

VI. ACTIVITIES NOT PROHIBITED BY THE CONVENTION 1/

1. Each State Party:

(a) has the right, subject to the provisions of this Convention, to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for purposes not prohibited by the Convention.

(b) shall ensure that toxic chemicals and their precursors are not developed, produced, otherwise acquired, retained, transferred, or used within its territory or anywhere under its jurisdiction or control for purposes prohibited by the Convention.

2. Toxic Chemicals and Their Precursors:

(a) Toxic chemicals and their precursors considered in Annexes 1, 2 and 3, which could be used for purposes prohibited by the Convention, as well as facilities which produce, process or consume these toxic chemicals or precursors, shall be subject to international monitoring as provided in those Annexes:

Annex VI.1:	Super-Toxic Lethal Chemicals and [especially dangerous key precursors] [key components of chemical weapons systems].
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Annex VI.2 List [A]:	Key Precursors.
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Annex VI.3 List [C]:	Chemicals produced in large commercial quantities and which could be used for chemical weapons purposes.
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(b) The Lists of chemicals contained in the Annexes may be revised as required (the basis and modalities for revision are to be developed).

3. Within 30 days of the entry into force for it, each State Party shall declare data on relevant chemicals and the facilities which produce them, in accordance with Annexes 1, 2 and 3.

4. Each State Party shall make an annual declaration regarding the relevant chemicals in accordance with Annexes 1, 2 and 3.

5. Each State Party undertakes to subject the chemicals and [facility] [facilities] under Annex 1 to the measures contained in that Annex.

6. Each State Party undertakes to subject the chemicals and facilities under Annex 2 to monitoring by data reporting and routine systematic international on-site verification, through on-site inspection and use of on-site instruments as long as production and processing are not impaired.

1/ One delegation considers that the terminology used in this Article and its annexes should be consistent with the final definition of chemical weapons to be agreed upon.