

1540 COMMITTEE MATRIX OF REPUBLIC OF KOREA

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: REPUBLIC OF KOREA
 Date of First Report: 27 October 2004
 Date of First Addendum: 26 September 2005
 Date of Second Addendum: 14 December 2007
 Date of Third Addendum: 12 November 2013
 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 on 23 April 1976	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of	X	Signature on 16 September 2005 Deposit on 29 May 2014	

	Nuclear Terrorism (ICSANT)			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Effective on 8 February 1987	
5	2005 Amendment to the CPPNM	X	Deposit on 29 May 2014	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit on 24 September 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit on 28 April 1997	
8	Biological Weapons Convention (BWC)	X	Deposit on 25 June 1987	
9	Geneva Protocol of 1925	X	Deposit on 4 January 1989	
10	Other Conventions/Treaties	X	State party to 14 of the 19 universal legal instruments against terrorism, including the following 2 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)	X	8 August 1957	
12	Hague Code of Conduct (HCOC)	X	25 November 2002	
13	Other Arrangements	X	Member of the: Australia Group (1996) Missile Technology Control Regime (2001) Nuclear Suppliers Group (1995) Wassenaar Arrangement (1996) Zangger Committee Proliferation Security Initiative (PSI) (2009) Partner of Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation	X	State reported that Korea is actively participating in the global efforts to prevent proliferation of weapons of mass destruction (WMD), and is fully complying with its international obligations under disarmament and nonproliferation treaties, as well as major multilateral export control regimes.	

16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it does not and will not provide any form of support to non-State actors	
17	Other ¹	X	Member of the: World Customs Organization (WCO) and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) Programme Financial Action Task Force (FATF) Asia/Pacific Group on Money Laundering (APG) INTERPOL World Health Organization (WHO) World Organisation for Animal Health (OIE) International Maritime Organization (IMO) since 1962G8- Global Partnership ASEAN Regional Forum (ARF)	

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: Firearms, Swords and Explosives Control Act (FKECA) 1961, as last amended 2008 CW/BW: Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Export, and Import of Specific Chemicals and Biological Agents (CBWPA) of 2006 Article 4 (2) CW: Act on the Control of the Production, Export, Import, etc. of Specific Chemicals for the Prohibition of Chemical Weapons (ACSC) 1997, article 3	X	X	X	NW: Atomic Energy Act 1982, as amended 2008, articles 114-121 Act for the Physical Protection and Radiological Emergency Criminal Code FKECA 1961, as last amended 2008 CW/BW: CBWPA 2006, Article25, penalties for violations of the prohibitions include a maximum penalty of a life sentence, minimum five years or 100 million won CW: ACSC 1997, articles 25-30	
2	acquire	X	X	X	NW: Firearms, Swords and Explosives Control Act (FKECA) 1961, as amended	X	X	X	NW: Atomic Energy Act 1982, as amended , articles 114-121 Act for the Physical Protection and Radiological Emergency Criminal Code FKECA 1961,	

					CW: Chemical Weapons Convention through article 6 of the Constitution CBWPA 2006, Article 4 (2) BW: CBWPA 2006 4 (2)				CW/BW: CBWPA 2006, Article 25	
3	possess	X	X	X	NW: Firearms, Swords and Explosives Control Act (FKECA) 1961, as amended CW: ACSC 1997, article 3 CBWPA 2006, Article 4 (2) BW: CBWPA 2006 4 (2)	X	X	X	NW: Atomic Energy Act 1982, as amended , articles 114-121 Act for the Physical Protection and Radiological Emergency Criminal Code FKECA. All these Acts are penalized by these laws CW: ACSC 1997, articles 25-30 CBWPA 2006, Article25 BW: CBWPA 2006 Article 25	
4	stockpile/store	X	X	X	NW: Firearms, Swords and Explosives Control Act (FKECA) 1961, as amended CW: ACSC 1997, article 3 CBWPA 2006, Article 4 (2) BW: CBWPA 2006 Article 4 (2)"	X	X	X	NW: Atomic Energy Act 1982, as amended , articles 114-121 Act for the Physical Protection and Radiological Emergency Criminal Code FKECA. All these Acts are penalized by these laws CW: ACSC 1997, articles 25-30 CBWPA 2006, Article25 BW: CBWPA 2006 Article 25	

[illegible]

8	use	X	X	X	NW: Firearms, Swords and Explosives Control Act (FKECA) 1961, as amended CW: ACSC 1997, article 3 CBWPA 2006, Article 4 (2) "use" BW: CBWPA 2006 Article 4 (2)	X	X	X	NW: Atomic Energy Act 1982, as amended , articles 114-121 Act for the Physical Protection and Radiological Emergency FKECA. CW: ACSC 1997, articles 25-30 CBWPA 2006, Article 25 BW: Criminal Code, as amended 2005, article 30 (accessories aid and abet) and article 261 (use of special violence) CBWPA 2006 penal provisions	
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Criminal Code NW: Act for the Physical Protection and Radiological Emergency, as amended (May 2014), Article 47(6) CW: ACSC 1997, article 3 CBWPA 2006 Article 4 (2) BW: CBWPA 2006 Article 4 (2)	X	X	X	NW/CW/BW: Criminal Code, as amended , article 30 (accessories aid and abet) and article 261 ("use of special violence", "Crime committed by carrying a dangerous weapon") CW: ACSC 1997, articles 25-30 CBWPA 2006 Article 4 (2) BW: CBWPA 2006 Article 25 penal provisions	
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Criminal Code	X	X	X	NW/CW/BW: Criminal Code, as amended, article 30 (accessories aid and abet) and article 261 (use of special violence)	

					NW: Act for the Physical Protection and Radiological Emergency, as amended (May 2014), Article 47(7) CW: ACSC 1997, article 3 CBWPA 2006, Article 4 (2) BW: CBWPA 2006 Article 4 (2)				CW: ACSC 1997, articles 25-30 CBWPA 2006, Article 25 BW: Criminal Code, as amended , article 30 (accessories aid and abet) and article 261 (use of special violence) CBWPA 2006 Article 25 penal provisions	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Financial Transaction Reports Act, as amended , article 2 Act on Prohibition against the Financing of Terrorism Article 2 (e) (d) Prohibition of Financing for Offences of Public Intimidation Act Article 2 (e)(d) Proceeds of Crime Acts CW/ BW: CBWPA 2006 (all forms of support)	X	X	X	NW/CW/BW: Financial Transaction Reports Act, as amended , article 3 creates the Financial Intelligence Unit (FIU) and articles 13-17, penalties with the amendment strengthening article 17 Act on Prohibition against the Financing of Terrorism Article 6 Prohibition of Financing for Offences of Public Intimidation Act Article 6 Proceeds of Crime Acts	
12	abovementioned activities related to means of delivery ²	?	?	?	NW: Act on Special Measures for Defense Industry CW/BW: CBWPA 2006; Chemical Weapons Convention and Biological and Toxin Weapons Convention through article 6 of the Constitution	?	?	?	NW: Criminal Code CW/BW: CBWPA 2006, penal provisions	

13	involvement of non-State actors in abovementioned activities	?	?	?	NW/CW/BW: Through article 6 of the Constitution NW: Act on Special Measures for Defense Industry CW: ACSC 1997, article 3 CBWPA 2006 BW: CBWPA 2006	?	?	?	NW: Criminal Code CW: ACSC 1997, articles 25-30 CBWPA 2006 penal provisions BW: CBWPA 2006 penal provisions	
14	Other	X	X	X	NW/CW/BW: Constitution, Article 6: Incorporates international law as domestic law upon ratification					

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: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: CBWPA 2006, articles 5-10, 13 and 21 Presidential Decree of the ACSC: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years BW: CBWPA 2006, article 5	X	X	X	NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: ACSC 1997, articles 14-18 and 25-30 Possibly CBWBA 2006, penal provisions BW: CBWPA 2006, articles 2 and 8 bis (Inspections and Suspension of production or closure of facility) and penal provisions Electronic Tracking System both for CBWPA and Plant Quarantine Act implementation Presidential Decree of the CBWPA: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years	

2	Measures to account for use	X	X	X	<p>NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances Nuclear Safety Act Amended 2013: Article 15: on Accountancy</p> <p>CW: CBWPA 2006, articles 5-10, 13 and 21 Presidential Decree of the ACSC: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years</p> <p>BW: CBWPA 2006, Article 13</p>	X	X	X	<p>NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003</p> <p>CW: ACSC 1997, articles 14-18 and 25-30 Possibly CBWBA 2006, penal provisions</p> <p>BW: CBWPA 2006, articles 2 and 8 bis (Inspections and Suspension of production or closure of facility) and penal provisions Electronic Tracking System both for CBWPA and Plant Quarantine Act implementation Presidential Decree of the CBWPA: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years</p>	
3	Measures to account for storage	X	X	X	<p>NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances Nuclear Safety Act Amended 2013: Article 15: on Accountancy</p> <p>CW: CBWPA 2006, articles 5-10, 13 and 21</p>	X	X	X	<p>NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003</p> <p>CW: ACSC 1997, articles 14-18 and 25-30</p>	

					Presidential Decree of the ACSC: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years BW: Act on the Prevention of Infectious Diseases amended in July 2007 to include pathogens and related requirements January 2006 amendment to the Enforcement Ordinance and Enforcement Regulation for safety management covers safekeeping, separation, transportation, and exposal of pathogens				CBWBA 2006, penal provisions BW: Electronic Tracking System both for CBWPA and Plant Quarantine Act implementation Must provide annual status report on storage to the Korean Center for Disease Control	
4	Measures to account for transport	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: BWPA 2006, articles 5-10, 13 and 21 Presidential Decree of the ACSC: annual report of production, consumption, processing of Scheduled Chemicals, administrative supervision such as inspection, inventory check, etc., record-keeping for 5 years BW: Act on the Prevention of Infectious Diseases amended in July 2007 to include pathogens and related requirements January 2006 amendment to the Enforcement Ordinance and Enforcement Regulation for safety management covers safekeeping, separation, transportation, and exposal of pathogens	X	X	X	NW: Atomic Energy Act 1982, as amended , articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: ACSC 1997, articles 14-18 and 25-30 CBWBA 2006, penal provisions BW: Electronic Tracking System both for CBWPA and Plant Quarantine Act implementation Must provide annual status report on storage to the Korean Center for Disease Control	

5	Other measures for accounting	X	X	X	<p>NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances Nuclear Safety Act Amended 2013: Article 97: on report on theft</p> <p>CW: Toxic Chemicals Control Act: Report on production and import Act On The Control of The Manufacture, Export and Import, etc. of Specific Chemicals and Chemical Agents for the Prohibition of Chemical and Biological Weapons (Chapter IV, Article 13)</p> <p>BW: Act on the Prevention of Contagious Diseases (APCD)</p>	X	X	X	<p>NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003</p> <p>CW: Toxic Chemicals Control Act (Chapter 5) Act On The Control of The Manufacture, Export and Import, etc. of Specific Chemicals and Chemical Agents for the Prohibition of Chemical and Biological Weapons (Chapter 7)</p> <p>BW: Ministry of Health and Welfare (MOHW) Ordinance No. 2001-25 sets guidelines on separation, storage, transportation, etc. of contagious pathogens The APCD requires reporting if pathogens of contagious diseases are separated</p>	
6	Measures to secure production	X	X	X	<p>NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances</p> <p>CW: ACSC 1997, articles 5-10, 13 and 21 Toxic Chemicals Control Act as amended 2007, articles 5 and 23</p> <p>BW: CBWPA 2006, Article 6: Submit security</p>	X	X	X	<p>NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003</p> <p>CW: ACSC 1997, articles 14-18 and 25-30 Toxic Chemicals Control Act as amended 2007, articles 57-63</p> <p>BW: Electronic Tracking System both for CBWPA</p>	

					management plan reports				and Plant Quarantine Act implementation Laboratory Safety Guidelines	
7	Measures to secure use	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: ACSC 1997, articles 5-10, 13 and 21 Toxic Chemicals Control Act as amended 2007, articles 5 and 23 BW: CBWPA 2006, Article 6: Submit security management plan reports	X	X	X	NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: ACSC 1997, articles 14-18 and 25-30 Toxic Chemicals Control Act as amended 2007, articles 57-63 BW: Electronic Tracking System both for CBWPA and Plant Quarantine Act implementation Laboratory Safety Guidelines	
8	Measures to secure storage	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: ACSC 1997, articles 5-10, 13 and 21 Toxic Chemicals Control Act as amended articles 5 and 23 BW: CBWPA 2006 Article 6 (2)	X	X	X	NW: Atomic Energy Act 1982, as amended, articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: ACSC 1997, articles 14-18 and 25-30 Toxic Chemicals Control Act as amended, articles 57-63 BW: Must provide annual status report on storage to the Korean Center for Disease Control CBWPA 2006, penal provisions	
9	Measures to secure transport	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological	X	?	X	NW: Atomic Energy Act 1982, as amended, articles 114-121	

					Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: Toxic Chemicals Control Act as amended articles 5 and 24 BW: CBWPA 2006 Transboundary Movement, etc. of Living Modified Organisms Act Infectious Disease Control and Prevention Act				Act for the Physical Protection and Radiological Emergency May 2003 CW: Toxic Chemicals Control Act as amended, articles 57-63 BW: CBWPA 2006, penal provisions Transboundary Movement, etc. of Living Modified Organisms Act Infectious Disease Control and Prevention Act	
10	Other measures for securing		X		CW: Dangerous Materials Control Act: safety standard			X	BW: The Korean Center for Disease Control advises entities which reported the separation of a contagious pathogen on the safety management and storage of the pathogen.	
11	Regulations for physical protection of facilities/materials/ transports	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: Act on the Management of Military Supplies (AMMS) BW: Act on the Management of Military Supplies (AMMS) Transboundary Movement, etc. of Living Modified Organisms Act, Article 21	X	X	X	NW: Atomic Energy Act 1982, as amended articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: Presidential Decree of the AMMS BW: Presidential Decree of AMMS Transboundary Movement, etc. of Living Modified Organisms Act, Article 21 Infectious Disease Control and Prevention Act	

					Infectious Disease Control and Prevention Act					
12	Licensing/registration of installations/facilities/persons/entities/use/handling of materials	X	X	X	NW: Atomic Energy Act 1982, as amended Act for the Physical Protection and Radiological Emergency May 2003 / Enforcement Decree / Enforcement Regulation Inspective Regulation on Accountancy and Security of Specific Atomic Substances CW: ACSC 1997 for chemicals included in CWC Schedule 1 BW: Pharmaceutical Affairs Act (PAA)	X	X	X	NW: Atomic Energy Act 1982, as amended articles 114-121 Act for the Physical Protection and Radiological Emergency May 2003 CW: ACSC 1997, articles 14-18 and 25-30 Presidential Decree of the ACSC BW: The Korean Food and Drug Administration has the licensing authority under the PAA and its Enforcement Regulations - Regulations on Management of Manufacturing and Sale of Biological Products	
13	Reliability check of personnel	X	X	X	NW: Article 120 (2) and (3) of the Enforcement Regulations of the Atomic Energy Safety Act CW: Dangerous Materials Control Act: Reliability check of personnel CBWPA 2006, Article 6 (2) BW: CBWPA 2006, Article 6 (2)	X	X	X	NW: Enforcement Regulations of the Atomic Energy Safety Act CW/BW: CBWPA Penal provisions : Maximum penalty is life sentence	
14	Measures to account for/secure/ physically protect means of delivery	X	X	X	NW: Aerospace Development Promotion Act 2009, articles 8, 11 and 21 Act on the Management of Military Supplies	X	X	X	NW: Aerospace Development Promotion Act 2009, articles 27-29 Act on Special Measures for Defense Industry	

				<p>(AMMS)</p> <p>CW: Aerospace Development Promotion Act 2009, articles 8, 11 and 21 Act on the Management of Military Supplies (AMMS)</p> <p>BW: Aerospace Development Promotion Act 2009, articles 8, 11 and 21 Act on the Management of Military Supplies (AMMS)</p>				<p>(DAP)</p> <p>CW: Aerospace Development Promotion Act 2009, articles 27-29 Presidential Decree of the AMMS</p> <p>BW: Aerospace Development Promotion Act 2009, articles 27-29 Presidential Decree of the AMMS</p>	
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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	Atomic Energy Act 1982, as amended	X	National Nuclear Management and Control Agency (NNCA) MOST is in charge of national regulation of NW related materials and technologies. KINAC (Korea Institute of Non-proliferation and Control) has been established to ensure compliance with international treaties.	
2	IAEA Safeguards Agreements	X	Safeguards Agreement, in force 14 November 1975 (INFCIRC /236) Additional Protocol ratified 19 February 2004	X	Safeguards Agreement, in force 14 November 1975(INFCIRC /236) Additional Protocol ratified 19 February 2004	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notification pursuant to GC(47)/RES/7.B	X	The Director, Radiation Protection Department, Ministry of Health is the POC for the Code of Conduct	
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	Notification pursuant to GC(48)/RES/10.D Response to a Self-Assessment Questionnaire pursuant to the Supplementary Guidance.	X	Contact Point Designated: Radiation Safety Division, Radiation Emergency Bureau Nuclear Safety and Security Commission (NSSC) (Primary contact point Email: jslee@nssc.go.kr) Source Safety Department, Division of Radiation Regulation Korea Institute of Nuclear Safety (KINS) (Technical contact point Email:	

					k221kwt@kins.re.kr)	
5	IAEA Incident and Trafficking Database	X	Joined in 1998	X	Continues to contribute to the Database Programme	
6	Other Agreements related to IAEA	X	IAEA International Physical Protection Advisory Service (IPPAS) conducted in Feb 2014	X	IAEA International Physical Protection Advisory Service (IPPAS) conducted in Feb 2014	
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	State Party to: Convention on Early Notification of a Nuclear Accident (CENNA) (9 July 1990) Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency (July 1990) Convention Nuclear Safety (24 October 1996) Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (15 Dec 2002)			

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	ACSC 1997, Article 4 CBWPA 2006	X	Ministry of Foreign Affairs and Trade	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Reported regularly to OPCW according to the requirements for all chemicals included in CWC Schedules	X	ACSC 1997, articles 14-18 and 25-30 Presidential Decree of the ACSC	
3	Account for, secure or physically protect "old chemical weapons"	X	Act on the Control of Firearms, Swords, Explosives, etc. (FKECA) 1961, as last amended 2008, article 73	?	Presidential Decree of the ACSC	
4	Other legislation/ regulations controlling chemical materials	X	Toxic Chemicals Control Act	X	Toxic Chemicals Control Act	
5	Other					

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

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Act on the Trans-border Movement of LMO of 2001 Enforcement Ordinance, September 2005	X	Genetic Recombination Guidelines created in 2007 Enforcement Regulations issued in March 2006 Ministry of Health and Welfare Notification No. 1997-22 lays out guidelines for research involving recombinant organisms	
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 1949, as amended through 2010, articles 134-153 and 236-245 Foreign Trade Act, amended by Act No. 10231, April 5 2010 BW: "Notification on the Designation of Goods Subject to Customs Verification of Clearance Requirements and Verification Methods Pursuant of the Provisions of Article 226 of the Customs Act" have applied to all biological agents as of June 2007	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Customs Act 1949, as amended through 2010, articles 173 and 246-282 Commissioner of the Customs to inspect and supervise importation and exportation of certain items	
2	Technical support of border control measures	X	X	X	NW/CW/BW: Enforcement Decree of the Foreign Trade Act, Article 30 authorizes a computerized management system Customs Act 1949, as amended through 2010, Article 327	X	X	X	NW/CW/BW: Cargo Selectivity Risk Management System Single Window Platform Customs Act 1949, as amended through 2010, articles 173 and 246-282	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 24: covers brokering	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Customs Act 1949, as amended through 2010,	

	technology							articles 173 and 246-282		
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Customs Act 1949, as amended through 2010, articles 134-153 and 236-245	X	X	X	NW/CW/BW: Korea Customs Service, Ministry of Strategy and Finance National police, maritime police, immigration authorities	
5	Export control legislation in place	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 Section III: Exportation and Importation of strategic Items, including article 19-31 NW: Technology Development Promotion Act 1972, as amended Atomic Energy Act 1982, as amended Integrated Public Notice on Export/Import of Strategic Items CW/BW: Integrated Public Notice on Export/Import of Strategic Items CBWPA 2006, article 11	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59, Imprisonment up to 5 years or fine of up to 3 times the transaction value. Punitive sanctions for offenses made with an objective of proliferation (Imprisonment up to 7 yrs or fine up to 5 times the transaction value) NW: Technology Development and Promotion Act Atomic Energy Act Integrated Public Notice on Export/Import of Strategic Items CW/ BW: CBWPA 2006, penal provisions	
6	Licensing provisions	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010, Article 19 Integrated Public Notice on Export/Import of Strategic Items, clause 26 for exemption reporting CW/BW: CBWPA 2006, article 11: Export Authorization required	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010, Article 23 Integrated Public Notice on Export/Import of Strategic Items CW/BW: CBWPA 2006, article 11 and penal provisions	

7	Individual licensing	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 19 Integrated Public Notice on Export/Import of Strategic Items, clause 26 for exemption reporting	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Integrated Public Notice on Export/Import of Strategic Items	
8	General licensing	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 19 and 25: Exports allowed without an individual license for a given period of time when deemed not to undermine national interest or security. (excluding NSG trigger list, Military list, transfer of technology only) Integrated Public Notice on Export/Import of Strategic Items, clause 26 for exemption reporting	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 General Comprehensive License : 3 yr or less Special Comprehensive License : 2 yr or less Integrated Public Notice on Export/Import of Strategic Items (Exceptions: exclude NSG items ,Australia Group and CWC items)	
9	Exceptions from licensing	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 14 and 19 (5) Integrated Public Notice on Export/Import of Strategic Items, clause 26 for exemption reporting	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Integrated Public Notice on Export/Import of Strategic Items Exceptions exclude NSG items Exceptions exclude Australia Group and CWC items	
10	Licensing of deemed export/visa									
11	National licensing authority	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 19 Technology Development Promotion Act 1972, as amended NW:	X	X	X	NW/CW/BW: Ministry of Trade, Industry and Energy (MOTIE) for dual use items and general defense materials Nuclear Safety and Security Commission (NSSC) for nuclear material and technology. Ministry of Unification (MOU) in charge of trade between ROK and DPRK Defense Acquisition Program Administration (DAPA) in charge of defence articles	

					Atomic Energy Act 1982, as amended 2008 CW: CBWPA 2006					
12	Interagency review for licenses	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 30: MKE and administrative agencies concerned Integrated Public Notice on Export/Import of Strategic Items, Article 15 CW/ BW: CBWPA 2006	X	X	X	NW/CW/BW: Export control related authorities have power to convene interagency consultation when necessary. Ministry of Foreign Affairs and Trade (MOFAT) holds additional interagency consultation on regular basis CW: CWC Policy Council established under MOFAT considers and coordinates important policy relating to the implementation of CWC BW: Integrated Public Notice on Export/Import of Strategic Items, Article 15 BWC Policy Council is established under MOFAT to consider and coordinate important policies relating to the implementation of BWC	
13	Control lists	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 19 and 20 specifies the export regulation of the items on the Control List. Details are stipulated in the Enforcement Decree of the Foreign Trade Act and the Public Notice on Trade of Strategic Items.	X	X	X	NW/CW/BW: Integrated Public Notice incorporate the control items under NSG, AG, and includes a penalty clause Foreign Trade Act, amended by Act No. 10231, April 5 2010, the Ministry of Knowledge Economy publishes lists of strategic items in [Annex 2] and [Annex 3] of the (Public Notice on Trade of Strategic Items) and the guiding principles of the Multilateral Export Control Regimes. Listed items linked with Harmonized Commodity Description and Coding	
14	Updating of lists	X	X	X	NW/CW/BW: Integrated Public Notice on Export/Import of Strategic Items	X	X	X	NW/CW/BW: The ROK Government updates the lists on a semi-annual basis	

[illegible]

					Republic of Korea national, whether in the Republic of Korea or in a foreign country, engages in the transfer of such technologies to foreign nationals.					
20	Transit control	X	X	X	NW/CW/BW: Customs Act 1949, as amended through 2010, article 141 Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 23	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Customs Act 1949, as amended through 2010, articles 173 and 246-282	
21	Trans-shipment control	X	X	X	NW/CW/BW: Customs Act 1949, as amended through 2010, article 141 Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 23	X	X	X	NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53-59 Customs Act 1949, as amended through 2010, articles 173 and 246-282	
22	Re-export control	X	X	X	NW/CW/BW: Integrated Public Notice on Export/Import of Strategic Items, Annex Table 2	X	X	X	NW/CW/BW: Integrated Public Notice on Export/Import of Strategic Items	
23	Control of providing funds	X	X	X	NW/CW/BW: The Act on the Prohibition of Financing for Offences of Public Intimidation(2008), establishing the legal basis for the prohibition and criminalization of financing terrorist acts, including, for example, possession, stockpiling or use of nuclear materials, or acts of sabotage on nuclear facilities. Act on Prohibition against the Financing of Terrorism 21 December 2007, as amended Articles 5 and 7	X	X	X	NW/CW/BW: Penal provisions in CBWPA and Criminal Act regulate providing funds The Financial Services Commission is taking steps to amend the aforementioned Act to tighten controls on weapons of mass destruction proliferation financing.	
24	Control of providing transport services	?	?	?	NW: The Act on Physical Protection and Radiological Emergency CW/BW: CBWPA 2006	?	?	?	NW: The Act on Physical Protection and Radiological Emergency CW/BW: CBWPA, 2006 BW: CBWPA 2006	

25	Control of importation	X	X	X	<p>NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 26 Integrated Public Notice on Export/Import of Strategic Items</p> <p>BW: CBWPA 2006, Article 12: Import Authorization required all items save those requiring authorization under the Act on Prevention of Contagious Diseases for Animals and the Plant Protection Act</p>	X	X	X	<p>NW/CW/BW: Foreign Trade Act, amended by Act No. 10231, April 5 2010 article 53--60</p> <p>CW/BW: CBWPA 2006 Foreign Trade Act 1986, as amended 2007, articles</p>	
26	Extraterritorial applicability	?	?	?	<p>NW/CW/BW: Penal provisions of FTA, DAP Act, CBWPA and TDPA</p>	?	?	?	<p>NW/CW/BW: All penal provisions are extraterritorially applicable</p>	
27	Other	X	X	X	<p>NW/CW/BW: Customs Act 1949 amendments in 2008 and 2009 established a framework for an Authorized Economic Operator (AEO) system</p>	X	X	X	<p>NW/CW/BW: Issued Guidelines for companies for Internal Compliance Programs for strategic trade controls ROK Government constructed and operates on-line strategic items management system</p>	

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	State report that the government control items under NSG, ZC, AG, MTCR and WA in national legislation and maintains and updates lists of controlled items for the sake of effective export controls	
2	Control lists - other	X	List items linked with Harmonized Commodity Description and Coding System	
3	Assistance offered	X	State reports that they sent instructors to countries where they are invited. Since joining the Global Partnership against the Spread of Weapons and Materials of Mass Destruction in June 2004, the Republic of Korea has made a financial contribution of \$6.3 million to various joint projects aimed at strengthening the non-proliferation of weapons of mass destruction and the control of weapons of mass destruction-related materials. State announced its support for the work of the 1540 Committee and its programmes by providing, voluntarily, financial contributions of \$ 100 million in The Hague, 2014 Nuclear Security Summit.	
4	Assistance requested			
5	Point of Contact for assistance	X	Mr. Sang Yun LEE (Deputy Director for Disarmament and Nonproliferation Ministry of Foreign Affairs and Trade) Tel: +82-2-2100-7252 Email: disarmament@mofat.go.kr Mr. Il-hoon KIM (Point of Contact at the Permanent Mission of the Republic of Korea to the United Nations) Tel: 212-439-4051 Email: kiin0972@gmail.com	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	Government held conferences to explain export control system for strategic items to relevant enterprises and organizations and co-hosted a seminar with the Korean Bio-industry Association Has an on-line Strategic Trade Information System for processing license applications, hosting on-line training, and other efforts to reach industry and the public The Korea Center for Disease Control and Prevention (KCDC) conducts training programs. The KCDC provides the "Biological Safety Management Course" for researchers in non-governmental institutes and the "Laboratory Biological Safety Course" for researchers in government agencies. The KCDC also publishes the Biological Safety Newsletter and provides consultation services on the installation and management of air-tight research facilities. Reorganized the Strategic Trade Information Center into the Korean Strategic Trade Institute in June 2007, which operates the on-line YesTrade system for item classification and other assistance	

			MKE and KOSTI provide export control training programs in Seoul and other major local cities throughout the year with audience from government, industry, academic sector. Major training programs are specified in yearly schedule (only available in Korean) and tailored training is also available upon requests. And all training programs offered by MKE are complementary. Strategic Trade Week 2011, 2012 and Strategic Trade Day 2013	
8	Work with and inform the public	X	Government continues to raise public awareness of the obligations set out in the international non-proliferation arrangements through seminars and news coverage. Since 2011, the Ministry of Trade, Industry and Energy and the Korea Strategic Trade Institute have co-hosted annual outreach events on export control, with a view to raising awareness and fostering a sound culture among relevant government agencies, industry, academia and the public through joint seminars, exhibitions and award ceremonies.	
9	Point of Contact	X	Mr. Sang Yun LEE (Deputy Director for Disarmament and Nonproliferation Ministry of Foreign Affairs and Trade) Tel: +82-2-2100-7252 Email: disarmament@mofat.go.kr Mr. Il-hoon KIM (Point of Contact at the Permanent Mission of the Republic of Korea to the United Nations) Tel: 212-439-4051 Email: kiin0972@gmail.com	
10	Other ⁴	X	1540 Committee visited the Republic of Korea on 18-19 November 2013.	

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