

1540 COMMITTEE MATRIX OF THE KINGDOM OF LESOTHO

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:

KINGDOM OF LESOTHO

Date of Report:

15 January 2014

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 20 May 1970	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Deposit 14 March 2002, Pelindaba Treaty	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit: 22 September 2010	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 18 August 2010	
5	2005 Amendment to the CPPNM	X	Deposit 18 September 2012	

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 14 September 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit 7 December 1994	
8	Biological Weapons Convention (BWC)	X	Deposit 6 September 1977	
9	Geneva Protocol of 1925	X	Deposit 15 March 1973	
10	Other Conventions/Treaties	X	State party to 14 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 OAU Convention on the Prevention and Combating of Terrorism, 14 March 2002 Protocol to the OAU Convention on the Prevention and Combating of Terrorism, 17 October 2012	
11	International Atomic Energy Agency (IAEA)	X	Since 2009	
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements			
14	General statement on non-possession of WMD	X	State confirmed non-possession on WMD in their national report	
15	General statement on commitment to disarmament and non-proliferation	X	State stated that they are “convinced that the only way to ensure that terrorists did not acquire weapons of mass destruction was the total elimination of nuclear weapons”	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State confirmed non-provision of WMD and their means of delivery to non-state actors in their national report	
17	Other ¹	X	African Union SADC Southern African Customs Union Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part and the European Community and its Member States of the other part (Cotonou agreement) Signed Declaration on Implementation of the World Customs Organization (WCO) 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework of Standards) Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) INTERPOL Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO)	

			Anti-Money Laundering and Combating the Financing of Terrorism Regime National Strategy (2010) WHO Member State World Organisation for Animal Health (OIE) Member Country WCO Member State	
--	--	--	---	--

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: (Penal Code Act No.6, 2012 incorporates Penal Code Act, 2010) Penal Code Act, 2010, Part VII CW: CWC Act 2005, Arts. 5-6, Penal Code Act, 2010, Part VII BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: CWC Act 2005, Arts. 13-14, Penal Code Act, 2010, Part X BW: Penal Code Act, 2010, Part X	
2	acquire	X	X	X	NW: Penal Code Act, 2010, Part VII CW: CWC Act 2005, Arts. 5-6, Penal Code Act, 2010, Part VII BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: CWC Act 2005, Arts. 13-14, Penal Code Act, 2010, Part X BW: Penal Code Act, 2010, Part X	
3	possess	X	X	X	NW: Penal Code Act, 2010, Part VII CW: CWC Act 2005, Art. 5-6: retain (although Article 6 also specifically applies to possession of Schedule 1 chemicals), Penal Code Act, 2010, Part VII BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: CWC Act 2005, Arts. 13-14, Penal Code Act, 2010, Part X BW: Penal Code Act, 2010, Part X	

9	participate as an accomplice in abovementioned activities	X	X	X	NW: Penal Code Act, 2010, Part VII CW: CWC Act 2005, Arts. 5-6 (Art 6 only for use of Schedule 1 chemicals) BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: Penal Code Act, 2010, Part X CWC Act 2005, Arts. 13-14 BW: Penal Code Act, 2010, Part X	
10	assist in abovementioned activities	X	X	X	NW: Penal Code Act, 2010, Part VII CW: CWC Act 2005, Arts. 5-6 (Art 6 only for use of Schedule 1 chemicals), Penal Code Act, 2010, Part VII BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: CWC Act 2005, Arts. 13-14 BW: Penal Code Act, 2010, Part X	
11	finance abovementioned activities	?	?	?	NW: Money Laundering and Proceeds of Crime Act No. 4 of 2008 CW: CWC Act 2005, Arts. 5-6 (Art 6 only for use of Schedule 1 chemicals) Money Laundering and Proceeds of Crime Act No. 4 of 2008 BW: Money Laundering and Proceeds of Crime Act No. 4 of 2008	?	?	?	NW: Internal Security (General) Act of 1984, Section 8, Money Laundering and Proceeds of Crime Act No. 4 of 2008 (Financial Intelligence Unit (FIU) and Anti-Money Laundering Authority) CW: Internal Security (General) Act of 1984, Section 8, Money Laundering and Proceeds of Crime Act No. 4 of 2008 (Financial Intelligence Unit (FIU) and Anti-Money Laundering Authority) CWC Act 2005, Arts. 13-14 BW: Internal Security (General) Act of 1984, Section 8, Money Laundering and Proceeds of Crime Act No. 4 of 2008 (Financial Intelligence Unit (FIU) and Anti-Money Laundering Authority)	

12	abovementioned activities related to means of delivery ²									
13	involvement of non-State actors in abovementioned activities	X	X	X	NW: Penal Code Act, 2010, Part VII CW: CWC Act 2005, Art. 5, Penal Code Act, 2010, Part VII BW: Penal Code Act, 2010, Part VII	X	X	X	NW: Penal Code Act, 2010, Part X CW: CWC Act 2005, Arts. 13-14, Penal Code Act, 2010, Part X BW: Penal Code Act, 2010, Part X	
14	Other	?	?	?	NW: Internal Security (General) Act No.24 of 1984 as amended CW: Internal Security (General) Act No.24 of 1984 as amended BW: Internal Security (General) Act No.24 of 1984 as amended					

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		NW: INFCIRC/199 (Additional Protocol and SQP) CW: CWC Act 2005, Arts. 7 and 15		X		CW: CWC Act 2005, Arts. 8-9 (inspections), 13-14 (seizures and penalties)	
2	Measures to account for use	X	X		NW: INFCIRC/199(Additional Protocol and SQP) CW: CWC Act 2005, Arts. 7 and 15		X		CW: CWC Act 2005, Arts. 8-9 (inspections), 13-14 (seizures and penalties)	
3	Measures to account for storage	X	X		NW: INFCIRC/199(Additional Protocol and SQP) CW: CWC Act 2005, Arts. 7 and 15		X		CW: CWC Act 2005, Arts. 8-9 (inspections), 13-14 (seizures and penalties)	
4	Measures to account for transport									
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		?		CW: CWC Act 2005, Art. 7 (requires authorization) and 15		?		CW: CWC Act 2005, Arts. 8-9, 13-14
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?	<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 regulatory authority					
2 IAEA Safeguards Agreements	X	Safeguards Agreement in force since 12 June 1973 Additional Protocol in force 26 April 2010 SQP: Amended 8 September 2009			
3 IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notified IAEA of political commitment	X	Notified IAEA of political commitment	
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	Notified IAEA of political commitment	X	Notified IAEA of political commitment	
5 IAEA Incident and Trafficking Database	X	Participates in Database	X	Participates in Database	
6 Other Agreements related to IAEA	X	2012-2017 Country Programme Framework Revised Supplementary Agreement for the Provision of IAEA Technical Cooperation (2010) African Regional Cooperative Agreement for research, development and Training Related to Nuclear Science and technology (September 2010)			
7 Additional national legislation/regulations related to nuclear					

	materials including CPPNM					
8	Other	X	Recipient of IAEA-EU Joint Action Partnership in Improving Nuclear Security (2008-2012) Drafted Integrated Nuclear Security Support Plan (INSSP)			

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	CWC Act 2005, Art. 4	X	Ministry of Defence and National Security	
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	X	Environmental Act of 2008 Trading Enterprises Act of 1999 Labour Code 1992 as amended Liquefied Petroleum Gas Regulations of 1997 Ozone depleting substances regulations of 2000 draft	X	Environmental Act of 2008 Trading Enterprises Act of 1999 Labour Code 1992 Liquefied Petroleum Gas Regulations of 1997 Ozone depleting substances regulations of 2000 draft	
5	Other	X	Stockholm Convention on Persistent Organic Pollutants (POPs) was ratified on the 23 January 2001 Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals & Pesticides in International Trade (PIC)- 30 May 2008			

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	X	Biosafety Bill of 2007 Stock Diseases (Amendment) Act of 3. 3. 1984 National Biosafety Policy			

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: Customs and Excise Act No. 10 of 1982, Art. 114 Export and Import (Control) Act No. 16 of 1984 CW: Customs and Excise Act No. 10 of 1982, Art. 114 Export and Import (Control) Act No. 16 of 1984 BW: Customs and Excise Act No. 10 of 1982, Art. 114 Export and Import (Control) Act No. 16 of 1984	X	X	X	NW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 CW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 BW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83	
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: Customs and Excise Act No. 10 of 1982 Export and Import Control (Amendment) Act 1996 Export and Import (Control) Act No. 16 of 1984	X	X	X	NW: Customs and Excise Division, Lesotho Revenue Authority	

					CW: Customs and Excise Act No. 10 of 1982 Export and Import Control (Amendment) Act 1996 Export and Import (Control) Act No. 16 of 1984 CWC Act, Arts: 6 and 8 BW: Customs and Excise Act No. 10 of 1982 Export and Import Control (Amendment) Act 1996 Export and Import (Control) Act No. 16 of 1984				CW: Customs and Excise Division, Lesotho Revenue Authority CWC Act, Arts: 6 and 8 BW: Customs and Excise Division, Lesotho Revenue Authority	
5	Export control legislation in place	?	X	?	NW: Customs and Excise Act No. 10 of 1982, Art. 114: 1a(iv)and 5: Minister can prohibit the export or transit of any munitions or anything that can be made into munitions Export and Import (Control) Act of 1984, Art. 3 CW: Customs and Excise Act No. 10 of 1982, Art. 114: 1a(iv)and 5: Minister can prohibit the export or transit of any munitions or anything that can be made into munitions Export and Import (Control) Act of 1984, Art. 3 CWC Act, Arts. 6-7 BW: Customs and Excise Act No. 10 of 1982, Art. 114: 1a(iv)and 5: Minister can prohibit the export or transit of any munitions or anything that can be made into munitions Export and Import (Control) Act of 1984, Art. 3	?	X	?	NW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6 CW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6 CWC Act, Arts. 13-14 BW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6	
6	Licensing provisions									

7	Individual licensing								
8	General licensing								
9	Exceptions from licensing								
10	Licensing of deemed export/visa								
11	National licensing authority	?	X	?	NW: Export and Import Control (Amendment) Act 1996 Customs and Excise Act No. 10 of 1982 CW: Export and Import Control (Amendment) Act 1996 Customs and Excise Act No. 10 of 1982 CWC Act, Arts. 6-7 BW: Export and Import Control (Amendment) Act 1996 Customs and Excise Act No. 10 of 1982	?	X	?	NW: Ministry of Trade and Industry, Cooperatives and Marketing Customs and Excise Division, Lesotho Revenue Authority CW: Ministry of Trade and Industry, Cooperatives and Marketing Customs and Excise Division, Lesotho Revenue Authority CWC Act, Arts. 13-14 / National Authority BW: CWC Act, Arts. 13-14 Ministry of Trade and Industry, Cooperatives and Marketing Customs and Excise Division, Lesotho Revenue Authority
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	?	?	?	NW: Export and Import (Control) Act No. 16 of 1984, Art. 114(5): Minister can prohibit the export or transit of any munitions or anything that can be made into munitions CW: Export and Import (Control) Act No. 16 of 1984, Art. 114(5): Minister can prohibit the export or transit of any munitions or anything that can be made into munitions CWC Act, Arts. 6-7 BW: Export and Import (Control) Act No. 16 of 1984, Art. 114(5): Minister can prohibit the export or transit of any munitions or anything that can be made into munitions	?	?	?	NW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 CW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 CWC Act, Arts. 13-14 BW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83	
21	Trans-shipment control									
22	Re-export control									
23	Control of providing funds	?	?	?	NW: Money Laundering and Proceeds of Crime Act No. 4 of 2008 CW: Money Laundering and Proceeds of Crime Act No. 4 of 2008 BW: Money Laundering and Proceeds of Crime Act No. 4 of 2008	?	?	?	NW: Money Laundering and Proceeds of Crime Act No. 4 of 2008 CW: Money Laundering and Proceeds of Crime Act No. 4 of 2008 BW: Money Laundering and Proceeds of Crime Act No. 4 of 2008	
24	Control of providing transport services									
25	Control of importation	?	X	?	NW: Customs and Excise Act No. 10 of 1982 Export and Import (Control) Act of 1984, Art. 3	?	X	?	NW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art.	

				<p>Import Restrictions (Amendment) Regulations 2009</p> <p>CW: Customs and Excise Act No. 10 of 1982 Export and Import (Control) Act of 1984, Art. 3 Import Restrictions (Amendment) Regulations 2009 CWC Act, Arts. 6-7</p> <p>BW: Customs and Excise Act No. 10 of 1982 Export and Import (Control) Act of 1984, Art. 3 Import Restrictions (Amendment) Regulations 2009</p>			<p>6</p> <p>CW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6 CWC Act, Arts. 13-14</p> <p>BW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6</p>	
26	Extraterritorial applicability	?	?	<p>NW: Penal Code Act, 2010</p> <p>CW: Penal Code Act, 2010</p> <p>BW: Penal Code Act, 2010</p>	?	?	<p>NW: Penal Code Act, 2010</p> <p>CW: Penal Code Act, 2010</p> <p>BW: Penal Code Act, 2010</p>	
27	Other	?	?	<p>NW: Internal Security (Arms and Ammunition) Amendment Bill 2008 status in amending the Act of 1966, Art. 19: ammunition and noxious things</p> <p>CW: Internal Security (Arms and Ammunition) Amendment Bill 2008 status in amending the Act of 1966, Art. 19: ammunition and noxious things</p> <p>BW: Customs and Excise Act No. 10 of 1982 Export and Import (Control) Act of 1984, Art. 3 Import Restrictions (Amendment) Regulations</p>		?	<p>BW: Customs and Excise Act No. 10 of 1982, Arts. 79-94, especially Art. 83 Export and Import (Control) Act of 1984, Art. 6</p>	

				2009 Proclamation No. 10 of 1957, as amended in 1984, and Legal Notice No. 27 of 1972 Internal Security (Arms and Ammunition) Amendment Bill 2008 status in amending the Act of 1966, Art. 19: ammunition and noxious things					
--	--	--	--	---	--	--	--	--	--

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			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	World Customs Organization Columbus Programme	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact	X	Ministry of Foreign Affairs and International Relations Permanent Mission of Lesotho to the United Nations	
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.