

Decree No 348

on the Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on the entry into force of the Act on the Approval of Certain Provisions of the Convention

On the submission of the Ministry for Foreign Affairs and by virtue of the Act on the Approval of Certain Provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on its Application, it is hereby enacted:

Section 1

The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Paris on 13 January 1993, certain provisions of which have been approved by the Act of 3 February 1995 (346/1997), amended by the Act of 14 March 1997 (347/1997), and which has been ratified by the President of the Republic on 3 February 1995, the instrument of ratification being deposited with the Secretary General of the United Nations on 7 February 1995, shall enter into force on 29 April 1997 as agreed.

Section 2

The single small-scale facility referred to in Section C of Part VI of the Verification Annex is the Research Centre of the Defence Forces. The other facility referred to in Section C of Part VI of the Verification Annex is the Finnish Institute for Verification of the Chemical Weapons Convention at the University of Helsinki (hereinafter the Institute for Verification).

Section 3

The production, acquisition, retention or use of the chemicals or their precursors included in Schedule 1 of the Annex on Chemicals of the Convention for research, medical, pharmaceutical or protective purposes, if the total quantity of the chemicals included in Schedule 1 is more than 100g a year per facility, is only allowed with the licence of the National Agency for Medicines. A licence from the National Agency for Medicines is always required for the import or delivery of the chemicals or their precursors included in Schedule 1 of the Convention, irrespective of their quantity.

The National Agency for Medicines may grant the licence referred to in subsection 1 upon the recommendation of the Institute for Verification referred to in section 2, subsection 2 of the Act on the Approval of Certain Provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on its Application.

An application for the licence referred to in subsection 1 above shall be handed in at least 45 days before the activity requiring the licence begins. The quantities of the chemicals listed in Schedule 1 of the Annex on Chemicals of the Convention and their using purpose, as well as general information on the facility where the production, retention or use of chemicals takes place, shall be included in the application.

Section 4

The person carrying out the activity shall make a yearly report by the end of January to the Institute for Verification, including the quantities of production, treatment, consummation, export and import of a

chemical included in Schedule 2 of the Annex on Chemicals of the Convention in respect of the previous calendar year.

The person carrying out the activity shall make a yearly report by the end of January to the Institute for Verification, including the quantities of production, export and import of a chemical included in Schedule 3 of the Annex on Chemicals of the Convention in respect of the previous calendar year.

The person carrying out the activity shall make a yearly report by the end of January to the Institute for Verification in case the person in question has during the previous calendar year produced more than 200 tonnes of discrete organic chemicals referred to in the Verification Annex or more than 30 tonnes of a discrete organic chemical containing phosphorus, sulphur or fluoride. (498/1997)

In addition the person carrying out the activity shall provide the Institute for Verification with all other information necessary for the supervision of the obligations set out in the Convention. The Institute for Verification shall request the information referred to in this subsection in writing, set a reasonable time limit for providing the information and shall in its request indicate the provisions of the Convention on which the request is based.

Section 5

The chemicals and their precursors listed in Schedule 1 of the Annex on Chemicals of the Convention, with the exception of ricin and saxitoxin, may be exported outside the European Community or to another Member State of the European Union only for research, medical, pharmaceutical or protective purposes with an export licence granted by the Ministry of Defence, and ricin and saxitoxin only with an export licence granted by the Ministry of Trade and Industry. An application for either type of export licences shall be handed in at least 45 days before the planned date of export or delivery.

The chemicals and precursors listed in Schedules 2 and 3 of the Annex on Chemicals of the Convention may be exported outside the European Community or, in respect of the dual use goods listed in Annex IV of the Council Decision No 94/942/CFSP, to another Member State of the European Union only with an export licence granted by the Ministry of Trade and Industry.

The provisions in the Act (242/1990) on the Export and Transit of Defence Materiel and in the Act (562/1996) on the Export Control of Dual Use Goods and in the rules issued under them shall be applied to the licence procedure and to the control related to the procedure, where appropriate.

Section 6

The Ministry for Foreign Affairs shall issue more detailed provisions on the implementation of this Decree.

Section 7

The Act of 3 February 1995 (346/1997) on the Approval of Certain Provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and on its application, the Act of 14 March 1997 (347/1997) on its amendment and this Decree shall enter into force on 29 April 1997.

In Helsinki, 18 April 1997

President of the Republic

Minister for Foreign Affairs