

## **Federal Law No. (12) of 2009**

### **Amending some provisions of Federal Law No. (40) of 2006 On the Prohibition of The Development, Production, Stockpiling and Use of Chemical Weapons**

We, Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates,

Having reviewed the Constitution;

- Federal Law No. (1) of 1972 on the competencies of Ministries and Powers of Ministers, as amended,
- Federal Law No. (40) of 2006 on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons
- Federal Law No. (13) of 2007 on Goods Subject to Import and Export Control and the Law amending such,
- Federal Law No. (104) of 2000 on the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction,
- Acting upon the proposal of the Minister of Interior, the approval of the Cabinet and the Federal National Council, and the ratification of the Federal Supreme Council,

**Have promulgated the following law:**

#### **Article (1)**

The following shall replace the provisions of articles (1), (2) and (11) of Federal Law No. (40) of 2006:

#### Article (1)

For the purposes of applying the provisions of this Law, the following words and expressions shall have the meanings assigned thereto unless the context requires otherwise:

**The State:** The United Arab Emirates.

**The Committee:** The national committee for regulating and controlling the use of chemical materials and weapons.

**The Chairman:** The chairman of the Committee.

**The Competent Authority:** The concerned federal authority or national competent authority in each emirate of the State.

**The Convention:** The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, ratified by the State by virtue of Federal Decree No. (104) of 2000.

**The Organization:** The Organization for the Prohibition of Chemical Weapons ("OPCW").

**Chemical Weapons:** a. Toxic chemicals and their precursors, except where intended for purposes not prohibited under the Convention, as long as their types and quantities are consistent with such purposes and the environment;

b. Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals identified in sub-paragraph (a) which would be released as a result of the employment of such munitions and devices;

c. Any equipment specifically designed for use directly in connection with the employment of the munitions and devices specified in subparagraph (b).

**Toxic Chemicals:**

Any chemical which, through its chemical action on life processes, can cause death, temporary incapacitation or permanent harm to humans, animals or the environment. This includes all such chemicals, regardless of their origin or of their method of production, as listed in the Schedules annexed to the Convention and any amendments thereof.

**Precursor:** Any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. This includes any key component of a binary or multicomponent chemical system, as identified in the Schedules annexed to the Convention and any amendments thereof.

**Purposes not Prohibited:**

- a. Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
- b. Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
- c. Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;
- d. Law enforcement including domestic riot control purposes.

Article (2)

1. A committee called the "National Committee for Regulating and Controlling the use of Chemical Materials and Weapons" reporting to the Cabinet, shall be established by virtue of a Cabinet Decision. It shall be in charge of the implementation of the provisions of the present Law.
2. The Statute of the Committee as well as the grievance mechanism against decisions made by the Committee shall be issued by virtue of a Cabinet Decision based on the Chairman's proposal.
3. The Committee may - within the limits of its mandate - seek assistance from whoever it deems qualified and competent from government and non-government entities.

Article (11)

Employees in charge of monitoring the implementation of the present Law and its implementing regulations shall be appointed by decision of the Minister of Justice in agreement with the Chairman of the Committee and in coordination with the competent authority and shall have the capacity of judicial officers to prove violations of the present Law and decisions issued pursuant thereto, each within their own purview.

The entities authorized to deal in the activities subject to the provisions of this Law shall facilitate the work of such employees while carrying out their functions.

### **Article (2)**

Articles (4) and (5) of Federal Law No. (40) of 2006 on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons shall be repealed. Any provision conflicting with or contradicting the provisions of the present law shall also be repealed.

### **Article (3)**

This law shall be published in the Official Gazette, and shall enter into force the day following its publication.

**Khalifa Bin Zayed Al Nahyan**  
**President of the United Arab Emirates**

Issued by us at the Presidential Palace in Abu Dhabi

On 29 Dhu al-Hijjah 1430 AH

Corresponding to 16 December 2009