiscriminate implementation of the Convention, particularly in the areas of inspection and transfer of technology and chemicals for peaceful purposes. In case the aforementioned requirements are not materialized, upon the recommendation of the Cabinet and approval of the Supreme National Security Council, steps aimed at withdrawing from the Convention will be put in motion.

2. The Islamic Republic of Iran attaches vital significance to the full, unconditional, and indiscriminate implementation of all provisions of the Convention. It reserves the right to withdraw from the Convention under the following circumstances

- non-compliance with the principle of equal treatment of all States Parties in implementation of all relevant provisions of the Convention;
- disclosure of its confidential information contrary to the provisions of the Convention;
- imposition of restrictions incompatible with the obligations under the Convention.

3. As stipulated in article XI, exclusive and non-transparent regimes impeding free international trade in chemicals and chemical technology for peaceful purposes should be disbanded. The Islamic Republic of Iran rejects any chemical export control mechanism not envisaged in the Convention.

4. The Organization for Prohibition of Chemical Weapons (OPCW) is the sole international authority to determine the compliance of States Parties regarding chemical weapons. Accusations by States Parties against other States Parties in the absence of a determination of non-compliance by OPCW will seriously undermine the Convention and its repetition may make the Convention meaningless.

5. One of the objectives of the Convention as stipulated in its Preamble is to 'promote free trade in chemicals as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under the Convention in order to enhance the economic and technological development of all States Parties.' This fundamental objective of the Convention should be respected and embraced by all States Parties to the Convention. Any form of undermining, either in words or in action, of this overriding objective is considered by the Islamic Republic of Iran a grave breach of the provision of the Convention.

6. In line with the provisions of the Convention regarding non-discriminatory treatment of States Parties:

- inspection equipment should be commercially available to all States Parties without condition or limitation.
- the OPCW should maintain its international character by ensuring fair and balanced geographical distribution of the personnel of its Technical Secretariat, provision of assistance to and cooperation with States Parties, and equitable membership of States Parties in subsidiary organs of the Organization.

7. The implementation of the Convention should contribute to international peace and security and should not in any way diminish or harm national security or territorial integrity of the States Parties.”.

³⁾ Onder de volgende mededeling:

“The Ministry of Economy has been designated as the national focal point for effective liaison with the Organization and other States Parties.”.

⁴⁾ Onder de volgende mededeling:

“... in accordance with article VII(4) of the Convention, the Ministry of Foreign Affairs has been designated as the national focal point for effective liaison with the Organization and other States Parties.”.

⁵⁾ Onder de volgende verklaring:

“... the Holy See, in conformity with the nature and particular condition of Vatican City State, intends to renew its encouragement to the International Community to continue on the path towards a situation of general and complete disarmament, capable of promoting peace and cooperation at world level.

Dialogue and multilateral negotiation are essential values in this process. Through the instruments of international law, they facilitate the peaceful resolution of controversies and help better mutual understanding. In this way they promote the effective affirmation of the culture of life and peace.

While not possessing chemical weapons of any kind, the Holy See accedes to the solemn act of ratification of the Convention in order to lend its moral support to this important area of international relations which seeks to ban weapons which are particularly cruel and inhuman and aimed at producing long-term traumatic effects among the defenceless civilian population.”

⁶⁾ Onder de volgende mededeling:

“The Republic of Estonia declares that for the purposes of article VII, paragraph 4, the National Authority shall be the Chemicals Notification Centre under the auspices of the Ministry of Social Affairs.”.

F. TOETREDING

De volgende staten hebben in overeenstemming met artikel XX van het Verdrag een akte van toetreding bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

de Voormalige Joegoslavische Republiek	
Macedonië	20 juni 1997
Trinidad en Tobago	24 juni 1997
Jordanië	29 oktober 1997
Botswana	31 augustus 1998
Sudan ¹⁾	24 mei 1999
Eritrea	14 februari 2000
de Federale Republiek Joegoslavië	20 april 2000
Mozambique.	15 augustus 2000

¹⁾ Onder de volgende verklaring:

“Firstly, the unilateral application by a State Party to the Convention, runs counter to the objectives and purposes of the Convention.

Secondly, the Convention must be fully and indiscriminately implemented par-

ticularly in the areas of inspection and transfer of technology for peaceful purposes.

Thirdly, no restrictions incompatible with the obligations under the Convention shall be imposed.”.

G. INWERKINGTREDING

Zie *Trb.* 1997, 136 en rubriek J hieronder.

J. GEGEVENS

Zie *Trb.* 1993, 162 en *Trb.* 1997, 136.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest van de Verenigde Naties zie ook *Trb.* 1998, 145.

Op 11 oktober 1999¹⁾ heeft de depositaris medegedeeld dat de verandering in Afdeling VI, sectie B, van de Verificatiebijlage zoals voorgesteld in overeenstemming met artikel XV, vierde en vijfde lid, van het Verdrag is goedgekeurd. De verandering bestaat uit de invoeging na punt 5 van Afdeling VI, sectie B, van de Verificatiebijlage van een nieuw punt 5bis.

De Engelse en de Franse tekst van de verandering luiden als volgt:

“For quantities of 5 milligrams or less, the Schedule 1 chemical saxitoxin shall not be subject to the notification period in paragraph 5 if the transfer is for medical/diagnostic purposes. In such cases, the notification shall be made by the time of transfer.”.

«Pour les quantités égales ou inférieures à 5 milligrammes, la saxitoxine, produit chimique du tableau 1, n'est pas assujettie au délai de notification spécifié au paragraphe 5 si le transfert est effectué à des fins médicales ou de diagnostic. Dans ce cas, la notification a lieu avant le transfert.».

¹⁾ Bij proces-verbaal van correctie heeft de depositaris op 13 maart 2000 een correctie aangebracht met betrekking tot het onjuiste artikelnummer van de verandering. De correctie is verwerkt in de tekst zoals afgedrukt.

En de vertaling luidt als volgt:

„Voor hoeveelheden van 5 milligram of minder geldt voor de chemische stof van Lijst 1 saxitoxine niet de in paragraaf 5 genoemde termijn van kennisgeving indien de overdracht plaatsvindt voor medische of diagnostische doeleinden. In die gevallen vindt de kennisgeving plaats voorafgaand aan de overdracht.”

De verandering behoeft ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring der Staten-Generaal.

De verandering is ingevolge artikel XV, vijfde lid, onderdeel g, van het Verdrag op 31 oktober 1999 in werking getreden.

Uitgegeven de *achtentwintigste* augustus 2000.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN