

1540 COMMITTEE MATRIX OF BENIN

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

Benin

Date of Report:

3 March 2005

Date of Addendum:

Last Revised:

April 2015

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 31 October 1972	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Pelindaba ratified 4 September 2007	
3	Convention for the Suppression of Acts of Nuclear Terrorism	?	Signed 15 September 2005	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	?	Signed 15 September 2005	

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 6 March 2001	
7	Chemical Weapons Convention (CWC)	X	Deposit 14 May 1998	
8	Biological Weapons Convention (BWC)	X	Deposit 25 April 1975	
9	Geneva Protocol of 1925	X	Deposit 9 December 1986	
10	Other Conventions/Treaties	X	<p>State Party to 11 of 19 legal instruments against terrorism, including the following relevant to Resolution 1540 (2004):</p> <p>1997 International Convention for the Suppression of Terrorist Bombings</p> <p>1999 International Convention for the Suppression of the Financing of Terrorism</p> <p>OAU Convention on the Prevention and Combating of Terrorism</p> <p>Protocol to the OAU Convention on the Prevention and Combating of Terrorism</p> <p>International Health Regulation (2005)</p> <p>Bamako Convention on the ban of the import into Africa and the control of trans boundary movement and management of hazardous wastes within Africa</p>	
11	International Atomic Energy Agency (IAEA)	X	Since 26 May 1999	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements			
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation			
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does and will not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	
17	Other ¹	X	Member of : African Union (AU)	

			Community of Sahel-Saharan States Economic Community Of West African States (ECOWAS) Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) International Maritime Organization (IMO) International Monetary Fund (IMF) INTERPOL Organisation for Animal Health (OIE) World Bank Group World Customs Organization (WCO) and signed Declaration on Implementation of the WCO 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework of Standards) World Health Organization (WHO) State Party to : Cotonou Agreement	
--	--	--	--	--

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	NW: Article 147 of the Constitution in conjunction with NPT and Pelindaba Treaty Decree No. 61-31/PR/MU/AM of 7 February 1961 Law 87-009 of 21 September 1987 on harmful substances CW: Article 147 of the Constitution in conjunction with CWC Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances BW: Article 147 of the Constitution in conjunction with BWC Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances	?	?	?	NW/CW/BW: Penal Code, Article 90	
2	acquire	X	X	X	NW: Article 147 of the Constitution in conjunction with Pelindaba Treaty CW: Article 147 of the Constitution in conjunction with CWC Decree No. 61-31/PR/MU/AM of 7 February	?	?	?	NW/CW/BW: Penal Code, Article 90	

					<p>1961 Law No. 87-009 of 21 September 1987 on harmful substances</p> <p>BW: Article 147 of the Constitution in conjunction with BWC Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances</p>					
3	possess	X	?	X	<p>NW: Article 147 of the Constitution in conjunction with Pelindaba Treaty Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances</p> <p>CW: Article 147 of the Constitution in conjunction with CWC Decree No. 61-31/PR/MU/AM of 7 February 1961</p> <p>BW: Article 147 of the Constitution in conjunction with BWC Decree No. 61-31/PR/MU/AM of February 1961 Law No. 87-009 of 21 September 1987 on harmful substances</p>	?	?	?	<p>NW/CW/BW: Penal Code, Article 90</p>	
4	stockpile/store	X	X	X	<p>NW: Article 147 of the Constitution in conjunction with Pelindaba Treaty Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances</p> <p>CW: Article 147 of the Constitution in</p>	?	?	?	<p>NW/CW/BW: Penal Code, Article 90</p>	

					conjunction with CWC BW: Article 147 of the Constitution in conjunction with BWC Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances					
5	develop	X	X	X	NW: Article 147 of the Constitution in conjunction with Pelindaba Treaty Law No. 87-009 of 21 September 1987 on harmful substances CW: Article 147 of the Constitution in conjunction with CWC BW: Article 147 of the Constitution in conjunction with BWC Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances	?	?	?	NW/CW/BW: Penal Code, Article 90	
6	transport	X	X	X	NW: Article 147 of the Constitution in conjunction with Pelindaba Treaty Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances CW: Decree No. 61-31/PR/MU/AM of 7 February 1961 Law No. 87-009 of 21 September 1987 on harmful substances BW: Decree No. 61-31/PR/MU/AM of 7 February	?	?	?	NW/CW/BW: Penal Code, Article 90	

					1961 Law No. 87-009 of 21 September 1987 on harmful substances					
7	transfer	X	X	X	NW: Law No. 87-009 of 21 September 1987 on harmful substances CW: Article 147 of the Constitution in conjunction with CWC Law No. 87-009 of 21 September 1987 on harmful substances BW: Article 147 of the Constitution in conjunction with BWC Law No. 87-009 of 21 September 1987 on harmful substances	?	?	?	NW/CW/BW: Penal Code, Article 90	
8	use	?	X	X	NW: Law No. 87-009 of 21 September 1987 on harmful substances CW: Article 147 of the Constitution in conjunction with CWC and International Convention for the Suppression of Terrorist Bombings Law No. 87-009 of 21 September 1987 on harmful substances BW: Article 147 of the Constitution in conjunction with Geneva Protocol and International Convention for the Suppression of Terrorist Bombings Law No. 87-009 of 21 September 1987 on harmful substances	?	?	?	NW/CW/BW: Penal Code, Article 90	
9	participate as an accomplice in abovementioned activities									

10	assist in abovementioned activities								
11	finance abovementioned activities	X	X	X	NW/CW/BW: Article 147 of the Constitution in conjunction with International Convention for the Suppression of the Financing of Terrorism Law No. 2006-14 of 31 October 2006 on fighting against Money Laundering Ordinance of West African Monetary Union No. 2009-367 of 12 November 2009 on Financing Terrorism	?	?	?	NW/CW/BW: Instruction No. 1/2007/RB of 2 July 2007 on fighting against Money Laundering CENTIF (Cellule Nationale de Traitement des Informations Financieres)
12	abovementioned activities related to means of delivery ²		X	X	CW: Article 147 of the Constitution in conjunction with CWC BW: Article 147 of the Constitution in conjunction with BWC		?	?	NW/CW/BW: Penal Code, Article 90
13	involvement of non-State actors in abovementioned activities	?	X	?	NW: Law 87-009 of 21 September 1987 on harmful substances CW: Article 147 of the Constitution in conjunction with CWC Law 87-009 of 21 September 1987 on harmful substances BW: Law 87-009 of 21 September 1987 on harmful substances	?	?	?	NW/CW/BW: Penal Code, Article 90
14	Other								

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	?	?	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 83 and following (production of harmful or dangerous chemical products including radiological materials)	X	X	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 121 (penalties for production of harmful or dangerous chemical products including radiological materials)	
2	Measures to account for use	?	?	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art.121 (penalties for use of harmful or dangerous chemical products including radiological materials)	X	X	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art.121 (penalties for use of harmful or dangerous chemical products including radiological materials)	
3	Measures to account for storage	?	?	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 83 and following (storage of harmful or dangerous chemical products including radiological materials)	X	X	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 121 (penalties for storage of harmful or dangerous chemical products including radiological materials)	
4	Measures to account for transport	?	?	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 83 and following (transport of harmful or dangerous chemical products including radiological materials)	X	X	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art.121 (penalties for transport of harmful or dangerous chemical products including radiological materials)	
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use									

8	Measures to secure storage								
9	Measures to secure transport								
10	Other measures for securing								
11	Regulations for physical protection of facilities/materials/ transports								
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	?	?	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 74 and following (authorization of facilities using harmful or dangerous chemical products including radiological materials)	X	X	?	NW/CW/BW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 120 (penalties for unauthorized facilities using harmful or dangerous chemical products including radiological materials)
13	Reliability check of personnel								
14	Measures to account for/secure/ physically protect means of delivery								

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	?	Safeguards Agreement signed 7 June 2005 Additional Protocol signed 7 June 2005	?	Safeguards Agreement signed 7 June 2005 Additional Protocol signed 7 June 2005	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA	X	African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA)	X	African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA)	
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including
Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Department of International Organisations Ministry of Foreign Affairs and African Integration	X	Department of International Organisations Ministry of Foreign Affairs and African Integration	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial Declaration submitted	X	Initial Declaration submitted	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including
Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/W: Code of Customs (law 2014-20 of 12 September 2014)	X	X	X	NW/CW/W: Customs Service Border Police	
2	Technical support of border control measures									
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	NW/CW/W: Code of Customs (law No. 2014-20 of 12 September 2014)	X	X	X	NW/CW/W: Custom Services National Police	
5	Export control legislation in place			?	BW: Law No. 91-004 of 11 February 1991 on phytosanitary regulation (prohibition to import plant harmful biological agents) Decree No. 92-258 of 18 September 1992 Decree No. 128 MDR/MF/DC/CC/CP of 7 March 1995 on regulation of importation and exportation of vegetal products			?	BW: Ministry of Agriculture	
6	Licensing provisions			?	BW: Law No. 91-004 of 11 February 1991 on phytosanitary regulation (prohibition to import plant harmful biological agents)			?	BW: Ministry of Agriculture	

				Decree No. 92-258 of 18 September 1992 Decree No. 128 MDR/MF/DC/CC/CP of 7 March 1995 on regulation of importation and exportation of vegetal products					
7	Individual licensing			? BW: Law No. 91-004 of 11 February 1991 on phytosanitary regulation (prohibition to import plant harmful biological agents) Decree No. 92-258 of 18 September 1992 Decree No. 128 MDR/MF/DC/CC/CP of 7 March 1995 on regulation of importation and exportation of vegetal products				? BW: Ministry of Agriculture	
8	General licensing								
9	Exceptions from licensing								
10	Licensing of deemed export/visa								
11	National licensing authority			? BW: Law No. 91-004 of 11 February 1991 on phytosanitary regulation (prohibition to import plant harmful biological agents) Decree No. 92-258 of 18 September 1992 Decree No. 128 MDR/MF/DC/CC/CP of 7 March 1995 on regulation of importation and exportation of vegetal products				? BW: Ministry of Agriculture	
12	Interagency review for licenses								
13	Control lists								
14	Updating of lists								
15	Inclusion of technologies								
16	Inclusion of means of delivery								
17	End-user controls								
18	Catch all clause								

19	Intangible transfers								
20	Transit control								
21	Trans-shipment control								
22	Re-export control								
23	Control of providing funds	X	X	X	NW/CW/BW: Article 147 of the Constitution in conjunction with International Convention for the Suppression of the Financing of Terrorism Law No. 2006-14 of 31 October 2006 on fighting against Money Laundering Ordinance of West African Monetary Union No. 2009-367 of 12 November 2009 on Financing Terrorism	?	?	?	NW/CW/BW: Instruction No. 1/2007/RB of 2 July 2007 on fighting against Money Laundering CENTIF (Cellule Nationale de Traitement des Informations Financieres)
24	Control of providing transport services								
25	Control of importation	?	?	?	NW/CW/BW: Decree No. 61-31/PR/MU/AM of 7 February 1961 NW/CW: Framework Law No. 98-030 of 12 February 1998 on Environment, Art. 83 and following (importation of harmful or dangerous chemicals products including radiological materials) BW: Law No. 87-015 of 21 September 1987 on Public Hygiene (implementation of International Health Regulation) Law No. 91-004 of 11 February 1991 on phytosanitary regulation (prohibition to import plant harmful biological agents) Decree No. 92-258 of 18 September 1992 Decree No. 128 MDR/MF/DC/CC/CP of 7 March 1995 on regulation of importation and exportation of vegetal products	?	?	?	NW/CW/BW: Penal Code, Article 90: act of terrorism, explosive substances NW/CW: Decree No. 91-13 of 24 January 1991 on the Regulation of the importations of hazardous materials for human life and security of State Ministry of Commerce BW: Ministry of Health Ministry of Agriculture

26	Extraterritorial applicability	?	?	?	NW/CW/BW: Code of Criminal Procedure, Title IX, Articles 553, 554 and following: extraterritorial applicability	?	?	?	NW/CW/BW: Code of Criminal Procedure, Title IX, Articles 553, 554 and following: extraterritorial applicability	
27	Other									

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Request of 3 March 2005 1. Requested assistance on legal or statutory framework to combat the proliferation of WMD 2. Asked for technical assistance to establish a system of surveillance of the territory, including border control 3. Detailed requirements for technical assistance on passenger information and warning, for issuance/verification of authenticity of identification/travel documents 4. Requested assistance in implementing legal instruments on protection against nuclear terrorism (IAEA mission in March 2004 to raise awareness)	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.