

1540 COMMITTEE MATRIX OF FRANCE

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: FRANCE

Date of 1st Report : 28 November 2004

Date of Addendum 1 : 25 September 2005

Date of Addendum 2 : 14 December 2007

Last Reviewed on : January 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 02 August 1992	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Antarctic Treaty, ratified by France on September 16 th , 1960; Treaty of Tlatelolco, Protocols deposit 20 September 1996 Treaty of Rarotonga, Protocols deposit 20 September 1996 Treaty of Pelindaba, Protocols deposit 20 September 1996 Treaty of Semipalatinsk, ratified in October 2014	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Ratification 11 September 2013	

4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Entry into force on 6 October 1991	
5	2005 Amendment to the CPPNM	X	Deposit on 1 February 2013	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 6 April 1998	
7	Chemical Weapons Convention (CWC)	X	Deposit 2 March 1995	
8	Biological Weapons Convention (BWC)	X	Deposit 27 September 1984	
9	Geneva Protocol of 1925	X	Deposit 10 May 1926	
10	Other Conventions/Treaties	X	<p>France State Party to 12 of 19 international legal instruments conventions and protocols on counter-terrorism against terrorism, including the following relevant to resolution 1540 (2004):</p> <ul style="list-style-type: none"> Convention on the Suppression of Unlawful Acts Against the Safety of Maritime Navigation Convention for the Suppression of Terrorist Bombings Convention on the Suppression of the Financing of Terrorism Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation <p>Treaty Establishing the European Atomic Energy Commission (EURATOM)</p> <p>International Health Regulation (2005)</p>	
11	International Atomic Energy Agency (IAEA)	X	Since 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	<p>Wassenaar Arrangement (WA)</p> <p>Australia Group (AG)</p> <p>Zangger Committee (ZC)</p> <p>Nuclear Suppliers Group (NSG)</p> <p>Missile Technology Control Regime (MTCR)</p> <p>Proliferation Security Initiative (PSI)</p> <p>Global Initiative to Combat Nuclear Terrorism (GICNT)</p> <p>Global Partnership against the Spread of Weapons of Mass Destruction</p>	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-	X	<p>Presidential statement in Cherbourg, France, 21 March 2008.</p> <p>Presidential statement in Istres, France, 19 February 2015.</p>	

	proliferation			
16	General statement on non-provision of WMD and related materials to non-State actors			
17	Other ¹	X	Member of the: European Union (EU) Financial Action Task Force (FATF) International Civil Aviation Organization (ICAO) International Maritime Organization (IMO) International Monetary Fund (IMF) INTERPOL North Atlantic Treaty Organization (NATO) Nuclear Energy Agency (NEA) Organisation for Animal Health (OIE) Organization for Security and Cooperation in Europe (OSCE) World Bank Group World Customs Organization (WCO) World Health Organization (WHO)	

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: Defense Code, Articles L1333-1 to L1333-14 CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-13, especially Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). BW: Act No. 2004-204 of 9 March 2004 Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities	

					the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).				associated with WMD). Public Health Code, art. L5432-1. Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.	
2	acquire	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14.</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.</p> <p>BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3 Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004 Order of 22 September 2004 as amended Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005)</p>	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-13, especially Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>BW: Act No. 2004-204 of 9 March 2004 Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Public Health Code, art. L5432-1 Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>	

3	possess	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14.</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.</p> <p>BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3 Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004 Order of 22 September 2004 as amended Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).</p>	X	X	X	<p>NW: Defense Code, Articles L1333-8 to L1333-13-13, especially Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>BW: Act No. 2004-204 of 9 March 2004 Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Public Health Code, art. L5432-1 Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>		
4	stockpile/store	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14.</p> <p>CW:</p>	X	X	X	<p>NW: Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>CW:</p>		

					<p>Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.</p> <p>BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).</p>				<p>Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>BW: Act No. 2004-204 of 9 March 2004. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Public Health Code, art. L5432-1. Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>	
5	develop	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14.</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.</p> <p>BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended.</p>	X	X	X	<p>NW: Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce terrorist activities associated with WMD).</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>BW: Act No. 2004-204 of 9 March 2004. Penal Code, Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Public Health Code, art. L5432-1.</p>	

					Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).				Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.	
6	transport	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14</p> <p>CW: Defense Code, Articles L.2342-1 to L.2342-84</p> <p>BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>	X	X	X	<p>NW: Penal Code Articles 421-1, 421-2-1 and 421-3 (as introduce terrorist activities associated with WMD).</p> <p>CW: Penal Code Articles 421-1, 421-2-1 and 421-3 (as introduce terrorist activities associated with WMD).</p> <p>BW: Act No. 2004-204 of 9 March 2004. Penal Code, arts. 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Public Health Code, art. L5432-1. Defense Code, Articles L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>	
7	transfer	X	X	X	<p>NW: Defense Code, Articles L1333-1 to L1333-14.</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.</p>	X	X	X	<p>NW: Penal Code Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code Articles 421-1, 421-2-1 and 421-3 (as introduce any terrorist activities</p>	

					BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.				associated with WMD). BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.	
8	use	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-14. CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).	X	X	X	NW: Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce terrorist activities associated with WMD). CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce terrorist activities associated with WMD). BW: Public Health Code, arts. L5139-1, L5139-2 and L5139-3. Order of 22 September 2001, as amended by the Orders of 15 January and 20 July 2004. Order of 22 September 2004 as amended. Defense Code, Article L2341-1 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005).	
9	participate as an accomplice in abovementioned activities	X	X	X	NW: Code of Defense, Articles L1333-1 to L1333-14	X	X	X	NW: Defense Code, Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of	

					<p>CW: Defense Code, Articles L2342-3 and L2342-60.</p> <p>BW: Defense Code, Article L2341-1 to L2341-4</p>			<p>delivery. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice).</p> <p>CW: Defense Code, arts. L2342-1 to L2342- 84 on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice).</p> <p>BW: Defense Code, Article L2341-3 and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice).</p>		
10	assist in abovementioned activities	X	X	X	<p>NW: Defense Code, Articles L1333-12 to L1333-13-3.</p>	X	X	X	<p>NW: Defense Code, Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice).</p>	

					CW: Defense Code, Article L2342-3. BW: Public Health Code. Order of 22 September 2001, as amended by the Orders of 15 January and 30 July 2004. Defense Code, Article L2341-2.				CW: Defense Code, Articles L2342-60 and L2342-61. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice). BW: Act No. 2004-204 of 9 March 2004. Defense Code, Articles L2341-3 and following and following as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005) and as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code Articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD). Penal Code Article 126-6 and 121-7 (general disposition on criminal accomplice).	
11	finance abovementioned activities	X	X	X	NW: Defense Code, Articles L.1333-13-5 and L.2339-14 to L.2339-18. Penal Code, Article 421-2-2. CW: Penal Code, Articles 421-2-2, 121-6, 450-1 and following. Defense Code, Article L2342-3, as defined by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. BW: Penal Code, Articles 421-2-2, 121-6 to 121-7, 450-1 and following. Defense Code, Article L2341-2, as defined by Law No.2011-266 on fighting against	X	X	X	NW: Penal Code, Article 421-2-2, 121-6, 121-7, 450-1 and following Defense Code, Article L1333-13-5, as defined by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. CW: Penal Code, Articles 421-2-2, 121-6, 121-7, 450-1 and following. Defense Code, Article L2342-60, as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. BW: Penal Code, Articles 421-2-2, 121-6 to 121-7, 450-1 and following. Defense Code, Article L2341-4, as defined by Law No.2011-266 on fighting against	

					proliferation of weapons of mass destruction and means of delivery.				proliferation of weapons of mass destruction and means of delivery.	
12	abovementioned activities related to means of delivery ²	X	X	X	<p>NW: Defense Code, Articles L2332-1, L2335-1 to L2335-18, L2336-1.</p> <p>CW: Defense Code, Articles L2332-1 to L2332-8-1, L2335-1 to L2335-18, L2336-1, L2339-14 to 18 and L2342-58</p> <p>BW: Defense Code, Articles L2332-1 to L2332-8-1, L2335-1 to L2335-18, L2336-1 and L2339-14-18</p>	X	X	X	<p>NW: Defense Code, Articles L2339-14 to L2339-18 and L2353-13. Defense Code, Articles L2339-14 to L2339-18 as defined by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p> <p>CW/BW: Defense Code, Articles L2339-14 to L2339-18 as defined by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.</p>	
13	involvement of non-State actors in abovementioned activities	X	X	X	<p>NW: Defense Code, Articles L 1333-1 to L 1333-13, art. R 1333-1 and following.</p> <p>CW: Defense Code, Article L2342-3.</p> <p>BW: Public Health Code. Defense Code, Article L2341-2 as amended by the Ordinance 2004-1334 of 20 December 2004 (ratified by the Law 2005-1550 of 12 December 2005). Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004.</p>	X	X	X	<p>NW: Defense Code, Articles L1333-9 and L1333-13-1 to L1333-13-11 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Penal Code, articles 421-1 to 421-6.</p> <p>CW: Penal Code, articles 421-1 to 421-6. Defense Code, Article L2341-61.</p> <p>BW: Penal Code, articles 421-1 to 421-6. Defense Code, art. L2341-3 and following.</p>	
14	Other	X	X	X	<p>NW/CW/BW: Penal Code, article 322-6-1: prohibits the disclosure of information that would enable to produce WMDs</p>	X	X	X	<p>NW/CW/BW: Penal Code, article 322-6-1.</p>	

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	X	X	X	NW: Defense Code, Articles L1333-1 to 13, R 1333-1 to R1333-11 to R1333-16. CW: Directive 2012/18/EU of 4 July 2012. Defense Code, Articles L2342-5, L2342-8 to L2342-17 and L2342-51 to L2342-81. Ministerial Order of 10 May 2000. BW: Public Health Code, Articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5193-1 to R5139-3. Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins. Ministerial Order of 10 May 2000: inventory of hazardous substances.	X	X	X	NW: Defense Code, Articles L1333-9 and L1333-10. CW: Defense Code, Arts. L2342-68 to L2342-71. BW: Public Health Code, Art. L5439-1.	

2	Measures to account for use	X	X	X	<p>NW: Defense Code, Articles L1333-1 to 13, R 1333-1 to R1333-11 to R1333-16.</p> <p>CW: Directive 2012/18/EU of 4 July 2012. Defense Code, Articles L2342-5, L2342-8 to L2342-17 and L2342-51 to L2342-81. Ministerial Order of 10 May 2000.</p> <p>BW: Public Health Code, Articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5193-1 to R5139-3. Decree 2010-736 of 30 June 2010 introduce biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins. Ministerial Order of 10 May 2000: inventory of hazardous substances.</p>	X	X	X	<p>NW: Defense Code, Articles L1333-9 and L1333-10.</p> <p>CW: Defense Code, Arts. L2342-68 to L2342-71</p> <p>BW: Public Health Code, Art. L5439-1.</p>	
3	Measures to account for storage	X	X	X	<p>NW: Defense Code, Articles L1333-1 to 13, R 1333-1 to R1333-211 to R1333-16.</p> <p>CW: Directive 2012/18/EU of 4 July 2012. Defense Code, Articles L2342-5, L2342-8 to L2342-17 and L2342-51 to L2342-81. Ministerial Order of 10 May 2000.</p> <p>BW: Public Health Code, Articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5193-1 to R5139-3. Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins Ministerial Order of 10 May 2000: inventory of hazardous substances.</p>	X	X	X	<p>NW: Defense Code, Articles L1333-9 and L1333-10.</p> <p>CW: Defense Code, Arts. L2342-68 to L2342-71.</p> <p>BW: Public Health Code, Art. L5439-1.</p>	

4	Measures to account for transport	X	X	X	<p>NW: Defense Code, Articles L1333-1 to 11, and R1333-3 to R1333-19. Transports Code: Articles L1252-5 to L1252-10, articles L5242-7 to L5242-13 and article L5336-17. Environnemental Code: article L595-1 to L595-3. EEC Directive No. 67-548 of 27 June 1967 amended. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial orders of 29 May 2009 amended and of 18 August 2010.</p> <p>CW: Transports Code: L1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17. Defense Code, Articles L2342-8 to L2342-19. Directive 2012/18/EU of 4 July 2012. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial order of 29 May 2009.</p> <p>BW: Public Health Code, Articles L 5139-1 to L5139-3 and R5193-1 to R5193-20. Transports Code: articles L1252-5 to L1252-8, articles L5242-7 to L5242-13 and article L5336-17. Decree 2010-736 of 30 June 2010 introduce biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins. Ministerial Order of 10 May 2000: inventory of hazardous substances.</p>	X	X	X	<p>NW: Defense Code, Articles L.1252-5 to L1252-12, articles L1333-9 and L1333-10, articles L5242-7 to L5242-13 and article L5336-17.</p> <p>CW: Defense Code: Articles L.1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17.</p> <p>BW: Defense Code: Articles L.1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17 Public Health Code, Art. L5439-1.</p>	
5	Other measures for accounting	X	X		<p>NW: Defense Code, Articles L1333-1 to L1333-13. Commission Regulation n. 3227/76 on application of the EURATOM provisions Institute for Radioprotection and Nuclear</p>					

				BW: Directive 2000/54/EC, incorporated into the Labour Code (art. R231-60 and following), supplemented by the Order of 13 August 1996. Public Health Code, Articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5193-1 to R5139-20. Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins. Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins. Labour Code, Art. R231-63. Order of 16 July 2007 (NOR: MTST0756429A). Ministerial Order of 10 May 2000: inventory of hazardous substances.			BW: Public Health Code, Art L5439-1.			
8	Measures to secure storage	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-13, R 1333-1 to R1333-211 to R1333-16. CW: Directive 2012/18/EU of 4 July 2012. Defense Code, L2342-5, L2342-8 to L2342-17 and L2342-51 to L2342-81. Ministerial Order of 10 May 2000. BW: Directive 2000/54/EC, incorporated into the Labour Code (art. R231-60 and following), supplemented by the Order of 13 August 1996. Public Health Code, Articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5193-1 to R5139-20. Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins. Decree of 17 March 2011 on professional	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-13. CW: Defense Code, Arts. L2342-68 to L2342-71. BW: Public Health Code, Art L5439-1.	

				qualifications of people authorized to access of especially designed microorganisms and toxins Labour Code, Art. R231-63. Order of 16 July 2007 (NOR: MTST0756429A). Ministerial Order of 10 May 2000: inventory of hazardous substances.						
9	Measures to secure transport	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-11 and R1333-3 to R1333-19 Transports Code: Articles L1252-5 to L1252-10, articles L5242-7 to L5242-13 and article L5336-17. Environnemental Code: article L595-1 to L595-3. EEC Directive No. 67-548 of 27 June 1967 amended. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial orders of 29 May 2009 amended and of 18 August 2010. Senior Security Officer of the Ministry of Economic Affairs, Finance and Industry: responsible for measures relating to control and physical protection. CW: Transports Code: L1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17. Defense Code, Articles L2342-8 to L2342-19. Directive 2012/18/EU of 4 July 2012. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial order of 29 May 2009 BW: Public Health Code, Articles L 5139-1 to L5139-3 and R5193-1 to R5193-20. Transports Code: articles L1252-5 to L1252-8, articles L5242-7 to L5242-13 and article L5336-17. Decree 2010-736 of 30 June 2010 introduce biosecurity and biosafety good practices in the	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-11. Operational Transport Unit monitors transports by real-time method. CW: Transports Code: L1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17. Defense Code, Articles L2342-8 to L2342-19. BW: Public Health Code, Art L5439-1.	

					regime of especially designed microorganisms and toxins. Ministerial Order of 10 May 2000: inventory of hazardous substances.					
10	Other measures for securing	X	X	X	NW/CW/BW: Regulation on protection of national scientific and technologic potential (Decree No. 2011-1425 of 2 November 2011): authorization by Senior Security Officer of the Ministry of Industry (enterprises) or Ministry of Research (laboratories) is necessary for access by non EU nationals. Penal Code Articles R 413-1 to R 413-5.	X	X	X	NW/CW/BW: Penal Code, Article 413-7.	
11	Regulations for physical protection of facilities/materials/ transports	X	X	X	NW: Defense Code, Articles L1332-1 to L1332-7 and R1332-1 to R1332-7. Environment Code, Articles L512-1 to L512-21 and articles R512-1 to R512-75 Ministerial Orders of 29 May 2009 and of 10 May 2000. EEC Directive n°67-548 du 27 June 1967 amended. CW: Defense Code, Articles L 1332-1 to L1332-7, R1332-1 to R1332-42 and articles L2342-57 to L2342-81. European Directive 96/82/EC of 09 December 1996 (SEVESO 2). EEC Directive n°67-548 du 27 June 1967 amended. Environment Code, Articles L511-1 to L542-14 Ministerial Order of 10 May 2000: inter alia inventory of all hazardous substances. BW: Code of Public Health, Articles L 5139-1 to L5139-3 and R5139-25. Defense Code: articles L1332-1 to L1332-7 and R1332-1 to R1332-42. Transports Code: L1252-5 to 8, articles L5242-7	X	X	X	NW: Senior Security Officer of the Ministry of Economic Affairs, Finance and Industry: responsible for measures relating to control and physical protection. Penal Code: articles 413-5 to 8 CW: Penal Code: articles 413-5 to 8 Security management policy. System of physical and human protection BW: Penal Code: articles 413-5 to 8 Security management plan. System of physical and human protection.	

					to L5242-13 and article L5336-17. Environment Code, Articles L511-1 to L542-14 and Decree of 21 September 1977 and Ministerial Order of 10 May 2000: inter alia inventory of all hazardous substances. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial order of 29 May 2009. European Directive 96/82/EC of 09 December 1996 (SEVESO 2). EEC Directive n°67-548 of 27 June 1967.					
1 2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	NW: Defense Code, Articles L1333-2-1 to L1333-13-1 and articles R1332-22-1 to R1332-22-3: use requires authorization. CW: Defense Code, Articles L1332-1 to L1332-7, L1332-2-1, R1332-22-1 to R1332-22-3 L2342-8 to L2342-11 and L2342-57 to L2342-81 BW: Defense Code: article L1332-2-1 and articles R1332-22-1 to R1332-22-3. Public Health Code, Articles L 5139-1 to L5139-3 and R5193-1 to R5193-3. Decree 2010-736 of 30 June 2010 introduce biosafety good practices in the regime of especially designed microorganisms and toxins. Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins.	X	X	X	NW: Defense Code, Articles L1333-1 to L1333-13. Act No. 89-434. Penal Code. CW: Defense Code, Arts. L2342-57 to L2342-81. BW: Public Health Code, Art L5439-1	
1 3	Reliability check of personnel	X	X	X	NW: Defense Code, Articles L1333-2-1 to L1333-13-1 and articles R1332-22-1 to R1332-22-3: use requires authorization. CW: Defense Code, Articles L1332-1 to L1332-7, L1332-2-1, R1332-22-1 to R1332-22-3 L2342-8 to L2342-11 and L2342-57 to L2342-81.	X	X	X	NW/CW: Surveillance of personnel.	

					BW: Defense Code, article L1332-2-1 and articles R1332-22-1 to R1332-22-3; Public Health Code, Articles L 5139-1 to L5139-3 and R5193-1 to R5139-3. Decree 2010-736 of 30 June 2010 introduce biosafety good practices in the regime of especially designed microorganisms and toxins. Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins.				BW: Surveillance of personnel. Public Health Code, Art L5439-1	
1 4	Measures to account for/secure/ physically protect means of delivery	X	X	X	NW/CW/BW: Defense Code: articles L2339-14 to L2339-18..	X	X	X	NW/CW/BW: Defense Code: R1332-19 to R1332-34	

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	X	Act establishing the National Authority	X	Atomic Energy Commission	
2	IAEA Safeguards Agreements	X	Safeguards Agreement France/ EURATOM/IAEA (INFCIRC/290). Additional Protocol France/ EURATOM/IAEA in force 30 April 2004.	X	The IAEA inspects nuclear and related facilities under safeguards agreements.	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support to IAEA DG.	X	Expressed support to IAEA DG.	
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 to these Guidance	X	Expressed support to these Guidance	
5	IAEA Incident and Trafficking Database	X	Participates in Database Programme.	X	Participates in Database Programme.	
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Act No. 89-434 of 30 June 1989.	X	Act No. 89-434 of 30 June 1989.	

8	Other	X	<p>Joint Convention on the Spent Fuel Management and on the Safety of Radioactive Waste Management: 27 April 2000.</p> <p>Convention on Early Notification of a Nuclear Accident: Deposit 6 March 1989.</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency: Deposit 6 March 1989.</p> <p>Convention on Nuclear Safety: Deposit 13 September 1995.</p> <p>Commission Regulation No. 302/2005 of 8 February 2005 on the application of EURATOM safeguards</p> <p>France has signed the amendment to the Convention on the physical protection of nuclear materials (CPPMN.INFCIRC/275/Rev.1) and is in the process of ratification.</p>	X	<p>Joint Convention on the Spent Fuel Management and on the Safety of Radioactive Waste Management: 27 April 2000.</p> <p>Convention on Early Notification of a Nuclear Accident: Deposit 6 March 1989.</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency: Deposit 6 March 1989.</p> <p>Convention on Nuclear Safety: Deposit 13 September 1995.</p> <p>Commission Regulation No. 302/2005 of 8 February 2005 on the application of EURATOM safeguards</p> <p>France has signed the amendment to the Convention on the physical protection of nuclear materials (CPPMN.INFCIRC/275/Rev.1) and is in the process of ratification.</p>	
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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	Decree n. 98-36 dated 16 January 1998 regarding the distribution of administrative skills for the implementation of the Convention of 13 January 1993 on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, Art. 4.	X	Ministry of Foreign Affairs - Directorate of chemical and biological disarmament and the control of conventional arms.	
2	Reporting Schedule I, II and III chemicals to OPCW	X	France is up to date in its obligation to declare military and civilian sites subject to international verification to the Organization for the Prohibition of Chemical Weapons.	X	Service for the implementation of international controls (Group Chemistry).	
3	Account for, secure or physically protect "old chemical weapons"	X	Decree No. 98-36 of 16 January 1998.	X	Adopted plan for destruction.	
4	Other legislation/ regulations controlling chemical materials	X	Directive 89/391/EC.			
5	Other	X	Inter-ministerial Committee for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.	X	More than 30 inspections.	

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	X	Order of 30 July 2004. Environment Code, Book V, Title III. Genetically modified organisms.	X	Public Health Code, Art. L1126-3.	
2	Other legislation/ regulations related to safety and security of biological materials	X	Authorization required from Agency for the Safety of Health Products. Acquisition and transfer transactions are recorded in a special register at the local level.			
3	Other	X	Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004 establishing an European Centre for Disease Prevention and Control (ECDC), whose mission "shall be to identify, assess and communicate current and emerging threats to human health from communicable diseases". Article 3 also defines the mission to include collection of relevant scientific and technical data and coordination of public health services surveillance networks.	X	The ECDC has established a biorisk expert group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation – Biosafety mission and projects.	

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/BW: Council Regulation 2913/1992 (Community Customs Code). Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code). EU Regulation no. 648 of 13 April 2005 (Security Amendment). Customs Code, Articles 43, 44 and 60 to 66: investigation of violations (including Article 61bis as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery).	X	X	X	NW/CW/BW: Ministries of Justice, of Interior and of Defense are involved. National Customs Information and Investigation Department: centralizes and analyses data. Custom Code, Articles 61bis and 414 as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.	
2	Technical support of border control measures	X	X	X	NW/CW/BW: "Euritrack" project. EU Regulation no. 648 of 13 April 2005 (Security Amendment) New Computerised Transit System (NCTS) - Security and Safety Aspects is to be updated in its features as required by Regulation (EC) 648/2005.	X	X	X	NW/CW/BW: Scanner equipment, ionscans, radiation detection equipment.	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and	X	X	X	NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and	X	X	X	NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and	

	technology				transit of dual-use items. Decree No. 2002-23 of January 2002 amending Decree No. 95-589 of 06 May 1995. Defense Code: articles L2331-1, L2331-2, L2332-1, L2332-11, L2339-2 to L2339-4-1, L2339-5, L233-9 to L2339-18; Decree n°2013-700 of 30 July 2013 amended in 2014.				transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation) Decree No 2002-23 of January 2002 amending Decree No 95-589 of 6 May 1995.	
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: National laws establishing enforcement authorities. Monetary and Financial Code, Articles L613-1 to L613-33-1.	X	X	X	NW/CW/BW: Customs officers monitor compliance by individuals. TRACFIN is authorized to communicate and exchange information with foreign units, such as the Banking Commission. Criminal Investigation Department specialized in the suppression of trafficking in arms etc. NW: Directorate-general for Energy and Raw Materials. BW: National Drug Safety Agency [Agence Nationale de la Securite du Medicament] officers monitor compliance by laboratories, companies and individuals of microorganisms and toxins importation and exportation authorizations.	
5	Export control legislation in place	X	X	X	NW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, arts. L2332-1, L2335-1 to L2332-3, L2336-1 and L2339-1. Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime. Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions. Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the	X	X	X	NW: Customs Code, arts. 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429. Defense Code, arts. L1333 to L1333-13.	

				<p>transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.</p> <p>CW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime. Public Health Code. Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004. Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions. Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.</p> <p>BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime. Public Health Code. Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004. Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions. Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the</p>			<p>CW: Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1 Customs Code, Articles. 38 and 414(as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p> <p>BW: Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Customs Code, Articles. 38 and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p>	
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					transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.					
6	Licensing provisions	X	X	X	<p>NW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, arts. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime. Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.</p> <p>CW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime. Public Health Code. Law No. 2004-806 of 9 August 2004 as amended by Law 2009-879 of 21 July 2009 defines regime of authorization for exportation and importation of microorganisms and toxins. Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions. Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.</p> <p>BW:</p>	X	X	X	<p>NW: Export applications that pose a risk of proliferation of weapons of mass destruction are denied. Customs Code, Articles 38, 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p> <p>CW: Export applications that pose a risk of proliferation of weapons of mass destruction are denied. Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1. Customs Code, Articles 38, 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p> <p>BW:</p>	

					<p>Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p> <p>Council regulation (EC) No 1183/2007.</p> <p>Defense Code, arts. L2332-1, L2335-1 to 3, L2336-1 and L2339-1.</p> <p>Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime.</p> <p>Public Health Code.</p> <p>Law No. 2004-806 of 9 August 2004 as amended by Law 2009-879 of 21 July 2009 defines regime of authorization for exportation and importation of microorganisms and toxins.</p> <p>Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions.</p> <p>Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010.</p>				<p>Export applications that pose a risk of proliferation of weapons of mass destruction are denied.</p> <p>Defense Code, Articles. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1</p> <p>Customs Code, Articles 38, 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p>	
7	Individual licensing	X	X	X	<p>NW/CW:</p> <p>Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p> <p>BW:</p> <p>Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p>	X	X	X	<p>NW:</p> <p>Customs Code, Articles. 38, 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p> <p>CW/BW:</p> <p>1. Defense Code, Articles L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1</p> <p>2. Customs Code, Articles. 38, 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429</p>	
8	General licensing	X	X	X	<p>NW:</p> <p>Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p> <p>CW:</p> <p>1. Council regulation (EC) No 428/2009 of 5</p>	X	X	X	<p>NW:</p> <p>Customs Code, Articles 38 and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p> <p>CW/BW:</p> <p>Defense Code, Articles. L2332-1,</p>	

					<p>May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p> <p>2. Decree of 18 July 2002 on chemical products.</p> <p>BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Decree of 14 May 2007 on biologic products as amended by decree of 18 March 2010.</p>				<p>L2335-1 to L2335-3, L2336-1 and L2339-1 Customs Code, Articles 38 and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.</p>	
9	Exceptions from licensing	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p>	X	X	X	<p>NW/CW/BW: Intracommunity declarations of trade in goods.</p>	
10	Licensing of deemed export/visa	X	X	X	<p>NW/CW/BW: Regulation on protection of national scientific and technologic potential (Decree No. 2011-1425 of 2 November 2011): authorization by Senior Security Officer of the Ministry of Industry (enterprises) or Ministry of Research (laboratories) is necessary for access by non EU nationals. Penal Code Articles R 413-1 to R 413-5.</p>	X	X	X	<p>NW/CW/BW: Penal Code, Article 413-7.</p>	
11	National authority licensing	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (article 5). Decree No. 37 of 12 January 2009 as amended by Decree 2010-293 on Directorate-General for Competitiveness, Industry and Services. Decree No. 2001-1192 of 13 December 2001 on export, import and transfer controls for dual-use goods and technologies as amended by Decree 2010-292 of 18 March 2010. Decree of 18 March 2010 on the National Service on Dual Use Goods (French national licensing authority).</p>	X	X	X	<p>NW/CW/BW: Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs — , Service des biens à double-usage (SBDU, Dual-use goods service) Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p>	

12	Interagency review for licenses	X	X	X	<p>NW/CW: Decree 2010-294 of 18 March 2010 creating the Interministerial Commission of Dual Use Goods into the Ministry of Foreign Affairs.</p> <p>BW: Decree 2010-294 of 18 March 2010 creating the Interministerial Commission of Dual Use Goods into the Ministry of Foreign Affairs. French Agency for the Safety of Health Products: involved in taking decisions on import/export of biological materials.</p>	X	X	X	<p>NW/CW: Consultation with competent technical Ministries.</p> <p>BW: French Agency for the Safety of Health Products: involved in taking decisions on import/export of biological materials. Consultation with competent technical Ministries.</p>	
13	Control lists	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Council regulation (EU) No. 1382/2014 of 22 October amending European List of dual use goods and technologies. Decree of 30 April 2014 on selected MOT List</p>					
14	Updating of lists	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (article 6). Regulation EC n°1232/2011 of 16 November 2011 Regulation EC n°388/2012 of 19 April 2012 Delegate Regulation n°1382/2014 of 22 October 2014</p>	X	X	X	<p>NW/CW/BW: The lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments, and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.</p>	
15	Inclusion of technologies	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Regulation EC n°1232/2011 of 16 November 2011 Regulation EC n°388/2012 of 19 April 2012</p>	X	X	X	<p>NW/CW/BW: Customs Code, Article 38.</p>	
16	Inclusion of means of delivery	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and</p>	X	X	X	<p>NW/CW/BW: Customs Code, Articles 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass</p>	

					transit of dual-use items. Regulation EC 1232/2011 of 16 November 2011 Regulation EC 388/2012 of 19 April 2012 Defense Code: articles L2239-14 to L2239-18				destruction and means of delivery) to 429.	
17	End-user controls	X	X	X	NW/CW/BW: EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Decree No. 2001-1192 of 13 December 2001 on export, import and transfer controls for dual-use goods and technologies as amended by Decree 2010-292 of 18 March 2010. Decree n°2009-37 of 12 January 2009 Decree n°2010-294 of 18 March 2010 Ministerial order of 13 December 2001	X	X	X	NW/CW/BW: 1. CUF - Certificat d'Utilisation Finale (End User Certificate). 2. CVL - Certificat de verification de livraison (Delivery Certificate).	
18	Catch all clause	X	X	X	NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.	X	X	X	NW/CW/BW: Customs Code, Article 38 and Articles 61bis, 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.	
19	Intangible transfers	X	X	X	NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: Customs Code, Article 38 and Articles 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.	
20	Transit control	X	X	X	NW/CW/BW: 1. Customs Code: articles 60, 61bis, 70, 73, 75, 78, 82 and 83; 2. Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. 3. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. 4. Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004.	X	X	X	NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation).	

21	Trans-shipment control	X	X	X	NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004.	X	X	X	NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation).	
22	Re-export control	X	X	X	NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. Defense Code, Articles L2342-1 to L2342-84 Customs Code: articles 60, 61bis, 70, 73, 75, 78, 82 et 83. Order of 2 October 1992, means of delivery under category 1 of the Missile Technology Control Regime.	X	X	X	NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation).	
23	Control of providing funds	X	X	X	NW/CW/BW: Monetary and Financial Code, Articles L613-1 to L613-33-1 Customs Code: articles 60, 399, 451 and 459	X	X	X	NW/CW/BW: Ministry of Economy, Finance and Industry — General Directorate of Customs and Indirect Taxation: financial information unit TRACFIN gathers information to combat these activities.	
24	Control of providing transport services	X	X	X	NW/CW/BW: Maritime Ports Code, Chap. III Article L153-1 and L153-2. Civil Aviation Code, Chap. on goods movement, Article L321-7. Code of Transports: articles L1252-1 à L1252-4, L5331-8, L5334-6, L5336-17, L6341-1 to L6341-4 and L6342-1 to L6342-4	X	X	X	NW/CW/BW: Maritime Ports Code, Arts. L531-1 – 3. Civil Aviation Code, Arts. L741-1 – 3. Custom Code, Article 61bis as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery.	
25	Control of importation	X	X	X	NW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, Articles L1333-2 to L1333-13-11. EU Regulation no. 648 of 13 April 2005	X	X	X	NW/CW/BW: 1. Customs Code, Articles 61bis and 414 (as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery) to 429.	

					(Security Amendment), Article 1.14. CW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Defense Code, Articles L2335-1 to L2335-7. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14. Public Health Code, articles L5139-1 to L5139-15439-1 to L5139-4 and R5139-1 to R5139-20. Defense Code: article L2341-1 to L2341-7 Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004. Framework Act on Public Health of 2004. Defense Code, arts. L2332-1, L2335-1 to L2335-3, L2336-1 and L2339-1.					
26	Extraterritorial applicability	X	X	X	NW/CW/BW: Council action adopted 22 June 2000. Penal Code, Articles 113-6 to 113-12.	X	X	X	NW/CW/BW: Penal Code, Articles 113-6 to 113-12.	
27	Other	X	X	X	NW/CW/BW: Directorate-General for Industry, Information Technology and Posts takes part in direct coordination between the monitoring offices of EU member States. EU peer review of French arrangement for export control of dual-use goods.	X	X	X	NW/CW/BW: A Governmental plan for intercepting proliferation flows was signed by the Prime Minister in February 2009.	

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)	X	List of dual-use items established under European regulations as well as national legislation (Defense Code, Articles L1333-1 to L1333-13: nuclear material; Defense Code, Articles L2342-1 to L2342-84: chemicals; Order of 22 September 2001 as amended by Decree of 30 April 2012: biological agents)	
2	Control lists - other	X	Control list of suppliers (under WA, MTCR, NSG, AG, CWC) incorporated in EU Council regulation 428/2009, supplemented by Council Regulation No, are directly applicable	
3	Assistance offered	X	For all Region on General, Export Controls and Physical Protection topics. Assistance provided through the Global Partnership, IAEA INSSP and 1540 committee.	
4	Assistance requested			
5	Point of Contact for assistance	X	French Representative to 1540 Committee (Permanent Mission of France to the United Nations) Subdirectorate for Disarmament and Nuclear, Ministry of Foreign and European Affairs	
6	Assistance in place (bilateral/multilateral)	X	1. France funds a number of projects as well as bilateral programmes in the nuclear, chemical and biological fields. 2. France cooperates on a case-by-case basis in bilateral activities such as export controls and physical protection	
7	Work with and inform industry	X	Awareness programmes with particular attention to small and medium entrepreneurs; conferences for exporters organized by the Ministry of Economic Affairs, Finance and Industry; web sites of the Ministry of Economic Affairs, Finance and Industry/Directorate-General for Customs and Indirect Taxation/Official Customs Bulletin/etc; brochure on dual-use distributed in October 2004. A circular was circulated in March 2009 to all ministries (including the ministry for Industry) to sensitize them to all aspects of the fight against proliferation.	
8	Work with and inform the public	X	Customs services are also engaged in public information; web sites: see above; study on the conditions for public access to an open database on terrorism is on the way.	
9	Point of Contact	X	French Representative to 1540 Committee (Permanent Mission of France to the United Nations) Subdirectorate for Disarmament and Nuclear, Ministry of Foreign and European Affairs	
10	Other ⁴	X	Voluntary National Implementation Action Plan	

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