

1540 COMMITTEE MATRIX OF NAURU

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: **NAURU**
 Date of Report: **4 April 2008**
 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 7 June 1982	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga, deposit 13 April 1987	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Accepted 24 Aug 2010	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 12 August 2005	
5	2005 Amendment to the CPPNM	X	Approved 14 June 2010	

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 12 November 2001	
7	Chemical Weapons Convention (CWC)	X	Deposit 12 November 2001	
8	Biological Weapons Convention (BWC)			
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State Party to 16 of 19 universal legal instrument 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 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	
11	International Atomic Energy Agency (IAEA)			
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements	X	Member of FATF-Asia Pacific Group since 2007	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation	X	State reported that it supports, to the greatest extent possible, international nonproliferation initiatives to reduce the threat posed by the proliferation of nuclear, chemical and biological weapons, their means of delivery and related components. It will continue to participate and contribute to efforts (primarily in the Pacific region) to reduce this threat.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it withholds any support whatsoever and is committed to the greatest extent possible to opposing such activities	
17	Other ¹	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) WHO INTERPOL	

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/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
2	acquire	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
3	possess	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A & 54A	
4	stockpile/store									
5	develop	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
6	transport	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
7	transfer	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	

8	use	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Sections 72-76	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Sections 72-76	
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Sections 72-76	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Sections 72-76	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Section 3 & 10 Anti-Money Laundering Act 2008, Section 2-6	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended, Section 10 Anti-Money Laundering Act 2008, Section 2-6 Financial Intelligence Unit established Anti-Money Laundering Act 2008, Part 3	
12	abovementioned activities related to means of delivery ²	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004, as amended, Section 70A	
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended	X	X	X	NW/CW/BW: Counter Terrorism and Organized Crime Act 2004 as amended	
14	Other					X	X	X	NW/CW/BW: National Co-ordinating Committee regularly meets and conducts a "whole of government" approach to counter-terrorism issues (which includes WMD)	

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/317 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
2	Measures to account for use	X	X		NW: INFCIRC/317 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
3	Measures to account for storage	X	X		NW: INFCIRC/317 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
4	Measures to account for transport	X	X		NW: Counter Terrorism and Organized Crime Act of 2004 as amended, Sections 48: permit required to transport CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	X	X		NW: Counter Terrorism and Organized Crime Act of 2004 as amended, Sections 48: Cabinet issues permit CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
5	Other measures for accounting									

6	Measures to secure production		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
7	Measures to secure use		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
8	Measures to secure storage		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
9	Measures to secure transport		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24		X		CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
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/BW: Public Health Ordinance 19252. Health Services Act 1991		?	?	CW/BW: Public Health Ordinance 1925 Health Services Act 1991	
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 13 April 1984 and SQP			
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?		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	Chemical Weapon Convention Act 2012, Section 7	X	Department of Foreign Affairs and Trade	
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	?	Public Health Ordinance 1925	?	Public Health Ordinance 1925	
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 1921 for the Territory of New Guinea adopted as law of Nauru by Custom Regulation Ordinance 1922.Section 12 -15 Sea Boundaries Act 1997, Section 1 - 7			NW/CW/BW: Customs Act 1921 for the Territory of New Guinea adopted as law of Nauru by Custom Regulation Ordinance 1922, Section 12 - 15 Sea Boundaries Act 1997, Section 1 - 7 Department of Justice and Border Control			
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										
5	Export control legislation in place	X	X	X	NW/CW/BW: Customs Act 1921 for the Territory of New Guinea adopted as law of Nauru by Custom Regulation Ordinance 1922. NW: CTTOC Act 2004 as amended, Sections 48 and 49 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24			NW/CW/BW: Customs Act 1921 for the Territory of New Guinea adopted as law of Nauru by Custom regulation Ordinance 1922, Part XIII-Penal Provisions, Section 213 -230 NW: CTTOC Act 2004, Sections 48-49 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24			

6	Licensing provisions	X	X		NW: CTTOC Act 2004 as amended, Section 48 (4) CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	X	X		NW: CTTOC Act 2004 as amended, Section 48 (4) CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	
7	Individual licensing									
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X	X		NW: CTTOC Act 2004 as amended, Sections 48 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 - 24	X	X		NW: Cabinet CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24 (National Authority- Ministry of Foreign Affairs and Trade)	
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	X	X	X	NW/CW/BW: Customs Act 1921 for the Territory of New Guinea adopted as law of Nauru by Custom Regulation Ordinance 1922, Part VIII-Duties,	X	X	X	NW/CW/BW: Customs Act 1921 for the Territory of New Guinea adopted as law of Nauru by Custom Regulation Ordinance 1922, Part VIII-Duties,	

					Section 131 NW: CTTOC Act 2004, Sections 48				Section 131 NW: CTTOC Act 2004, Sections 48	
21	Trans-shipment control	X			NW: CTTOC Act 2004 as amended, Sections 48	X			NW: CTTOC Act 2004 as amended, Sections 48	
22	Re-export control	?			NW: CTTOC Act 2004 as amended, Sections 48	?			NW: CTTOC Act 2004 as amended, Sections 48	
23	Control of providing funds									
24	Control of providing transport services									
25	Control of importation	X	X	X	NW: CTTOC Act 2004 as amended, Sections 48 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24 BW: Quarantine Act 1908-1920 as Commonwealth Adopted: Laws Repeal & Adopting Ordinance 1922-67, Section 13 & 67	X	X	X	NW: CTTOC Act 2004 as amended, Sections 48 CW: Chemical Weapon Convention Act 2012, Part 5, Section 15 – 24 BW: Quarantine Act 1908-1920 as Commonwealth Adopted: Laws Repeal & Adopting Ordinance 1922-67, Section 13 & 67	
26	Extraterritorial applicability									
27	Other	?	?	?	NW/CW/BW: Explosives Ordinance 1924-1967	X	X	X	NW/CW/BW: National Co-ordinating Committee regularly meets and conducts a "whole of government" approach to counter-terrorism issues Plans to implement the ISPS Code Explosives Ordinance 1924-1967 Criminal Code, Art 317	

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

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	The government would welcome any technical assistance available to assist officials to conduct this work to consider the range of options available to enhance implementation of the resolution; in developing enhanced operational capability within police and border security agencies and practical implementation of obligations relating to national control lists.	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

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