

# 1540 COMMITTEE MATRIX OF KIRIBATI

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:

KIRIBATI

Date of Report:

1 May 2006

Date of Committee Approval:

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 18 April 1985	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga, deposit 28 October 1986	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Ratified on 26 Sep 2008	
4	Convention on Physical Protection of Nuclear Material (CPPNM)			
5	2005 Amendment to the CPPNM			

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 7 September 2000	
7	Chemical Weapons Convention (CWC)	X	Deposit 7 September 2000	
8	Biological Weapons Convention (BWC)			
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State Party to Waigani Convention (Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Trans-boundary Movement and Management of Hazardous Wastes within the South Pacific Region)  State party to 7 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombings 1999 International Convention for the Suppression of the Financing of Terrorism	
11	International Atomic Energy Agency (IAEA)			
12	Hague Code of Conduct (HCOC)	X	Subscribing State	
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	Does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use weapons of mass destruction or their means of delivery	
17	Other <sup>1</sup>	X	Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and of the European Community and its Member States (Cotonou Agreement) Member of Pacific Island Forum (PIF) Member of Oceania Customs Organisation (OCO)	

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	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: (Nuclear material ...alters)  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: (Nuclear material ...alters)  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
2	acquire	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: (Nuclear material ... receives)  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: (Nuclear material ... receives)  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8  <b>CW, BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
3	possess	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35:	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35:	

					<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991				<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
4	stockpile/store		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	X	X		<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
5	develop		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	X	X		<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
6	transport	X			<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34:	X			<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34:	
7	transfer	X	X	?	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005: Section 14: (provision of weapons ...)  <b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006,	X	X	?	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006,	

					Section 5				Sections 5  <b>BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005: Section 14: (provision of weapons ...)	
8	use	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Sections 3 and 35  <b>CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 3  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5	X	X	X	<b>NW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8 2. Penal Code 1977, Section 218  <b>BW:</b> Penal Code, Section 218 and 220	
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prohibitions as mentioned above	X	X	X	<b>NW/CW/BW:</b> Penal Code 1977, Section 21	
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 11 - 14  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 5	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 11 – 14  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8	
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 Proceeds of Crime (Amendment) Act 2005	

								renames the Financial Intelligence Unit and creates more offences for money laundering		
12	abovementioned activities related to means of delivery <sup>2</sup>		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act 2006, Section 5  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
13	involvement of non-State actors in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006	X	X	X	<b>NW:</b> Penal Code 1977  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8  <b>BW:</b> Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
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 Materials<sup>3</sup>**

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		NW: INFCIRC 390  CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-12		X		CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-24	
2	Measures to account for use	X	X		NW: INFCIRC 390  CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-12		X		CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-24	
3	Measures to account for storage	X	X		NW: INFCIRC 390  CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-12		X		CW: Chemical Weapons (Prohibition) Act of 2006, Sections 11-24	
4	Measures to account for transport	X			NW: Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34: (Permission needed from the Minister for transport)	X			NW: Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34	
5	Other measures for accounting									
6	Measures to secure production									

7	Measures to secure use								
8	Measures to secure storage					?		<b>CW:</b> Carriage of Goods by Sea Ordinance, Section 6	
9	Measures to secure transport					?		<b>NW/BW:</b> Carriage of Goods by Sea Ordinance, Section 6	
10	Other measures for securing						X	<b>CW:</b> Penal Code (Cap 67), Section 232  <b>BW:</b> Penal Code (Cap 67), Section 176	
11	Regulations for physical protection of facilities/ materials/ transports								
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of 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	X	Safeguards Agreement, in force 19 December 1990 Additional Protocol, signed 9 November 2004			
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA					
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?		<u>N</u> ational legal framework		<u>E</u> nforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Ministry of Foreign Affairs and Immigration	X	Ministry of Foreign Affairs and Immigration	
2	Reporting Schedule I, II and III chemicals to OPCW					
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?	<u>N</u> ational legal framework		<u>E</u> nforcement: 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/BW: Customs Act 2005, Sections 8-16 Kiribati Ports Authority Act 1990	X	X	X	NW/CW/BW: Customs Act 2005, Sections 107 and 116 Kiribati Customs Service also does border management  BW: Health Authority	
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/BW: Customs Act 2005, Section 8	X	X	X	NW/CW/BW: Kiribati Customs Service	
5	Export control legislation in place	?	X	?	NW/CW/BW: Customs Act 2005, Sections 58-59  CW: Chemical Weapons (Prohibition) Act of 2006, Section 9	?	X	?	NW/CW/BW: Customs Act 2005, Sections 107 and 116  CW: Chemical Weapons Prohibition Act of 2006, Section 9 Secretary of the Ministry of Foreign Affairs	
6	Licensing provisions									
7	Individual licensing									

8	General licensing								
9	Exceptions from licensing								
10	Licensing of deemed export/visa								
11	National licensing authority		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 9: Ministry of Foreign Affairs  <b>BW:</b> Plant Ordinance, Sections 5-8: (Imports of plants only)		X	X	<b>CW:</b> Secretary of the Ministry of Foreign Affairs  <b>BW:</b> Plant Ordinance, Section 4&5 Chief Agricultural Officer (import of plants only)
12	Interagency review for licenses								
13	Control lists	?	X	?	<b>NW/BW:</b> Customs Act 2005, Section 62: (Comptroller to supply lists of prohibited and restricted imports and exports)  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Sections 3 and 9		X	X	<b>CW:</b> Chemical Weapons (Prohibition) Act of 2006 Section 8 and 9  <b>BW:</b> Quarantine Ordinance 1977, Section 8(1)c
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	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 (Prohibition for terrorist financing only)	X	X	X	<b>NW/CW/BW:</b> Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering
24	Control of providing transport services								
25	Control of importation	?	X	X	<b>NW/CW/BW:</b> Customs Act 2005, Sections 56-57  <b>CW:</b> Chemical Weapons (Prohibition) Act of 2006, Section 9  <b>BW:</b> Quarantine Ordinance 1977, Section 8(1)c and 58(1) Plant Ordinance 1977, Section 4 – 6 (Plant only)	?	X	X	<b>NW/CW/BW:</b> Customs Act 2005, Sections 107 and 116  <b>CW:</b> Secretary of the Ministry of Foreign Affairs Chemical Weapons Prohibition Act of 2006, Section 9  <b>BW:</b> Quarantine Ordinance 1977, Section 58(2) Plant Ordinance. Section 16
26	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)		Does not consider it necessary at this time to implement national control lists for goods which may be used to develop weapons of mass destruction	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Welcomes any assistance that may be available to help it implement this resolution, in particular in the areas of legislative drafting and border security	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	The OPCW-Implementation Support Branch, International Cooperation and Assistance Division, organized dedicated sub-regional training course for Legal authorities and representatives of CWC National Authorities from Pacific Island States, on Technical Aspects of the CWC, at Brisbane, Australia 20 – 24 May 2014	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other <sup>4</sup>			

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