

1540 COMMITTEE MATRIX OF SAO TOME AND PRINCIPE

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:

SAO TOME AND PRINCIPE

Date of Report:

9 July 2015

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 July 1983	
2	Nuclear Weapons Free Zone/ Protocol(s)	?	Treaty of Pelindaba, signed 9 July 1996	
3	Convention for the Suppression of Acts of Nuclear Terrorism	?	Signed, 19 December 2005	
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)	?	Signed 26 September 1996	
7	Chemical Weapons Convention (CWC)	X	Deposit 9 September 2003	
8	Biological Weapons Convention (BWC)	X	Deposit 24 August 1979	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	<p>State party to 10 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004):</p> <p>International Convention of the Suppression of Terrorist Bombing, deposit 12 April 2006</p> <p>International Convention for the suppression of the Financing of Terrorism, deposit 12 April 2006</p> <p>Sea-Bed treaty, deposit 24 August 1979</p> <p>OAU Convention on the Prevention and Combating of Terrorism, signature 1 February 2010</p> <p>Protocol to the OAU Convention on the Prevention and Combating of Terrorism, signed 1 February 2010</p> <p>Bamako Convention on the ban of the import into Africa and the control of transboundary movement and management of hazardous wastes within Africa, signature 1 February 2010</p> <p>International Health Regulations (2005)</p>	
11	International Atomic Energy Agency (IAEA)			
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements			
14	General statement on non-possession of WMD	X	State reported that it does not possess nuclear, chemical and biological weapons, nor their means of delivery	
15	General statement on commitment to disarmament and non-proliferation	X	State reported that it is committed to the disarmament and non-proliferation of nuclear, chemical and biological weapons nationally, regionally and globally	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it does not provide any support to non-state actors attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	
17	Other ¹	X	Member of: African Union (AU)	

			<p>Economic Community of Central African States (ECCAS)</p> <p>Inter-Governmental Action Group against Money Laundering in West Africa (GIABA)</p> <p>International Maritime Organisation (IMO)</p> <p>World Health Organisation (WHO)</p> <p>World Customs Organisation (WCO), Signed Declaration on Implementation of the World Customs Organization (WCO) 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework of Standards)</p> <p>World Organisation for Animal Health (OIE)</p> <p>International Criminal Police Organization (INTERPOL)</p> <p>State party to the 2005 Revised Cotonou Agreement, as revised (ACP member)</p>	
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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		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375 (toxic and asphyxiating gases)	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	
2	acquire	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	
3	possess	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	
4	stockpile/store	X	X		NW: Penal Code, Law No. 6/2012, section 375 CW: Penal Code, Law No. 6/2012, section 375	X	X		NW: Penal Code, Law No. 6/2012, section 375 CW: Penal Code, Law No. 6/2012, section 375	

5	develop									
6	transport									
7	transfer	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	X	X		NW: Penal Code, Law No. 6/2012, sections 324, 375 CW: Penal Code, Law No. 6/2012, sections 324, 375	
8	use	X	X	X	NW: Penal Code, Law No. 6/2012, sections 320, 321, 322, 359, 360, 375 CW: Penal Code, Law No. 6/2012, sections 323, 333, 359, 360, 375 BW: Penal Code, Law No. 6/2012, sections 337, 338, 359, 360	X	X	X	NW: Penal Code, Law No. 6/2012, sections 320, 321, 322, 359, 360, 375 CW: Penal Code, Law No. 6/2012, sections 323, 333, 359, 360, 375 BW: Penal Code, Law No. 6/2012, sections 337, 338, 359, 360	
9	participate as an accomplice in abovementioned activities									
10	assist in abovementioned activities									
11	finance abovementioned activities	X	X	X	NW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) CW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence	X	X	X	NW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) CW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence	

					Unit) BW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit)				Unit) BW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit)	
12	abovementioned activities related to means of delivery ²									
13	involvement of non-State actors in abovementioned activities	X	X	X	NW: Penal Code, Law No. 6/2012, sections 320, 321, 322, 359, 360, 375 CW: Penal Code, Law No. 6/2012, sections 323, 333, 359, 360, 375 BW: Penal Code, Law No. 6/2012, sections 337, 338, 359, 360	X	X	X	NW: Penal Code, Law No. 6/2012, sections 320, 321, 322, 359, 360, 375 CW: Penal Code, Law No. 6/2012, sections 323, 333, 359, 360, 375 BW: Penal Code, Law No. 6/2012, sections 337, 338, 359, 360	
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 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									
2	Measures to account for use			?	BW: Animal Health Law No. 13/2005 Environmental Law No. 10/ 1999			?	BW: Animal Health Law No. 13/2005 Environmental Law No. 10/1999	
3	Measures to account for storage									
4	Measures to account for transport			?	BW: Animal Health Law No. 13/ 2005			?	BW: Animal Health Law No. 13/ 2005	
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use									
8	Measures to secure storage	?	?	?	NW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) CW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))	?	?	?	NW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) CW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))	

					BW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))				BW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))	
9	Measures to secure transport	?	?	?	NW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) CW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) BW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))	?	?	?	NW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) CW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code)) BW: Decree 4/2010 (Implementation of the International Ship and Port Facility Security Code (ISPS Code))	
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									
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					
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 Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
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	Ministry of Foreign Affairs and Communities	X	Ministry of Foreign Affairs and Communities	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial declarations	X	Initial declarations	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Law No. 52/1998 (Poisons and Medicine)	X	Law No. 52/1998 (Poisons and Medicine)	
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: Decree Law No. 39/2009 CW: Decree Law No. 39/2009 BW: Decree Law No. 39/2009	X	X	X	NW: Decree Law No. 39/2009 CW: Decree Law No. 39/2009 BW: Decree Law No. 39/2009	
2	Technical support of border control measures					?	?	?	NW: ASYCUDA (Automated System for Customs Data) CW: ASYCUDA (Automated System for Customs Data) BW: ASYCUDA (Automated System for Customs Data)	
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			?	BW: Decree 40/99-Agronomic Centre of Technologic Investigation (“Contro do Investigaç�o Agron�mica vegetal Tcnol�gica do S. Tome e Principe”) institution mandated to issue import/export certificates for plant products . Animal Health Law 13/2005			?	BW: Decree 40/99-Agronomic Centre of Technologic Investigation (“Contro do Investigaç�o Agron�mica vegetal Tcnol�gica do S. Tome e Principe”) institution mandated to issue import/export certificates for plant products. Animal Health Law 13/2005	
6	Licensing provisions			?	BW: Decree 40/99- Agronomic Centre of Technologic Investigation (“Contro do Investigaç�o Agron�mica vegetal Tcnol�gica do S. Tome e Principe”) institution mandated to issue import/export certificates for plant products Animal Health Law 13/2005			?	BW: Decree 40/99-Agronomic Centre of Technologic Investigation (“Contro do Investigaç�o Agron�mica vegetal Tcnol�gica do S. Tome e Principe”) institution mandated to issue import/export certificates for plant products. Animal Health Law 13/2005	
7	Individual licensing									
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing 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								
21	Trans-shipment control								
22	Re-export control								
23	Control of providing funds	X	X	X	NW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) CW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) BW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit)	X	X	X	NW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) CW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit) BW: Law No. 8 of 2013 (Preventing and Combating Money Laundering and Terrorist Financing) Law No. 60 of 2009 (Financial Intelligence Unit)
24	Control of providing transport services								
25	Control of importation			?	BW: Decree 40/99			?	BW: Decree 40/99
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)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	Civil protection Ministry/department members participated in OPCW seminars on Protection and Emergency Training hosted by Brazil, Portugal and the Netherlands in 2013, and by South Africa in 2014	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact	X	Ministry of Foreign Affairs and Communities Directorate of Foreign Policy E-mail: esterline.genero@diplomats.com Avenida Amilcar Cabral, 101/201, Tlf (+239) 2225020	
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.