

No. 54793*

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**Peru
and
Organisation for the Prohibition of Chemical Weapons**

Agreement between the Republic of Peru and the Organisation for the Prohibition of Chemical Weapons concerning the procurement of assistance (with annexes). The Hague, 5 December 2011

Entry into force: *30 October 2013 by notification, in accordance with article 6*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Peru, 29 November 2017*

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**Pérou
et
Organisation pour l'interdiction des armes chimiques**

Accord entre la République du Pérou et l'Organisation pour l'interdiction des armes chimiques concernant la fourniture d'assistance (avec annexes). La Haye, 5 décembre 2011

Entrée en vigueur : *30 octobre 2013 par notification, conformément à l'article 6*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Pérou,
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AGREEMENT
BETWEEN
THE REPUBLIC OF PERU
AND
THE ORGANISATION FOR THE PROHIBITION
OF CHEMICAL WEAPONS
CONCERNING
THE PROCUREMENT OF ASSISTANCE

Recalling the undertaking of States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction to provide assistance through the Organisation for the Prohibition of Chemical Weapons as stipulated in Article X of the Convention;

Considering that, it is desirable to conclude an agreement concerning the procurement, upon demand, of assistance in accordance with Article VIII, paragraph 34(b), and Article X, paragraph 7(b), of the aforementioned Convention;

Agree as follows:

ARTICLE 1 DEFINITIONS

For the purpose of this Agreement:

- (a) "Convention" means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention) which entered into force on 29 April 1997;
- (b) "Organisation" means the Organisation for the Prohibition of Chemical Weapons;
- (c) "Assisting State Party" means the Republic of Peru;
- (d) "Assistance" means assistance as defined in Article X, paragraph 1, of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;
- (e) "Director-General" means the Director-General of the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons; and
- (f) "Parties" means the Assisting State Party and the Organisation for the Prohibition of Chemical Weapons.

ARTICLE 2 OBLIGATIONS

1. The Assisting State Party undertakes to provide, upon request from the Director-General, assistance as contained in Annexes A, B, C and D of this Agreement.

2. The Assisting State Party shall immediately acknowledge the receipt of such a request.
3. Assistance shall be dispatched promptly to the State Party concerned. The dispatch of assistance designated as emergency or humanitarian assistance by the Assisting State Party shall be in accordance with the relevant provisions of Article X of the Convention and should be initiated not later than twelve (12) hours after receipt of the request by the Assisting State Party for such assistance from the Director-General.
4. The Organisation shall provide cooperation to the Assisting State Party in fulfilling its obligations as specified in Annexes A, B, C and D.

ARTICLE 3 CONTACT POINTS

1. All communications and messages between the Parties concerning the obligations stipulated in Article 2 of this Agreement shall be addressed to the following persons in authority:

for the Assisting State Party:

Simultaneously to the Permanent Representative of the Republic of Peru to the Organisation for the Prohibition of Chemical Weapons, the National Authority of Peru and the National Contact Points.

for the Organisation:

The Director-General of the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons

2. By the date of signature of this Agreement, the Parties shall exchange notes indicating the contact information of the persons in authority of both Parties to be notified, and, undertake, during the duration of the Agreement, to keep the other Party informed about any changes of the contact information. All related communication shall be done in writing.

ARTICLE 4 SETTLEMENT OF DISPUTES

1. Any dispute arising under this Agreement shall be settled in accordance with Article XIV of the Convention.
2. Notwithstanding any such dispute, the undertaking of the Assisting State Party to provide assistance shall be fulfilled to the extent possible in accordance with the requirements of Article 2 of this Agreement.

**ARTICLE 5
ANNEXES**

1. Annexes A, B, C and D to this Agreement form an integral part thereof.

**ARTICLE 6
ENTRY INTO FORCE, DURATION, AMENDMENTS, AND
TERMINATION**

1. This Agreement shall enter into force upon approval by the Executive Council and signature by the two Parties. If the Assisting State Party has additional domestic legal requirements, it shall so notify the Organisation in writing by the date of signature. In such case, the Agreement shall enter into force on the date the Assisting State Party gives the Organisation written notification that its domestic legal requirements for entry into force have been met.
2. This Agreement shall be valid for an indefinite period until terminated by one or both Parties in accordance with paragraph (5) of Article 6 of this Agreement.
3. This Agreement may be amended by mutual consent of the Parties. Any amendment shall enter into force under the same conditions provided for the Agreement under paragraph 1 above. The Party submitting the request for amendment shall allow the other Party ninety (90) days to consider the request. The consent to the amendment shall be effected through an Exchange of Notes.
4. The Annexes to this Agreement can be amended unilaterally by the Assisting State Party, which undertakes to amend the Annexes whenever any change occurs in the information contained therein and to inform the Director-General of the change no less than thirty (30) days prior to the change taking effect. Any amendment to the Annexes of this Agreement shall enter into force upon completion of the exchange of notes containing the consent with the amendment. The Director-General shall inform the Executive Council about any such modification.
5. This Agreement may be terminated at any time by either Party. A Party wishing to terminate this Agreement shall give a notice to that effect in writing to the other Party through diplomatic channels, and the termination shall come into effect one-hundred eighty (180) days after the acknowledgement of receipt of the notice by the other Party. The termination of this Agreement shall not affect ongoing assistance projects conducted under this Agreement, unless otherwise agreed by the Parties.