



Department for  
Business, Energy  
& Industrial Strategy

# Annual Report for 2019 on the operation of the Chemical Weapons Act 1996

This page is deliberately blank



# Annual Report for 2019 on the Operation of the Chemical Weapons Act 1996

Presented to Parliament pursuant to Section 33 of the Chemical  
Weapons Act 1996

Ordered by the House of Commons to be printed on 18 November 2020

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office.



© Crown copyright 2020

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.uk/official-documents](https://www.gov.uk/official-documents).

Any enquiries regarding this publication should be sent to us at [cwcna@beis.gov.uk](mailto:cwcna@beis.gov.uk)

ISBN 978-1-5286-2198-4

CCS1020369188

11/20

Printed on paper containing 75% recycled fibre content minimum

Any enquiries regarding this publication should be sent to us at: [enquiries@beis.gov.uk](mailto:enquiries@beis.gov.uk)

---

# Contents

Summary	6
CWC Declarations	7
CWC Inspections	11
Licensing & Trade Controls	13
Contacts	14
Glossary of Terms	15

# Summary

Section 33 of the Chemical Weapons Act 1996 requires the Secretary of State to prepare, each calendar year, a report on the operation of the Act, and to lay a copy before each House of Parliament. This report provides information relating to provisions in the Act that ensure the effective implementation of the Chemical Weapons Convention (CWC).

The CWC UK National Authority (UKNA), based in the Department for Business, Energy and Industrial Strategy, is responsible for implementing the Act in the UK, its Crown Dependencies and Overseas Territories. The Act places legal requirements on all companies, universities, other entities and individuals that work with certain toxic chemicals to provide information requested by the Secretary of State, and to provide access to sites for inspections by the Organisation for the Prohibition of Chemical Weapons (OPCW) to verify the information provided. In addition, the Act requires anyone wishing to produce, possess or use certain very toxic chemicals to obtain a licence.

The UKNA liaises with approximately 370 organisations in the UK each year to coordinate information on chemical activities required under the Act. It also works closely with the OPCW, based in The Hague, Netherlands and collaborates with other Government departments in the development of UK policy on chemical-related non-proliferation issues.

## CWC Declarations

The Chemical Weapons Convention (CWC) has three Schedules, each with different levels of control. Schedule 1 includes nerve and blister agents and, as such, is the most tightly controlled, particularly as these chemicals have very few peaceful uses. The chemicals listed in Schedules 2 and 3 are subject to differing verification requirements and, especially in the case of Schedule 3, are often produced in large quantities for industrial purposes.

The CWC requires States Parties to submit to the OPCW a range of annual declarations covering activities involving chemicals specified in these three Schedules as follows:

- Schedule 1 chemicals - production, acquisition, consumption, storage, import and export
- Schedule 2 chemicals - production, processing, consumption, import and export
- Schedule 3 chemicals - production, import and export

The declarations are broken down by Schedule and report activities for the past calendar year (known as the Annual Past Declaration (APD)) and anticipated activities for the next calendar year (the Annual Anticipated Declaration (AAD)). Since 2004, additional information for Schedule 2 and Schedule 3 chemicals below the declaration threshold has been provided in an aggregated form known as the Aggregate National Data declaration (AND). The UK does not have a de-minimis declaration threshold for Schedule 2 and Schedule 3 chemicals. Information is also provided on the large-scale production of a separate category of chemicals referred to in the Convention as Discrete Organic Chemicals (DOCs).

Declarations draw on information submitted by UK industry, academic and government organisations, and are provided to the OPCW according to the following timetable:

Declaration	Timing
<b>Annual Past Declaration covering Schedule 1, 2 and 3 chemicals, including Aggregate National Data and Discrete Organic Chemicals</b>	No more than 90 days after the end of the calendar year
<b>Annual Anticipated Declaration for Schedule 1 chemicals</b>	No less than 90 days before the beginning of the calendar year
<b>Annual Anticipated Declaration for Schedule 2 and 3 chemicals</b>	No less than 60 days before the beginning of the calendar year

The CWC also requires States Parties to provide information on any old chemical weapons (OCWs) found on their territories and report annually on those destroyed (including a plan for future destruction) according to the following timetable:

Declaration	Timing
<b>Annual Plan for destruction</b>	No less than 60 days before the end of the calendar year
<b>Annual Report on destruction</b>	No more than 60 days after the end of the calendar year
<b>Ad Hoc Declarations of new finds</b>	Within 180 days of discovery

One further report is required annually on defence programmes for protection against chemical weapons.

The UK's APD for 2018 was submitted to the OPCW on 15 March 2019. In addition to activities involving scheduled chemicals and DOCs, information on the UK's chemical defence programme in 2018 was also provided and submitted to the OPCW on 26 March 2019.

The UK's AAD for 2020 for Schedule 1 facilities was submitted to the OPCW on 30 August 2019, and the AAD for Schedule 2 and Schedule 3 sites was submitted on 30 September 2019.

For OCWs, the UK submitted a report on the annual inventory and completed destruction during 2018 on 14 February 2019. Three declarations of new finds of OCWs for the last four months of 2018 and first eight months of 2019 were also reported to the OPCW in accordance with agreed procedures. All UK declarations were submitted to the OPCW by the international deadlines and met the UK's reporting obligations.

The numbers of UK organisations submitting APDs in each category and in each year since the CWC entered into force is shown in the table overleaf. The declarations report on activities in the previous calendar year.



Year	Schedule 1	Schedule 2	Schedule 3	DOCs	AND
<b>1997</b>	2	9	11	132	n/a
<b>1998</b>	2	9	14	153	n/a
<b>1999</b>	2	8	12	151	n/a
<b>2000</b>	2	7	12	142	n/a
<b>2001</b>	2	10	11	140	n/a
<b>2002</b>	2	10	11	141	n/a
<b>2003</b>	2	10	12	131	n/a
<b>2004</b>	2	11	12	142	281
<b>2005</b>	2	14	10	134	279
<b>2006</b>	2	14	10	134	285
<b>2007</b>	2	12	7	125	256
<b>2008</b>	2	12	7	111	200
<b>2009</b>	2	12	7	111	199
<b>2010</b>	1	14	5	106	193
<b>2011</b>	1	17	5	98	253
<b>2012</b>	1	18	5	100	289
<b>2013</b>	1	19	5	93	291
<b>2014</b>	1	19	6	91	287
<b>2015</b>	1	18	6	91	287
<b>2016</b>	1	16	6	91	280
<b>2017</b>	1	13	6	85	284
<b>2018</b>	1	11	6	84	276
<b>2019</b>	1	10	6	84	266

The UKNA operates a secure online database for all organisations making CWC declarations and all CWC declarations are submitted by the UK to the OPCW via the Secure Information Exchange (SIX), a system that provides the secure online exchange of information between State Parties and the OPCW. Guidance and registration information for the CWC Declarations Database is available from the following link

[https://itportal.beis.gov.uk/eng/fox/cwc/CWC\\_LOGIN/login](https://itportal.beis.gov.uk/eng/fox/cwc/CWC_LOGIN/login)

## CWC Inspections

Each year, the OPCW undertakes a number of routine initial and repeat inspections of selected declared sites to verify the declarations that are submitted by States Parties. The verification process serves as a confidence-building measure to help demonstrate that State Parties are meeting their obligations under the Convention, and is intended to have a deterrent effect on any intention to contravene the Convention's provisions.

The UK received a total of nine routine inspections in 2019. Of these, seven were at industrial facilities that produce DOC chemicals. The UK also received the annual inspection of the OCW storage and destruction facility and an inspection of the UK's Single Small Scale Facility for Schedule 1 chemicals, both of which are located at the Defence Science & Technology Laboratory at Porton Down.

All the sites were acknowledged by the OPCW to have provided first-class co-operation and all inspections were completed without incident or unresolved issues. The number of OPCW inspections undertaken in the UK, by category, since the CWC entered into force is shown on the table overleaf.

Year	Schedule 1	Schedule 2	Schedule 3	DOCs	CWPF	OCW
<b>1997</b>	2	0	0	0	8	n/a
<b>1998</b>	1	4	1	0	5	1
<b>1999</b>	1	4	0	0	3	1
<b>2000</b>	2	0	1	0	3	1
<b>2001</b>	2	2	1	0	0	0
<b>2002</b>	1	2	2	0	1	1
<b>2003</b>	1	2	0	1	1	1
<b>2004</b>	0	2	0	4	0	1
<b>2005</b>	2	1	1	1	2	1
<b>2006</b>	1	5	0	3	1	1
<b>2007</b>	2	1	0	6	0	1
<b>2008</b>	0	1	0	5	0	1
<b>2009</b>	0	1	0	4	1	1
<b>2010</b>	1	2	0	5	1	1
<b>2011</b>	0	3	1	4	0	1
<b>2012</b>	0	3	1	6	1	1
<b>2013</b>	1	2	0	3	2	1
<b>2014</b>	0	2	0	4	1	1
<b>2015</b>	1	0	0	7	0	1
<b>2016</b>	0	1	0	7	0	1
<b>2017</b>	1	2	0	5	0	1
<b>2018</b>	0	2	0	4	0	1
<b>2019</b>	1	0	0	7	0	1

## Licensing & Trade Controls

The Act contains provisions to control Schedule 1 chemical production, possession and use through the issue of licences. These controls, together with separate import and export licensing requirements implemented under the Import of Goods (Control) Order 1954 and the Export Control Act 2002 respectively, aim to ensure that quantities of Schedule 1 chemicals acquired or possessed by the UK do not exceed the one tonne ceiling specified in the CWC; that the chemicals are used only for purposes not prohibited by the CWC; and that the CWC's conditions on transfers are met. Licence holders are required to report annual production and usage and any changes of circumstance to the UKNA.

In April 2017, changes to the UK's CWC Schedule 1 chemicals licensing regime came into effect. In particular, licensing was extended to include Schedule 1 chemicals that are not specifically listed in Schedule 1 under a Chemical Abstracts Service number (CAS) but share a chemical structure with the ones that are, providing they are not explicitly exempted. This ensures that the licensing system is applied in a technically consistent way, so that chemicals with the same structures, names and toxic properties as those explicitly listed in Schedule 1 are licensable, even if they have different CAS numbers.

There are some limited Schedule 1 licensing exemptions in order to avoid over-burdensome and unnecessary licensing, to ensure human safety and to support medical research.

In preceding years, an Open General Licence, Production Licence, and Individual Possession and Use Licence were issued to those organisations permitting those registered under them to produce, possess or use any Schedule 1 chemicals for pharmaceutical, medical or research purposes. For 2019 these three licences were combined to create a new licence - the Individual Licence to Produce, Possess and Use. Nineteen organisations operated under this new licence during 2019, including three that were authorised to produce Schedule 1 chemicals.

There were two transfers of a Schedule 1 chemical to the UK from other CWC States Parties in 2019. A CWC Schedule 1 chemicals import licence was issued to the organisation receiving this chemical for each of the transfers.

# Contacts

For further information on the CWC and associated import licensing regulations, please contact:

The Chemical Weapons Convention UK National Authority  
Department for Business, Energy and Industrial Strategy  
3<sup>rd</sup> Floor  
1 Victoria Street  
London  
SW1H 0ET

Tel: 0300 068 5939 / 5925

E-mail: [cwcna@beis.gov.uk](mailto:cwcna@beis.gov.uk)

Website: <https://www.gov.uk/guidance/chemical-weapons-convention-guidance>

A list of scheduled chemicals can be found on the OPCW website: [www.opcw.org/chemical-weapons-convention/annexes/annex-on-chemicals](http://www.opcw.org/chemical-weapons-convention/annexes/annex-on-chemicals)

The OPCW's homepage can be found at: [opcw.org.uk](http://opcw.org.uk)

For information on export licensing regulations, please contact:

Export Control Joint Unit  
2nd floor  
3 Whitehall Place  
London  
SW1A 2AW

Tel: 0207 215 4594

E-mail: [eco.help@trade.gov.uk](mailto:eco.help@trade.gov.uk)

Website: [www.gov.uk/government/organisations/export-control-organisation](http://www.gov.uk/government/organisations/export-control-organisation)

# Glossary of Terms

<b>AAD</b>	Annual Anticipated Declaration. Required to be submitted by anyone who anticipates, in the next calendar year, producing any Schedule 1 and/or 3 chemicals, and/or producing, processing and/or consuming any Schedule 2 chemicals, above certain quantities.
<b>AND</b>	Aggregate National Data. Required to be submitted by anyone who, in the previous calendar year, produced, processed, consumed, imported and/or exported any Schedule 2 chemicals and anyone who produced, imported and/or exported any Schedule 3 chemicals, and whose activities fall below those quantities requiring APDs and AADs to be submitted.
<b>APD</b>	Annual Past Declaration. Required to be submitted by anyone who, in the previous calendar year, produced any Schedule 1 and/or 3 chemicals and/or unscheduled Discrete Organic Chemicals (DOCs), and/or produced, processed and/or consumed any Schedule 2 chemicals, above certain quantities.
<b>CAS</b>	Also referred to as CASRN or CAS Number is a unique numeric identifier assigned by the Chemical Abstracts Service (CAS) to every chemical substance described in the open scientific literature.
<b>CWC</b>	Chemical Weapons Convention. The international treaty which aims to eliminate an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons by States Parties.
<b>CWPF</b>	Chemical Weapon Production Facility. Any equipment, including any building housing such equipment that was designed, constructed or used at any time since 1 January 1946 for the production of a chemical weapon as defined by the Convention.
<b>DOC</b>	Discrete Organic Chemical. Any chemical belonging to the classification of chemical compounds consisting of all compounds of carbons except for its oxides, sulphides and metal carbonates. Although DOCs are not included in the schedules, plant sites producing DOCs are subject to verification if they produce more than 200 tonnes annually (or 30 tonnes if they contain the elements phosphorus, sulphur or fluorine).
<b>OCW</b>	Old Chemical Weapons. Chemical weapons produced before 1925 or, in the period between 1925 and 1946 that have deteriorated to such an extent that they can no longer be used as chemical weapons.
<b>OPCW</b>	Organisation for the Prohibition of Chemical Weapons. The implementing body of the Chemical Weapons Convention with the mandate to achieve the object and purpose of the Convention.

This publication is available from: [www.gov.uk/government/publications/annual-report-for-2019-on-the-operation-of-the-chemical-weapons-act-1996](http://www.gov.uk/government/publications/annual-report-for-2019-on-the-operation-of-the-chemical-weapons-act-1996)

If you need a version of this document in a more accessible format, please email [enquiries@beis.gov.uk](mailto:enquiries@beis.gov.uk). Please tell us what format you need. It will help us if you say what assistive technology you use.





CCS1020369188 11/20

ISBN 978-1-5286-2198-4